Produce
on
SPECIAL
INSTRUCTION
ONLY

393

CO 886/11/1

Dominions No. 93.

Part I.

CONFIDENTIAL.

INTERNATIONAL ARRANGEMENTS AND TREATY RELATIONS.

POSITION OF THE SELF-GOVERNING DOMINIONS AND SOUTHERN RHODESIA.

CORRESPONDENCE, 1924

(in Two Parts).

PART I—Index to Parts I and II.
Serial Numbers 1 to 429.

(*In continuation of Dominions Nos.* 75, 76, 78, 80, 81, 87 *and* 88; *continued by Dominions No.* 94.)

CORRESPONDENCE, 1924.

(In Two Parts).

INDEX TO PARTS I. AND II.

PART I.

PAGE IN PART I.

Aerial Navigation Convention, 1919.
(Treaty Series 1922, Nos. 2 and 11).
(1) Article 5: Postponement of Application and Amendment of Article. (Treaty Series 1925, No. 12) 1
(2) Article 5: Application for Derogation by Great Britain 3
(3) Amendment of Article 34. (Treaty Series 1925, No. 13) 5

Aerial Warfare
(*See under* Laws of War).

Albania.
(*See under* Extradition Treaties).

Antarctic. 8

Anti-Diphtheritic Serum.
Proposed Agreement for Control of 9

Arbitration Agreements.
(1) Norway. (Treaty Series 1925, No. 30) 11
(2) Portugal. (Treaty Series 1925, No. 41) 11
(3) Sweden. (Treaty Series 1925, No. 28) 11
(4) Spain. (Treaty Series 1924, No. 16) 17
(5) United States (Treaty Series 1924, No. 8) 18

Arbitration in Commercial Contracts.
Protocol regarding
(*See under* League of Nations).

Armaments, Limitation of
(1) Proposed agreement relating to Naval Disarmament 18
(2) Proposed Treaty of Mutual Assistance
(*See under* League of Nations).
(3) Geneva Protocol
(*See under* League of Nations).

Australia.
Registration of Australian Trade Marks in Finland
(*See under* Industrial Property Conventions).

Austria.
(1) Commercial Treaty, 1924. (Treaty Series 1925, No. 21). 22
(2) Agreement respecting the Customs Clearance of Commercial Travellers' Samples. (Treaty Series 1923, No. 9, and 1925, No. 27) 26

Belgium.
(1) Commercial Convention with Canada. (Treaty Series 1925, No. 7) 29
(2) Convention relating to Legal Procedure in Civil and Commercial Matters. (Treaty Series 1921, No. 13) 34
(3) Extradition Treaty
(*See under* Extradition Treaties)

Brazil.
(*See under* Extradition Treaties).

Canada.
(1) Commercial Convention with Belgium
(*See under* Belgium)
(2) Commercial Treaty with Italy
(*See under* Italy).
(3) Commercial Convention with the Netherlands
(*See under* Netherlands).
(4) Commercial negotiations with Spain
(*See under* Spain: Commercial Treaty, 1922).
(5) Treaties with the United States regarding Smuggling.
(*See under* United States).

34151. Wt. 3544/1651. 30. 10/26. J. J. K. & Co., Ltd.

Channel Islands.
Application of Treaties to
(*See under* Great Britain and Northern Ireland).

Commercial Treaties.
(1) Bearing on Immigration Restrictions
(*See under* Poland).
(2) Most-favoured-nation clause: attitude of United States
(*See under* United States: Treaty-making Policy).

Customs Formalities Convention.
(*See under* League of Nations).

Customs Tariffs.
International Convention for the Publication of 41

Czechoslovakia.
(1) Commercial Treaty. (Treaty Series 1924, No. 35) 45
(2) Agreement on Commercial Travellers' Samples 49
(Treaty Series 1923, No. 19, and 1924, No. 14).
(3) Convention relating to Legal Procedure in Civil and Commercial Matters ... 53
(4) Extradition Treaty
(*See under* Extradition Treaties).
(5) Enquiry as to constitutional position of Irish Free State
(*See under* Irish Free State).
(6) Proposed Convention relating to Legal Procedure
(*See under* Italy).

Dawes Plan.
(*See under* Reparation).

Egypt and the Sudan. 59

Esthonia.
Proposed Commercial Treaty 62

Exploration of the Sea, International Council for the.
Admission of the Irish Free State 63

Extradition Treaties.
(1) Albania 66
(2) Belgium (Treaty Series 1924, No. 1) 67
(3) Brazil 71
(4) Czechoslovakia 75
(5) Finland. (Treaty Series 1925, No. 22) 76
(6) Latvia. (Treaty Series 1925, No. 44) 78
(7) United States 79
(8) Extension to Mandated Territories.
(*See under* Mandates.)

Finland.
(1) Commercial Treaty. (Treaty Series 1924, No. 34) 93
(2) Tonnage Measurement Agreement. (Treaty Series 1924, No. 30). 102
(3) Extradition Treaty
(*See under* Extradition Treaties).
(4) Registration of Australian Trade Marks
(*See under* Industrial Property Conventions).

Flags of Inland States.
(*See under* Freedom of Transit).

France.
(1) Convention relating to Legal Proceedure in Civil and Commercial Matters (Treaty Series 1922, No. 5) 103
(2) Proposed Commercial Convention with Irish Free State 105
(3) Denunciation of Agreement of 1899 for free delivery and attestation of Certificates of Origin 106

Freedom of Transit.
(1) Declaration as to Flags of Inland States (Treaty Series 1923, No. 29). 112
(2) Conventions adopted by the Second General Conference on the Freedom of Communications and Transit held at Geneva, 1923. (Treaty Series 1925, Nos. 23, 24, 25 and 26). 114

Full Powers.
(1) Issue to Plenipotentiaries at Lausanne Conference
(*See under* Turkey).
(2) Issue to Canadian Plenipotentiaries
(*See under* Belgium, Netherlands and United States: Treaties with Canada).

Geneva Protocol.
(*See under* League of Nations: Protocol for the Pacific Settlement of International Disputes.)

Germany.
(1) Commercial Treaty, 1924. (Treaty Series 1925, No. 45) 118
(2) Suggested prolongation of operation of Article 276, Treaty of Versailles... ... 125
(3) Agreement with Union Government relating to South West Africa. (Treaty Series 1924, No. 27) 127
(*See also under* Property, Rights and Interests and Reparations).

Great Britain and Northern Ireland.
Method of signature of Treaties on behalf of 133

Greece.
Termination of existing Commercial Treaties 133

Guatemala.
Proposed Commercial Treaty 135

Immigration.
Bearing of Commercial Treaties upon restrictions on
(*See under* Poland).

Industrial Property Conventions, 1883 and 1911.
(1) Accession of Canada 135
(2) Registration of Australian Trade Marks in Finland 136

International Labour Conference.
(1) Amendment of Article 393, Treaty of Versailles. (Treaty Series 1925, No. 6). ... 140
(2) Position of Irish Free State in relation to International Labour Conventions ... 142

International Radiotelegraph Convention, 1912.
Accession of Irish Free State 144

International Refrigeration Convention, 1920. 145
(Treaty Series 1923, No. 6).

International Sanitary Convention, 1912.
(Treaty Series 1921, No. 2),
and **International Office of Public Health.** 147

International Veterinary Bureau: Convention for Creation of 153

'Iraq Treaty.
(*See under* Mandates).

Irish Free State.
(1) Constitutional position as regards the conclusion of International Treaties ... 156
(2) Ratification of Certain Conventions 159
(3) Registration of Articles of Agreement of 6th December, 1921
(*See under* League of Nations).
(4) Admission to the International Council for the Exploration of the Sea
(*See under* Exploration of the Sea).
(5) Proposed Commercial Convention with France
(*See under* France).
(6) Accession to International Radiotelegraph Convention
(*See under* International Radiotelegraph Convention).
(7) Position in relation to International Metric Convention
(*See under* Metric System).
(8) Position in relation to Convention dealing with Circulation of Motor Cars
(*See under* Motor Cars).
(9) Position in relation to International Labour Conventions
(*See under* International Labour Conference).
(10) Voting Power at Postal Congress
(*See under* Postal Convention).
(11) Position in relation to Real and Personal Property Convention with United States
(*See under* United States).

Isle of Man.
Application of Treaties to
(*See under* Great Britain and Northern Ireland).

Italy.
(1) Commercial Treaty with Canada. (Treaty Series 1924, No. 10). 162
(2) Proposed Convention relating to Legal Proceedure in Civil and Commercial Matters 165
(3) Convention relating to Jubaland
(*See under* Jubaland).

Japan.
(1) Abrogation of Article 8 of Commercial Treaty of 1911 and Supplementary Commercial Convention, 1925. (Treaty Series 1924, No. 31). 160
(2) Agreement regarding Loadlines. (Treaty Series 1924, No. 12). 171

Jubaland.
Anglo-Italian Treaty regarding cession of. (Treaty Series 1925, No. 29) 171

PAGE IN PART I.

Latvia.
Extradition Treaty
(*See under* Extradition Treaties).

Laws of War.
Report of Commission of Jurists on proposed revision of 173

League of Nations.
(1) Ratification of Amendments to Covenant. (Treaty Series 1923, No. 4, and 1924, No. 4). 170
(2) Amendment of Article 16. (Treaty Series 1924, No. 32). 182
(3) Reduction of Armaments: Proposed Treaty of Mutual Assistance. (Cmd. 2200) ... 188
(4) Interpretation of Articles 12 to 15. Report of Jurists' Commission 195
(5) Geneva Protocol for the Pacific Settlement of International Disputes 201
(6) Registration of Treaties under Article 18 212
(7) Registration under Article 18 of Articles of Agreement for a Treaty between Great Britain and Ireland, 6th December, 1921 213
(8) Protocol concerning Arbitration Clauses in Commercial Agreements. (Treaty Series 1925, No. 4). 224
(9) Customs Formalities Convention. (Treaty Series 1925, No. 14) 225

Legal Proceedings in Civil and Commercial Matters.
(*See under* Belgium, France and Italy).

Liechtenstein.
Application of Commercial Treaties with Switzerland (Treaty Series 1924, No. 20) ... 235

Liquor Traffic Regulation.
Convention with United States
(*See under* United States).

Lithuania.
Memel Convention
(*See under* Memel).

Locusts.
International Convention for the Suppression of 237

London Conference on Dawes Plan, 1924.
(*See under* Reparation).

Mandates.
(1) Attitude of United States Government
(a) B Mandates 238
(b) C Mandates 240
(2) Position of Mandated Territories in relation to Treaties
(a) Generally 243
(b) Extradition Treaties 247
(3) Nauru Report, 1923 249
(4) Western Samoa: Preferential Tariff 250
(5) Treaty with 'Iraq. (Treaty Series 1925, No. 17) 255

Memel.
Convention for Transfer of Sovereignty to Lithuania. (Treaty Series 1925, No. 48) ... 256

Metric System, International Convention relating to
Position of Irish Free State. 257

Morocco.
Request for Surrender of British Capitulatory Rights... 258

Motor Cars, International Convention, 1909, relative to the circulation of.
Position of Irish Free State 259

Muscat.
Anglo-Muscat Treaty, 1891 (Treaty Series 1892, No. 9) 262

Mutual Guarantee, Treaty of
(*See under* League of Nations).

PART II.

PAGE IN PART II.

Naval Disarmament.
Suggestions for International Agreement
(*See under* Armaments; Limitation of).

Negotiation, Signature and Ratification of International Agreements.
Resolution of the Imperial Conference of 1923 1

Netherlands.
Commercial Convention with Canada. (Treaty Series 1925, No. 30) 8
(*See also under* Territorial Waters).

New Zealand.
Voting Power at Postal Congress
(*See under* Postal Convention).

Norway.
(1) Proposed Commercial Agreement with Australia 10
(2) Agreement for the Reciprocal Exchange of Information concerning Lunacies ... 10
(3) Negotiations relating to Territorial Waters
(*See under* Territorial Waters)
(4) Renewal of Arbitration Agreements
(*See under* Arbitration Agreements)

Obscene Publications International Convention, 1923 13

Permanent Court of International Justice.
Compulsory jurisdiction
(*See under* League of Nations: Protocol for the Pacific Settlement of International Disputes).

Persia.
Agreement, 1920, Modifying the Commercial Convention of 1903. (Treaty Series 1920, No. 17.) 17

Poland.
Commercial Treaty 1923. (Treaty Series 1924, No. 26). Bearing of Commercial Treaties upon restrictions on Immigration 18

Portugal.
(*See under* Arbitration Agreements)

Postal Convention, 1924. 21

Property Rights and Interests.
Agreement under Article 297 Treaty of Peace with Germany. (Treaty Series 1921, No. 6) 33

Radio, Control of, in time of War.
(*See under* Laws of War.)

Reparation.
(1) London Conference on the Dawes Report. (Cmd. 2105, Cmd. 2191, Cmd. 2259 and Cmd. 2270)... 34
(2) Conference of Financial Experts in Paris 72

Representation of Dominions at International Conferences.
(*See under* Reparations, Turkey)

Rhine Navigation Certificates.
Convention relating to. (Treaty Series 1925, No. 46) 76

Russia.
(1) *De jure* recognition of the Soviet Government 77
(2) Anglo-Soviet Conference, 1924, and Treaties of 8th August, 1924. (Cmd. 2116 and 2215) 83
(3) Extent of Territorial Waters
(*See under* Territorial Waters).

Salvador.
Proposed Commercial Treaty 104

Serb-Croat-Slovene State.
(*See under* Territorial Waters)

Siam.
Revision of Commercial Treaties 105

Spain.
(1) Commercial Treaty, 1922. (Treaty Series 1924, No. 21) 110
(2) Agreement respecting treatment of Companies. Treaty Series 1924, No. 25) ... 121
(3) Extent of Territorial Waters
(*See under* Territorial Waters).
(4) Renewal of Arbitration Agreement
(*See under* Arbitration Agreements.)

Spitzbergen.
Treaty of 1920 (Treaty Series 1924, No. 18) 122

5

PAGE IN PART II.

Sweden.
(*See under* Arbitration Agreements and Territorial Waters)

Tangier.
Convention, 1923. (Treaty Series 1924, No. 23) 123

Territorial Waters.
(1) Conclusions of Imperial Conference, 1923 126
(2) Netherlands attitude 183
(3) Norway. Limits of Territorial Waters 183
(4) Russia. Extent of Territorial Waters 150
(5) Serb-Croat-Slovene State. Visits of Foreign Warships 152
(6) Spain. Arrest of British feluca "Mensajero" 154
(7) United States. Extent of Jurisdiction over Cook Inlet 155
(8) United States. Liquor Treaty
(*See under* United States.)

Turkey.
(1) Treaties of Lausanne (Cmd. 1929) Ratification 158
(2) Lausanne Conference. Issue of Full Powers 198
(3) Proposed Convention to regulate the admission of British subjects in Turkey and of Turkish citizens in the United Kingdom to the various forms of commerce, professions and industries 198

United States.
(1) Treaty regulating Liquor Traffic (Treaty Series 1924, No. 22) 201
(2) Pacific Halibut Fishery Treaty (Treaty Series 1925, No. 18) 227
(3) Treaties with Canada regarding the Suppression of Smuggling on the International Boundary and Extradition for Narcotic Offences. (Treaty Series 1925, Nos. 39 and 40) 233
(4) Real and Personal Property Convention, 1899. (Treaty Series 1900, No. 17.) Position of Irish Free State 252
(5) Treaty-making Policy. Suggested new Commercial Treaty with Great Britain ... 253
(6) Treaty of 1899 relating to Western Samoa
(*See under* Mandates. Western Samoa)
(7) Jurisdiction over Cook Inlet
(*See under* Territorial Waters).
(8) Renewal of Arbitration Convention
(*See under* Arbitration Agreements).
(9) Proposed Extradition Treaties),
(*See under* Extradition Treaties).

Venereal Disease among Seamen.
International Agreement 258

Voting Power of Dominions at International Conferences.
(*See under* Postal Convention).

Weihaiwei.
Proposed Convention for retrocession of 264

Western Samoa.
(1) Preferential Tariff
(*See under* Mandates).
(2) Application of Lausanne Treaties to
(*See under* Turkey: Treaties of Lausanne).

PART I.

TABLE OF CONTENTS.

AERIAL NAVIGATION CONVENTION, 1919.

(1) Article 5: Postponement of Application and Amendment of Article.

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
1 To the Governors-General Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Dominions Treaty 2 January 16	Transmits copies of the Minutes of the deposit of His Majesty's ratification of the Protocol amending Article 5 of the Convention 1
2 To the Governor Newfoundland, 21 ... February 6	Notifies the amendment of Article 5, and gives the terms of the amended Article as embodied in a Protocol of Amendment 2
3 To the Governor Southern Rhodesia, 44 February 6	Summarises the position with regard to the Convention, and the amendment of Article 5 2

(2) Article 5: Application for Derogation by Great Britain.

1924	
4 To the Governor-General Irish Free State, 55 January 29	States action taken with regard to the application by His Majesty's Government for a derogation from Article 5 of the Convention and enquires whether Free State Government accept the derogation ... 3
5 The Governor-General Canada, Telegram February 1 (Rec. Feb. 2)	States that Ministers have no objection to derogation of Great Britain from Article 5 of the Convention ... 4
6 To the Governor-General Union of South Africa, Telegram ... February 12 (Rec. Feb. 12)	Ditto 4
7 The Governor-General Commonwealth of Australia, Telegram March 3 (Rec. Mar. 3)	Ditto 4
8 The Governor-General New Zealand, Telegram March 4 (Rec. Mar. 4)	Ditto 5
9 The Governor-General Irish Free State, 189 May 16 (Rec. May 17)	Ditto 5

(3) Amendment of Article 34.

1924	
10 To the Governor-General Commonwealth of Australia, 7 ... ... January 4	States that the Protocol amending Article 34 of the Convention was signed on behalf of the Commonwealth on 19th December, 1923 5
11 The Governor-General Irish Free State, Confidential ... ... May 8 (Rec. May 9)	Concurs in the provisions of the Protocol and desires that it should be signed by the High Commissioner 5

Serial No., From or to whom, Despatch No., &c., and Date.			Subject and Page No.	
	1924			
12	To the Governor-General Irish Free State, Confidential	May 19	Acknowledges No. 11 and states that steps are being taken to give effect to Ministers' wishes	6
13	The Governor-General Irish Free State, Confidential	May 27 (Rec. May 28)	States that Ministers desire to advise His Majesty to ratify the Protocol in respect of the Irish Free State	6
14	To the Governors-General Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Telegram ...	October 9	States that necessary signatures to Protocol are now complete and that instrument of ratification by His Majesty is being prepared	6
15	To the Governor-General Irish Free State, Confidential (3) ...	October 14	Ditto	7
16	To the Governors-General Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Dominions Treaty 42	December 12	Transmits certified copy of Minute recording the deposit of His Majesty's ratification of the Protocol ...	7
17	To the Governors Newfoundland, 178, Southern Rhodesia, 516 ...	December 12	Communicates text of two amendments of Article 34, as embodied in the Protocol	8

ANTARCTIC.

	1924			
18	The Governor-General Commonwealth of Australia, Telegram Secret	December 4 (Rec. Dec. 4)	Urges that early steps be taken to assert British rights over Antartic regions	8
19	To [Foreign Office] [Admiralty], Secret	December 24	Transmits copies of No. 18, and of a Memorandum dealing with the previous history of the question. Desires that the earliest possible action should be taken to arrive at a decision as to the attitude to be adopted towards the French claims. Requests views on the subject generally, and if it is thought that an inter-departmental discussion would be useful offers to nominate a representative	9

ANTI-DIPTHERITIC SERUM

Proposed agreement for control of:

	1924			
20	To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 440, Southern Rhodesia, 374	September 5	Transmits copy of draft international agreement for the control of anti-diphtheritic serum; also copy of a letter from the President of the Committee of International Office of Public Health and reply from Foreign Office stating that His Majesty's Government concur in the terms of the draft agreement but suggest that Instrument should be drawn in the form of a Convention between Heads of States and that an Article should be inserted providing for accession of non-signatory States	9

ARBITRATION AGREEMENTS.

(1) Norway, (2) Portugal, (3) Sweden.

Serial No., From or to whom, Despatch No., &c., and Date.			Subject and Page No.	
	1924			
21	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 25 ...	January 22	Enquires whether Ministers agree to renewal of Arbitration Agreements with Norway, Portugal and Sweden	11
22	To the Governor Southern Rhodesia, 39	February 4	Ditto	12
23	The Governor-General Irish Free State, 47	February 8 (Rec. Feb. 11)	States that his Government has no objection to the renewal of the Agreements	12
24	The Governor-General Canada, 58	February 18 (Rec. March 4)	Ditto	13
25	The Governor Newfoundland, 23	February 28 (Rec. Mar. 15)	Ditto	13
26	The Governor-General Union of South Africa, 80	February 29 (Rec. Mar. 17)	Ditto	13
27	The Governor-General Commonwealth of Australia, 67	March 29 (Rec. May 5)	Ditto	14
28	The Governor Southern Rhodesia, 95	April 16 (Rec. May 12)	States that the renewal of the Agreements, and of any other similar Agreements which fall to be renewed from time to time, will be in accordance with Ministers' views	14
29	The Governor-General New Zealand, 72	April 6 (Rec. May 15)	Concurs in the renewal of the Agreements referred to in No. 21	14
30	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram	November 27	States that Portugal concurs in proposed renewal, but Norway and Sweden have raised question of enlargement of scope of agreements, and also propose that they should include reference to Permanent Court of International Justice. His Majesty's Government see no objection to latter proposal if Governments of Dominions concerned concur	14
31	To the Governor Southern Rhodesia, Telegram ...	November 27	Ditto	15
32	To the Governor-General Irish Free State, 664	November 27	Transmits copy of No. 30, and requests early expression of views	15
33	The Governor, Newfoundland, Telegram	December 1 (Rec. Dec. 2)	In reply to No. 30, states that Ministers agree ...	15
34	The Governor-General Union of South Africa, Telegram ...	December 2 (Rec. Dec. 2)	Ditto	16

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
35 The Governor-General Commonwealth of Australia, Telegram December 4 (Rec. Dec. 4)	Ditto 16
36 The Governor-General Irish Free State, 454 December 8 (Rec. Dec. 9)	Ministers have no observations to offer on the proposal set out in No. 32 16
37 The Governor-General New Zealand, Telegram December 17 (Rec. Dec. 17)	States that his Government is strongly of opinion that there should be no enlargement of scope of agreements if reference is to be made to the Court of International Justice, and, having regard to the limitations of Clause 1, they have no objection to the substitution of Court of International Justice for Court of Arbitration 16
	(4) Spain.
1924	
38 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 96, Southern Rhodesia, 80 ... ...March 5	Transmits copies of Notes exchanged with the Spanish Ambassador renewing the Arbitration Agreement with Spain for a further period of five years 17
	(5) United States.
1924	
39 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 7 January 9	Reports the exchange of ratifications of the Agreement for the renewal for five years of the Arbitration Convention with the United States 18

ARMAMENTS, LIMITATION OF.

(1) Proposed Agreement relating to Naval Disarmament.

1924	
40 Admiralty to Foreign Office, Secret April 30 (Rec. in Colonial Office May 15)	Adverts to the conclusion of the Cabinet Committee on the Naval construction programme and their suggestion that the Japanese Government should be sounded as to the possibility of some further arrangement for the limitation of armament, and expresses the hope that the steps indicated will be taken ... 18
41 Foreign Office to Admiralty May 10 (Rec. in Colonial Office May 13)	Transmits for concurrence draft telegram to His Majesty's Ambassador, Tokyo, instructing him to sound the Japanese Government with a view to a further international arrangement for the limitation of naval armament 19

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
42 To Foreign Office (Secret) May 17	Considers it essential that the Governments of the Self-Governing Dominions should be made acquainted with the intentions of His Majesty's Government before an approach is made to a foreign Government, even on the lines indicated in the draft telegram enclosed in No. 41 19
43 Foreign Office, Secret ... May 27	Does not agree that it is necessary to consult the Dominions at this stage. Transmits copy of letter to Admiralty stating it would be inexpedient to call or suggest a conference until His Majesty's Government are prepared with a plan and enquiring whether the Admiralty are in a position to define the course they have in mind 20
44 To Foreign Office, Secret June 10	Suggests that matter should be discussed by Committee of Imperial Defence as soon as the Admiralty have formulated scheme, but before a decision is taken as to any communication to Japanese Government ... 21

AUSTRIA.

(1) Commercial Treaty, 1924.

1924	
45 The Governor Southern Rhodesia, 14 January 11 (Rec. Feb. 4)	States that Ministers have no objection to the Treaty as drafted; proposes that Proclamation 16 be allowed to lapse on 3rd September, 1924, but desires to preserve the Governor's power to order the removal of any alien, whether an enemy or not, from the Colony at any time, and asks that a reservation to this effect may be prepared and signed 22
46 To the Governor Southern Rhodesia, 90 March 12	Explains why no reservation in the sense suggested in No. 45, need be made in the event of notice of accession being given on behalf of Southern Rhodesia 22
47 The Governor-General Commonwealth of Australia, 79 ... ... April 12 (Rec. June 2)	States that Commonwealth Government does not desire at present to become a party to the Treaty 23
48 The Governor Southern Rhodesia, 121 May 8 (Rec. June 2)	States that Ministers desire to give notice of accession on behalf of Southern Rhodesia under Article 23 of the Treaty 23
49 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 255, Southern Rhodesia, 196 ... June 6	Transmits copy of Treaty as signed. [*To Union of South Africa*: and encloses copy of a note from the Austrian Minister regarding the position of the Union of South Africa in regard to the Treaty and of the note sent in reply thereto] 24
50 To the Governor Southern Rhodesia, 236 July 3	States that it will be necessary to postpone the notice of accession until after the exchange of ratifications, and should this take place before the 3rd September, when the special restrictions on the entry of former enemy aliens into Southern Rhodesia will lapse, proposes to defer notice until after that date 25
51 The Governor Southern Rhodesia, 276 September 1 (Rec. Sept. 22)	Suggests that accession of Southern Rhodesia to Treaty should be deferred until after 3rd September, 1924.. 25

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.

(2) Agreement respecting the Customs Clearance of Commercial Travellers' Samples.

1924

52	To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 252, Southern Rhodesia, 193 ... June 5	Transmits copy of a note from the Austrian Minister regarding the extension of the Agreement to the Dominions and enquires as to Ministers' wishes in the matter 26
53	The Governor-General Canada, 288 ... June 30 (Rec. July 14)	States that the Canadian Government does not consider it necessary or advisable to make any change in the present procedure in regard to commercial travellers' samples 27
54	The Governor-General Union of South Africa, 340 ... ... July 16 (Rec Aug. 5)	Transmits copy of Minute from Ministers stating that the Union Government is willing to become a party to the Agreement on the understanding stated 27
55	The Governor Newfoundland, 76 ... July 21 (Rec. Aug. 7)	Asks that arrangements may be made for the extension of the Agreement to Newfoundland 28
56	The Governor-General Irish Free State, 327... August 19 (Rec. Aug. 20)	States that Ministers see no objection to the extension of the Agreement to the Saorstat on condition of reciprocity 28
57	The Governor Southern Rhodesia, 246 August 8 (Rec. Sept. 1)	States that Ministers have no objection to the extension of the Agreement to Southern Rhodesia ... 28
58	The Governor-General New Zealand, 147 ... July 28 (Rec. Sept. 4)	States that Ministers would be glad if arrangements could be made for the extension of the Agreement to New Zealand 29

BELGIUM.

(1) Commercial Convention with Canada.

1924

59	The Governor-General Canada, 143 ... April 7 (Rec. April 21)	Transmits copies of a Privy Council Minute appointing the Hon. J. A. Robb, and the Hon. H. S. Béland to negotiate on behalf of Canada, a Treaty of Trade and Commerce between Canada and Belgium, and requests that the necessary full powers be given to these gentlemen 29
60	The Governor-General Canada, Telegram ... May 28 (Rec. May 28)	Enquires whether Full Powers asked for in Nos. 442 and 59 may soon be expected as early conclusion of Treaties is desired 30
61	The Governor-General Canada, Telegram ... May 30	States that Full Powers are being prepared and inquires whether it is contemplated that negotiations should be completed in countries named or in Canada, and in former case whether it is desired that any formal communication should be made by Foreign Office to Belgian and Dutch Governments 30
62	The Governor-General Canada, Telegram ... May 30 (Rec. May 31)	States that it is intended that negotiations in connexion with both Treaties should be completed in Canada 30
63	The Governor-General Canada, Telegram ... June 12 (Rec. June 13)	States that it is desired to have Treaties approved by Parliament before prorogation and asks for expedition of the Full Powers required. Inquires when these documents may be expected 31

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.

1924

64	To the Governor-General Canada, Telegram ... June 13	Notifies despatch that day of Full Powers in respect of Treaty with Netherlands and that it is hoped to send Full Powers in respect of Belgium early next week... 31
65	To the Governor-General Canada, Telegram ... June 17	Reports despatch of Full Powers in respect of Treaty with Belgium 31
66	To the Governor-General Canada, 254 ... ... June 17	Transmits Full Powers authorizing the Hon. J. A. Robb and the Hon. H. S. Béland to negotiate and conclude Treaty with Belgium 31
67	The Governor-General Canada, 357 ... ... August 14 (Rec. Aug. 25)	Transmits copy of the Convention with Belgium together with a certified copy of the Act approving it; asks that His Majesty may ratify the Convention and that instrument of ratification be forwarded to be exchanged against the ratification of the King of the Belgians ... 32
68	The Governor-General Canada, Telegram September 8 (Rec. Sept. 8)	Urges the early transmission of the instrument of ratification 32
69	To the Governor-General Canada, Telegram ... October 2	Reports despatch of His Majesty's ratification of Convention 33
70	To the Governor-General Canada, 426 ... ... October 2	Transmits His Majesty's ratification of the Convention and a draft certificate which might be used for the purpose of recording the exchange of ratifications ... 33
71	The Governor-General Canada, 450 ... October 27 (Rec. Nov. 8)	Transmits authenticated copy of Certificate recording the exchange of ratifications on 22nd October, 1924 ... 33
72	To the Governor-General Canada, 547 ... December 16	Inquires whether it is desired that His Majesty's Government include the Convention amongst those which they communicate to the League of Nations for registration 34

(2) Convention relating to Legal Procedure in Civil and Commercial Matters.

1924

73	To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand Union of South Africa, Irish Free State, Newfoundland, Dominions, 149, Southern Rhodesia, 112... ... March 31	Transmits copy of Cmd. 2069. States that ratifications of the Convention were exchanged on 22nd February and inquires whether it is desired that the Convention be extended to the Dominions, and, if it can be arranged, to mandated Territories 34
74	To the Governor-General Irish Free State, 201 March 31	Points out that the wording of Article 14 of the Convention is not altogether appropriate to the present status of the Free State owing to the fact that the Convention was signed before the establishment of the Free State, but that the wording in similar Conventions now under negotiation has been altered 35
75	The Governor-General Irish Free State, 179 ... May 12 (Rec. May 13)	States with reference to No. 73 that a notification will be sent to His Majesty's Government if after consideration it is desired that the Convention should be extended to the Irish Free State 35
76	The Governor Newfoundland, 56 ... May 6 (Rec. May 21)	States that Ministers desire that the Convention be extended to Newfoundland, and that the competent authority there will be the Registrar of the Supreme Court 36

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
77 The Governor-General Union of South Africa, 248 ... ... May 14 (Rec. June 2)	Transmits copy of Ministers' Minute stating that no necessity exists for the extension of the Convention to the Union for reasons indicated 36
78 The Governor Southern Rhodesia, 173 June 20 (Rec. July 14)	States that it is desired that the Convention should be extended to Southern Rhodesia 37
79 To the Governor Newfoundland, 103 ... July 21	Transmits copy of note to the Belgian Ambassador stating the desire of Newfoundland and Palestine to accede to the Convention, requesting acknowledgment and suggesting that the exchange of notes thus constituted should be regarded as placing the matter on formal record 37
80 To the Governor Southern Rhodesia, 319 August 7	Inquires who is the official in Southern Rhodesia to whom applications for the service of process or for the taking of evidence should be addressed 38
81 The Governor-General New Zealand, 143 ... July 24 (Rec. Sept. 4)	States that the New Zealand Government does not desire that the Convention should be extended to New Zealand or Western Samoa 38
82 The Governor Southern Rhodesia, 318 October 4 (Rec. Nov. 3)	In reply to No. 80 states that Registrar of the High Court, Salisbury, is the official to whom applications should be addressed 38
83 To the Governor Newfoundland, 171 November 6	Transmits copy of note from Belgian Ambassador expressing the willingness of his Government to agree to the accession of Newfoundland to the Convention subject to specified reservations, and inquires whether Ministers accept the reservations and desire that the Belgian Government shall be informed that the arrangements shall take effect one month from the date of such notification 39
84 To the Governor Southern Rhodesia, 507 December 9	Transmits copy of note to Belgian Ambassador notifying the desire of the Government of Southern Rhodesia that the Convention should be extended to that Colony 40

CUSTOMS TARIFFS.

International Convention for the Publication of:

1924	
85 To the Governor-General Irish Free State, 48 January 22	Transmits copy of note to the Belgian Minister for Foreign Affairs stating that the Free State Government does not desire to adhere to the Publication of Customs Tariffs Convention and that the Board of Trade propose to discontinue the supply to the Free State Government of the Bulletins issued by the International Customs Tariffs Bureau 41
86 Office of the High Commissioner for the Commonwealth of Australia ... ... August 16	Reports action taken on receipt of instructions from Melbourne to discontinue payment of contribution to Bureau after March, 1926, and asks that Belgian Foreign Office may be informed that their request for reconsideration of the decision has been referred to the Prime Minister's Department 41
87 To Office of the High Commissioner for the Commonwealth of Australia ... ... August 26	States that Foreign Office is being requested to arrange for a communication to be addressed to the Belgian Government in the sense of paragraph 3 of No. 86, and requests that if Commonwealth Government adheres to the intention of withdrawing from the Convention due notice may be given to His Majesty's Government 42

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
88 The Governor-General New Zealand, 185 September 5 (Rec. Oct. 15)	States that New Zealand Government has decided to withdraw from the Bureau as from March, 1926, and requests that necessary notification be made to the Belgian Government 42
89 To the Governor-General New Zealand, 202 October 29	Transmits copy of despatch to Belgian Ambassador notifying the desire of New Zealand Government to withdraw from the Bureau as from March, 1926 ... 43
90 Office of the High Commissioner for Commonwealth of Australia November 21	States that Commonwealth Government sees no reason to alter decision to cancel subscription to Bureau from March, 1926 43
91 To Office of High Commissioner for Commonwealth of Australia December 10	States that the Foreign Office is being requested to take the necessary steps for notifying the Belgian Government of the withdrawal of the Commonwealth from the Bureau 44
92 To the Governor-General New Zealand, 244 December 29	Transmits copy of note from Belgian Ambassador expressing the hope that the New Zealand Government will reconsider their decision to withdraw from the Bureau 44

CZECHOSLOVAKIA.

(1) Commercial Treaty.

1924	
93 The Governor Southern Rhodesia, 9 ... January 11 (Rec. Feb. 4)	States that, as regards customs duties, Southern Rhodesia extends to Czechoslovakian goods treatment as favourable as that accorded to goods produced or manufactured in any other foreign country... ... 45
94 The Acting Governor-General Union of South Africa, 16 ... ... January 17 (Rec. Feb. 4)	Transmits Minutes from Ministers stating that the Union accords similar treatment to Czechoslovak goods as to goods the growth, produce or manufacture of any other foreign country, and that the conditions obtaining in the Union apply equally to South West Africa ... 46
95 The Governor Newfoundland, 30 March 10 (Rec. Mar. 29)	States that goods imported into Newfoundland from Czechoslovakia receive same treatment as that accorded to goods produced or manufactured in any othe foreign country 46
96 The Governor-General New Zealand, 28 February 14 (Rec. Apr. 5)	States that imports into New Zealand and Western Samoa from Czechoslovakia are accorded the same treatment as goods from other foreign countries subject to special rates of duty in respect of depreciated currency which apply to all foreign countries except when contrary to existing treaties 47
97 To the Governor Newfoundland, 67 ... May 7	Transmits copy of Note to the Czechoslovak Minister embodying No. 95 47
98 The Governor-General Commonwealth of Australia, 117 ... ... May 13 (Rec. June 30)	Forwards information and documents regarding customs duties, import and export regulations, etc., for the Czechoslovak Government and states that Czechoslovak goods are accorded the same treatment in Papua, Norfolk Island and New Guinea as goods of other foreign countries 48
99 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 453, Southern Rhodesia, 394 September 12	States that ratifications of the Treaty were exchanged on 4th September and steps are being taken to publish the Treaty 49

10

61

(2) Agreement on Commercial Travellers' Samples.

Serial No., From or to whom, Despatch No., &c., and Date.		Subject and Page No.
	1924	
100	The Governor Southern Rhodesia, 59 December 18, 1923 (Rec. Jan. 14, 1924)	States that it is considered unnecessary to extend the agreement to Southern Rhodesia in view of existing statutory provision 49
101	To the Governors-General and Governor New Zealand 19, Union of South Africa, 21, Irish Free State, 31, Newfoundland, 7 January 16	Transmits copy of correspondence with the Czechoslovak Minister regarding the accession of certain of the Dominions to the Agreement 50
102	To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 140, Southern Rhodesia, 105... ... March 26	Transmits copy of (Cmd. 2074) containing notes exchanged regarding the accession of certain British Dominions and India to the Agreement 51
103	The Governor-General Canada, 213 ... ... May 16 (Rec. June 2)	Transmits copy of letter from the Department for External Affairs setting forth views of the Government on the Agreement 51

(3) Convention relating to Legal Procedure in Civil and Commercial matters.

	1924	
104	To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 550, Southern Rhodesia, 489 November 27	Transmits copy of Convention and explains that it is subject to ratification and makes provision in Article 14 for extension to any of the Dominions, Colonies and Mandated Territories 53

EGYPT AND THE SUDAN.

	1924	
105	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... May 17	Forwards message from Prime Minister regarding the position and the proposed negotiations with Zaghlul Pasha on the points reserved for discussion in the Declaration of February, 1922 53
106	The Governor-General Commonwealth of Australia, Telegram, Secret June 17 (Rec. June 17)	Transmits message from Prime Minister conveying his views on the points reserved for settlement ... 55
107	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret October 2	Transmits message from Prime Minister recording two conversations with Zaghlul Pasha and the various changes Zaghlul Pasha desired in the *status quo* in Egypt 55

11

Serial No., From or to whom, Despatch No., &c., and Date.		Subject and Page No.
	1924	
108	The Governor-General Commonwealth of Australia, Telegram, Secret October 6 (Rec. Oct. 6)	Transmits message from Prime Minister conveying his Government's views on Zaghlul's proposals 56
109	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... October 6	Reports on Prime Minister's final interview with Zaghlul Pasha 57
110	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, most Secret November 21	Transmits message from Prime Minister regarding the gravity of the situation in Egypt and the action to be taken by His Majesty's Government following the attempt to murder Sir Lee Stack and embodying a summary of Lord Allenby's recommendations ... 58
111	The Governor-General Commonwealth of Australia, Telegram, Secret November 26 (Rec. Nov. 26)	Reports conversation with Mr. Bruce regarding British action 58
112	The Governor-General Commonwealth of Australia, Telegram November 26 (Rec. Nov. 26)	Transmits message from Prime Minister stating that the Commonwealth Government feel confident that nothing will be done which does not harmonize with their views with regard to maintaining control of the Suez Canal and that they will be consulted should any drastic action be contemplated 59
113	The Governor-General Irish Free State, Telegram, Secret November 26 (Rec. Nov. 26)	Transmits message from President stating that Ministers have not assented or concurred in the ultimatum nor have they been consulted with regard to its terms, and they therefore cannot be regarded as participating therein or being in any way responsible therefor ... 59
114	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Telegram, Secret ... ... November 29	Transmits message for Prime Minister [*To Irish Free State:* for President of Executive Council] inquiring whether the information supplied as to the situation is sufficient and stating the policy of His Majesty's Government 59
115	The Governor-General Commonwealth of Australia, Telegram, Secret December 1 (Rec. Dec. 1)	Transmits message from Prime Minister urging the desirability of more prompt advices, and stating that No. 114 is taken as a full endorsement of the views of his Government and as a fresh assurance that there will be no departure from them 60
116	The Governor Newfoundland, Telegram December 1 (Rec. Dec. 1)	States that Prime Minister is satisfied that the particulars supplied are both ample and sufficient 61
117	The Governor-General Canada, Telegram, Secret December 1 (Rec. Dec. 2)	Transmits message from Prime Minister stating that information received gives a sufficiently clear outline of course taken by British Government and as regards the intention to protect the Suez Canal, assumes that the rights of all nations will be fully recognized ... 61
118	The Governor-General Union of South Africa, Telegram, Secret December 2 (Rec. Dec. 2)	Transmits message from Prime Minister expressing appreciation of information supplied, and while disclaiming any intention of interfering or participating in the dispute hopes that everything will be done to obviate further strife and bloodshed 61

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
119 To the Governor-General Commonwealth of Australia, Telegram, Secret and Personal ... December 4	Transmits message for Prime Minister explaining the difference between conditions as regards press and official communications which makes competition in point of time practically impossible 62

ESTHONIA.

Proposed Commercial Treaty.

1924	
120 Foreign Office ... November 25	Transmits, for concurrence, final draft of proposed treaty 62

EXPLORATION OF THE SEA, INTERNATIONAL COUNCIL FOR THE ADMISSION OF THE IRISH FREE STATE.

1924	
121 To the Governor-General Irish Free State, 124 February 26	Transmits copy of note from the Danish Minister forwarding correspondence with the High Commissioner in London regarding the application of the Free State Government for admission to membership of the Council 63
122 To the Governor-General Irish Free State, 510 ... August 25	States that while His Majesty's Government are prepared to welcome the admission of the Free State to the Council they feel reluctant to assent to the proposal that such admission should be at a reduced rate of contribution, in view of the fact that a reduction has hitherto been agreed to only in the case of countries of which the currency is severely depreciated ... 64
123 The Governor-General Irish Free State, 360 September 9 (Rec. Sept. 10)	States that Ministers feel that it would be difficult to make any change in their proposed contribution in respect of the present year, but they would be prepared to consider in future years whether the normal annual contribution should be made 65
124 To the Governor-General Irish Free State, 685 December 6	Explains why His Majesty's Government is unable to recommend the admission of the Free State to the Council at less than the usual subscription of 10,000 kroner, and trusts that Ministers will not press suggestion made in No. 123; states that the next meeting of the Council will take place in September, 1925 ... 65

EXTRADITION TREATIES.

(1) Albania.

1924	
125 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 47 ... ...February 6	Transmits copy of despatch to the British Minister at Durazzo forwarding draft Extradition Treaty for submission to the Albanian Government 66

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
(2) Belgium.	
1924	
126 To the Governor-General Union of South Africa, 206 ... ... June 26	Transmits copy of note from Belgian Ambassador relative to the extradition of L. M. Blumenthal, a fugitive offender, from the Union to the Belgian Congo; discusses points regarding the expenses of transit through other British Possessions and Protectorates, and the legislation necessary for a surrender warrant issued in the Union or in a Protectorate to run in any other Protectorate or in a British Possession 67
127 The Governor-General Union of South Africa, 429 ... ... August 27 (Rec. Sept. 15)	Transmits copy of Ministers' Minute stating that they are prepared to accept the interpretation which His Majesty's Government is advised must be placed upon Article 13 of the Treaty with Belgium of 1901, that it would seem, however, that it must follow that His Majesty's representatives should bear expense incurred in passage of criminal through their respective territories and if that view cannot be accepted, they would suggest a modification of Treaty whereby Government which seeks extradition should undertake whole cost of conveyance 69
128 The Governor-General Union of South Africa, 675 ... ...October 24 (Rec. Nov. 18)	Transmits copy of Ministers' Minute stating that they are now prepared to bear the whole cost of the journey of the extradited fugitive up to the borders of the Congo and to introduce legislation to ensure that a fugitive under judicial order issued in any country and extradited to any territory or Protectorate in Africa shall be in lawful custody while passing through the Union, and asking that similar legislation be passed in the several British administrations and Protectorates 70
129 To the Governor-General Union of South Africa, 388 ... ... December 29	Notes that Ministers do not propose to pursue suggestion that British Administrations should each bear the expenses of transit of extradited fugitive through its territory, and as regards the suggested modification of the Treaties feels very doubtful whether it would be acceptable to the Belgian Government, and in the circumstances Ministers may not think it necessary to pursue this proposal 71
(3) Brazil.	
1924	
130 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 351, Confidential July 30	States that the Brazilian Government have submitted a counter draft; refers to the most important of the modifications proposed and encloses a memorandum on the points raised; asks to be informed should Ministers desire to express any views regarding the surrender of nationals in the same way as others ... 71
131 The Acting Governor Newfoundland, Confidential (2) ... September 20 (Rec. Oct. 20)	States that Ministers have no objections to offer to modifications proposed, but do not wish to express any special views on the matter 73
132 The Governor-General Union of South Africa, Confidential ... November 5 (Rec. Nov. 25)	Transmits copy of Ministers' Minute forwarding their observations on Brazilian proposals for certain modifications of the draft Treaty 74
133 The Governor-General Irish Free State, Confidential ... November 24 (Rec. Nov. 25)	States that Ministers do not wish to express any special views regarding the extradition of nationals 74

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
134 The Governor-General New Zealand, Confidential ... ...October 20 (Rec. Nov. 27)	States that if His Majesty's Government decide to agree to the surrender of British nationals who have committed extradition crimes in Brazil, the New Zealand Government see no objection to New Zealanders who have committed such crimes in Brazil being surrendered 75
135 The Governor-General Commonwealth of Australia, Telegram December 11 (Rec. Dec. 11)	States that Commonwealth Government do not desire to express any special views regarding the surrender of nationals 75
	(4) Czechoslovakia.
1924	
136 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 565, Southern Rhodesia, 510 ... December 10	Transmits copy of Extradition Treaty with Czechoslovakia signed on the 11th November, 1924 ... 75
	(5) Finland.
1924	
137 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 261 ... ... June 11	Transmits copy of text of Extradition Treaty with Finland signed on 30th May, and states that steps are being taken to lay Treaty before Parliament with a view to early ratification 76
138 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Confidential ... ... June 11	Refers to No. 137, and invites reference to Secretary of State's despatch of 8th September, 1922 (No. 59 in Dominions No. 87) and previous correspondence ... 76
139 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 336 ... ... July 24	Transmits copies of (Cmd. 2183) containing the text of the Treaty as signed 30th May, 1924... 76
140 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 569 ... December 10	Notifies exchange of ratifications of the Treaty and inquires whether Ministers desire notice of accession to be given (including Papua and Norfolk Island in the case of the Commonwealth of Australia) 77
141 To the Governor-General Commonwealth of Australia, 429 ... December 10	Refers to No. 405 in view of which it is presumed arrangements should be made under Article 19 for the extension of the Treaty to New Guinea 77

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
142 To the Acting Governor-General New Zealand, 226 December 10	States that in view of No. 404 it is presumed that arrangements should be made under Article 19 for the extension of the Treaty to Western Samoa 77
143 To the Governor-General Union of South Africa, 376 ... ... December 10	Inquires whether Ministers wish arrangements to be made under Article 19 for the extension of the Treaty to South-West Africa 78
144 To the Governor Southern Rhodesia, 511 December 10	Transmits copies of Cmd. 2183 containing the text of the Treaty as ratified on 30th October, and states that an Order in Council for the purpose of applying the Extradition Acts 1870 to 1900 in the case of Finland is being prepared and the date of its coming into effect will be telegraphed 78
	(6) Latvia.
1924	
145 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 56 ... February 12	Transmits copy of despatch to the British Minister at Riga forwarding a draft Extradition Treaty for submission to the Latvian Government 78
146 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 379, Southern Rhodesia 321 ... ...August 13	Transmits copy of the Treaty and states that steps are being taken with a view to its early ratification ... 79
	(7) United States.
1924	
147 Foreign Office March 20	Transmits copy of letter to Home Office forwarding copy of note from United States Ambassador proposing that a supplementary convention should be concluded between United Kingdom and United States, adding bigamy to the list of extraditable offences, or one having application to the United States and Canada alone 79
148 Foreign Office May 12	Transmits copy of letter from Home Office agreeing to the addition of bigamy to the list of extraditable offences in the existing treaty, but would prefer a comprehensive treaty superseding former arrangements. Inquires whether Secretary of State sees any objection to a model draft, in form as enclosed, being communicated to United States Ambassador, and in the event of United States declining this proposal asks for views on proposal that a supplementary convention should be concluded 81
149 To Foreign Office June 13	Points out that one of the existing supplementary Conventions and another under negotiation apply only as between United States and Canada. Considers it important that the conclusion of any new comprehensive Treaty should not prejudice maintenance of these conventions and inquires as to best method of dealing with this point 81

Serial No., From or to whom, Despatch No., &c., and Date.		Subject and Page No.
	1924	
150	To the Governor-General Canada, 249 ... ... June 13	Informs him of proposals in No. 147 and of the suggestion to propose the conclusion of a comprehensive Treaty, and states that this suggestion is being considered and a further despatch will be sent... 82
51	Home Office June 26	Considers that negotiations for making new or amending old extradition treaties should not be protracted longer than is absolutely necessary by negotiations with the Dominions and desires assent to negotiations being conducted in the first instance on behalf of the United Kingdom alone 83
152	Foreign Office July 11	Suggests that the Dominion Governments should now be invited to participate in the treaty, and in the event of their agreeing proposes amendment in terms of Article 17 of the draft to make the treaty applicable to the Dominions and India; states that a new Article covering in a concise form the offences extraditable only between Canada and the United States would be added, and also one providing for the lapse of existing arrangement from the date of coming into force of the new treaty 83
153	To Home Office July 24	Replies to the point raised in No. 151 as to the need of consulting the Dominion Governments before negotiating Extradition Treaties. Considers that best course in regard to new Treaty with United States would be to allow accession clause of the proposed new Treaty to stand in its usual form and to arrange for present Treaty arrangements to remain in force pending decision of the Dominions whether or not to accede to the new Treaty, and states that it is proposed to invite Canada to accept one of two alternatives specified 84
154	India Office to Foreign Office August 13 (Rec. in Colonial Office Aug. 19)	States that the Government of India have accepted the proposal that they should become a party to the proposed Treaty from the outset. Requests, however, that any alternative course adopted for the self-governing Dominions should be applied to India ... 85
155	Foreign Office to Home Office August 19 (Rec. in Colonial Office Aug. 21)	Concurs in procedure outlined in paragraphs 8 and 9 of No. 153 and suggests terms of a final Article in the draft Treaty to make the provision referred to in paragraph 8; considers it would be desirable to omit Article 3 of model draft Treaty from the proposed Treaty as no such provision exists in present Treaty arrangements with United States 86
156	Foreign Office September 18	Transmits copy of a letter from Home Office agreeing to proposals contained in No. 155; inquires whether Colonial Office concur in draft Treaty enclosed and will communicate it to the Dominions as proposed ... 87
157	To Foreign Office October 3	Agrees to send copies of the draft Treaty to the Dominions, and encloses draft despatches for concurrence 87
158	Mr. E. J. Harding (Colonial Office) to Mr. G. Mounsey (Foreign Office) October 3	Suggests that the last paragraph of Article 18 of the draft Treaty is unnecessary 88
159	Foreign Office October 8	States that while concurring generally in draft despatches to Dominions, it appears desirable first to settle a point concerning Article 15 of the draft Treaty and the existing provision regarding the expense of apprehension and delivery of a fugitive; transmits copy of letter to the Home Office on this point. Agrees that the last paragraph of Article 18 is unnecessary 88

Serial No., From or to whom, Despatch No., &c., and Date.		Subject and Page No.
	1924	
160	Mr. G. Mounsey (Foreign Office) to Mr. E. J. Harding (Colonial Office) October 8	Agrees that the last paragraph of Article 18 of the draft Treaty is unnecessary, but proposes to await a reply from the Home Office on the point raised about Article 15 before reprinting the draft Treaty... 89
161	Foreign Office November 21	Transmits copy of letter from Home Office on the subject of costs in obtaining extradition from America, and copy reply thereto proposing to submit the draft Treaty to the United States Government in its present form, and if question is raised as to the departure of Article 15 from the existing arrangement the matter will be taken up in the sense suggested by Home Office ... 89
162	To the Governors-General and Governor Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Confidential December 11	Transmits copy note from the United States Ambassador enclosed in No. 147. States that His Majesty's Government propose to suggest the conclusion of a Treaty of a wider nature to replace the existing treaty arrangements, and encloses a draft of the new Treaty. Requests concurrence in procedure proposed ... 90
163	To the Governor-General Canada, Confidential December 11	States with reference to No. 150 that His Majesty's Government consider it desirable to suggest to the United States Government the conclusion of a new Treaty to replace the existing arrangements. Encloses draft of new Treaty, and in view of the special position of Canada suggests adoption of one of two courses stated 92

FINLAND.

(1) Commercial Treaty.

Serial No., From or to whom, Despatch No., &c., and Date.		Subject and Page No.
	1924	
164	To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 29, Southern Rhodesia 27 ... January 23	Transmits copy of the Treaty of Commerce and Navigation with Finland, and of an Agreement with Finland regarding the Disposal of the Estates of Deceased Seamen and states that decrees bringing them into force have been signed 93
165	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 44 ... February 2	Transmits copy of despatch from His Majesty's Representative at Helsingfors enclosing copy of a note handed to the Finnish Government stating that His Majesty's Government do not regard the Anglo-Finnish Treaty of Commerce and Navigation as extending to the fisheries of the respective parties... 94
166	The Governor-General Canada, 159 ... ... April 12 (Rec. Apr. 24)	Transmits copy of Privy Council Minute concurring that it is desirable to accept that portion of Article 23 of the Treaty which provides that goods produced in a self-governing Dominion shall enjoy in Finland the same treatment as would be enjoyed by similar goods produced in the United Kingdom so long as goods produced in Finland are accorded in such self-governing Dominion treatment as favourable as that accorded to goods produced or manufactured in any other foreign country, and stating that a Resolution to effect this will be introduced into the Canadian House of Commons 95

Serial No., From or to whom, Despatch No., &c., and Date.		Subject and Page No.	
	1924		
167	To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 221, Southern Rhodesia 167 ... ... May 14	States that the Finnish Government desire to know the attitude of Governments with regard to the Treaty. Inquires what reply should be returned	96
168	To the Governor-General Commonwealth of Australia, Confidential ... May 15	Transmits copy of Note from the Finnish Minister stating that Australian goods imported into Finland will not enjoy the treatment accorded to similar goods produced or manufactured in the United Kingdom in view of the Australian dumping duty being applied to Finnish kraft paper	183
169	To the Governors-General and Governors Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Southern Rhodesia, Telegram ... June 25	Requests early reply to No. 167, and states that Finnish Government will only extend most-favoured-nation treatment to goods on assurance that reciprocal treatment is being given	97
170	To the Governor-General Canada, Telegram .. June 25	Ditto	97
171	The Governor Southern Rhodesia, Telegram ... ... June 26 (Rec. June 26)	States that goods produced or manufactured in Finland are treated as favourably as goods produced or manufactured in any other foreign country	98
172	The Governor Newfoundland, Telegram June 26 (Rec. June 27)	States that goods produced or manufactured in Finland are treated in the same manner as similar goods produced or manufactured in the United Kingdom or any British Possession	98
173	The Governor-General Union of South Africa, Telegram ... ... June 27 (Rec. June 27)	States that goods produced or manufactured in Finland on importation into the Union and South-West Africa are accorded the same treatment as goods produced or manufactured in any other foreign country ...	98
174	To the Governor-General Irish Free State, 393... June 30	Requests early reply to No. 167 as Finnish Government desire assurance of reciprocity before granting most-favoured-nation treatment to goods manufactured in any Dominion or Colony...	98
175	The Governor-General Irish Free State, 218 ... June 30 (Rec. July 1)	States that the Irish Free State will treat goods from Finland as favourably as goods from any other foreign country in order that goods from the Irish Free State may be treated in Finland in the same way as goods from the United Kingdom	99
176	The Governor-General New Zealand, Telegram July 17 (Rec. July 17)	States that Finnish goods are accorded treatment as favourable as that accorded to goods of any other foreign country subject to depreciated currency duties in pursuance of legislation of general application ...	99
177	To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 225, Southern Rhodesia 262 ... ... July 19	States that ratifications of the Treaty were exchanged at Helsingfors on 8th July, 1924...	99

Serial No., From or to whom, Despatch No., &c., and Date.		Subject and Page No.	
	1924		
178	The Governor-General Commonwealth of Australia, Telegram ... July 25 (Rec. July 25)	States that it is not desired that Commonwealth or any Territory should become party to the Treaty, but that the Finnish Government may be assured that Finnish goods are accorded most-favoured-nation treatment on importation into Australia or her Territories... ...	100
179	The Governor-General Canada, Telegram ... July 31 (Rec. July 31)	Reports that Ministers represent that Bill authorizing the extension of most-favoured-nation treatment to Finnish goods which passed the House of Commons failed to pass the Senate	100
180	To the Governor-General Canada, 334 ... ... August 1	Transmits copies of notes exchanged between His Majesty's Representative at Helsingfors and the Finnish Minister for Foreign Affairs regarding the position of Canada with regard to the Treaty... ...	100
181	To the Governor-General Commonwealth of Australia, Telegram ... August 11	Before communicating No. 178 to Finnish Government inquires whether Ministers have any observations to offer on No. 168; also whether second sentence of No. 178 applies to Nauru	101
182	To the Governor-General New Zealand, Telegram ... ... August 11	Inquires, with reference to No. 176, whether depreciated currency duties are in fact being levied on Finnish goods imported into New Zealand or Western Samoa, and, if so, on what goods and to what extent ...	102
183	The Governor-General New Zealand, Telegram August 21 (Rec. Aug. 21)	Conveys information requested in No. 182	102
184	The Governor-General Commonwealth of Australia, Telegram, Confidential ... ... December 19 (Rec. Dec. 19)	States that it is not desired that Nauru should become party to the Treaty	102

(2) Tonnage Measurement Agreement.

	1924		
185	The Governor-General Commonwealth of Australia, Telegram January 31 (Rec. Jan. 31)	States that Commonwealth Government is agreeable that Australia should become party to Agreement if acceptable to and adopted by His Majesty's Government...	102
186	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 298 ... ... July 1	States that the Agreement was signed on 21st June, and a clause added providing that it should come into force three months after signature	103
187	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 424 ... ... August 30	Transmits copies of Cmd. 2231 containing the text of the Agreement and notes exchanged with regard to the exclusion of 'Iraq from the scope of the Agreement...	103

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.

FRANCE.

(1) Convention relating to Legal Procedure in Civil and Commercial matters.

1924

188	To the Governor-General Commonwealth of Australia, 60 ... ...February 1	Transmits copy of Note to French Ambassador regarding the extension of the Convention to Australia, Papua, Norfolk Island and New Guinea, and inquires to whom documents should be addressed for execution, and in which language	103
189	The Governor-General Canada, 214 ... ... May 16 (Rec. June 2)	States that it is not considered advisable that Canada should come within the application of the Convention at the present time	104

(2) Proposed Commercial Convention with Irish Free State.

1924

190	To the Governor-General Irish Free State, Confidential... ... ... June 3	Refers to the proposed negotiations for the conclusion of a commercial treaty with France and hopes that in accordance with Resolution of Imperial Conference regarding the negotiation, etc., of treaties, Ministers will keep His Majesty's Government informed of the progress of the negotiations. States that on receipt of a request to that effect the necessary "Full Powers" will be issued	105
191	The Governor-General Irish Free State, Confidential ... ...August 1 (Rec. Aug. 2)	States that the negotiations will be carried out in accordance with the Imperial Conference Resolution, that the Irish Delegates will be glad to avail themselves of the offer of assistance from His Majesty's Ambassador in Paris, and that a request for the issue of Full Powers will be made later	105

(3) Denunciation of Agreement of 1899 for Free Delivery and Attestation of Certificates of Origin.

1924

192	Board of Trade September 22	Transmits copy of correspondence with the Foreign Office on the subject of the possibility of claiming for the United Kingdom under the Treaty of 1882 the benefit of favours accorded to Canada by France	106
193	To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 538, Southern Rhodesia, 475... November 19	Transmits copies of notes from and to the French Ambassador regarding the termination of the Agreement of 1899 and the acceptance by His Majesty's Government of a new arrangement on the lines set forth. Requests views of Ministers as to the desirability of similar arrangements for the Dominions...	108
194	The Governor-General, Irish Free State, 465 December 18 (Rec. Dec. 19)	States, in reply to No. 193, that Ministers consider it would be more convenient to include an arrangement of a similar nature in the proposed Commercial Treaty between France and the Free State	110
195	The Governor-General Canada, 521 ... December 16 (Rec. Dec. 30)	States that the question of modifying the provisions of Article 19 of the Convention with France of 1922 was raised by the French Consul-General at Montreal and encloses copies of an Order in Council passed, authorizing the Minister of Finance to negotiate an agreement to effect the proposed modification	110

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.

FREEDOM OF TRANSIT.

(1) Declaration as to Flags of Inland States.

1924

196	To the Governor-General Irish Free State, 8 January 8	Transmits copy of correspondence with League of Nations arising out of the accession of Canada, Australia, and the Union to the Declaration as to Flags for Inland States, and inquires whether Ministers agree that accessions should be regarded as taking effect on the date on which notification is received by the headquarters Government in all cases where the Treaty contains no special provision for determining the dates of accession	112
197	The Governor-General Irish Free State, 82 ... March 4 (Rec. Mar. 5)	Concurs in suggestion made in No. 196	112
198	To the Governors-General Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Dominions Treaty 10... March 25	Transmits copy of a Note to the League of Nations regarding the effective date of accession of certain Dominion Governments to the Barcelona Declaration and as to the general rule regarding the effective date of accessions to treaty arrangements	113
199	To the Governors-General Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Dominions Treaty 13... April 16	Transmits copy of a note from Secretary-General, League of Nations, stating, with reference to the enclosure in No. 198, that 31st October, 1922, has been put on record as the date on which the accessions became effective, and that note has been taken of the observations as to the general rule regarding the effective date of accessions	113

(2) Conventions adopted by the Second General Conference on the Freedom of Communications and Transit held at Geneva, 1923.

1924

200	To the Governors-General Canada 210, Commonwealth of Australia 187, New Zealand 90, Union of South Africa 158, Irish Free State 316 ... May 24	Refers to League of Nations paper containing four Conventions adopted by Second General Conference, and inquires as to (*a*) participation in ratification, (*b*) arrangements for signature, and (*c*) inclusion of certain territories	114
201	To the Governors Newfoundland, 96, Southern Rhodesia 223 June 27	Transmits copy of League paper containing four Conventions adopted by Second General Conference, and inquires as to notification of adherence	115
202	The Governor-General Union of South Africa, Telegram ... ... June 30 (Rec. June 30)	States that owing to the geographical position of the Union, Government are not affected by Conventions and therefore do not propose either to withhold or accord their accession	116
203	The Governor-General New Zealand, Telegram July 24 (Rec. July 24)	Ministers concur in the ratification of Conventions, and have arranged for Sir James Allen to sign on behalf of New Zealand, and state that there is no reason why Western Samoa should be excluded from any of the Conventions	116
204	The Governor Newfoundland 85 ... August 11 (Rec. Aug. 30)	Ministers desire notification of adherence be made to the League of Nations in respect of Conventions... ..	116
205	To the Governors Newfoundland 152, Southern Rhodesia 130 15-13 October	Transmits copy of League of Nations document reporting deposit of ratification of Railways and Maritime Ports Conventions on 29th August	116

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
206 To the Governors-General Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Dominions Treaty 37 October 24	Refers to the League of Nations letter notifying the ratification by His Majesty the King, of the Railways and Maritime Ports Conventions, and states that similar action is contemplated as regards the Electric Power and Hydraulic Power Conventions 117
207 To the Governor-General New Zealand 199 October 24	States arrangements being made for the ratification of the four Conventions on behalf of New Zealand and Western Samoa 118
208 To the Governor Southern Rhodesia, 449 October 24	States that in the absence of any intimation to the contrary, declarations under Article 21 will be made at the time of the ratification of the Electric Power and Hydraulic Power Conventions excluding Southern Rhodesia 118

GERMANY.

(1) Commercial Treaty, 1924.

1924	
209 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 358, Southern Rhodesia, 298 ... ... August 1	Transmits draft of a Commercial Treaty with Germany, which it is anticipated will shortly be submitted to the German Government, also draft declaration dealing with the special restrictions imposed by law on ex-enemy Aliens, and inquires whether there are any points Ministers desire to be borne in mind in the negotiations 118
210 The Governor-General New Zealand, 206 September 25 (Rec. Oct. 31)	States that Ministers do not think it desirable at present for New Zealand to adhere to the proposed Treaty ... 119
211 The Governor-General New Zealand, Confidential... ... September 25 (Rec. Oct. 31)	Gives reasons for non-adherence to the proposed Treaty 119
212 The Governor-General Union of South Africa, Telegram ... ...October 31 (Rec. Oct. 31)	Inquires whether obligation imposed on Germany under Articles 264 and 265 of the Treaty of Versailles will cease to operate in January, 1925, also as to position with regard to negotiations for commercial agreement and whether Articles 28 and 29 will be retained. Notifies transmission of Ministers' Minute stating that Union does not propose to become a party to the agreement 120
213 To the Governor-General Union of South Africa, Telegram ... November 5	Replies to questions in No. 212... 120
214 The Governor-General Union of South Africa, 574 ... ...October 22 (Rec. Nov. 10)	Transmits copy of Ministers' Minute stating that in view of Articles 28 and 29 of the draft Treaty there is no necessity for the Union to become a party 120
215 The Governor-General Commonwealth of Australia, 284 ... ... October 9 (Rec. Nov. 17)	States with reference to No. 209 that Commonwealth Government has no comments to offer, but in the event of the Treaty being ratified, the question of adherence will then receive consideration 121

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
216 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Confidential November 28	Reports progress of negotiations and considers that there is a prospect of favourable conclusion 121
217 To the Governor-General Irish Free State, Confidential... ... November 29	Transmits copy of No 216... 122
218 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram ... December 3	States that the Treaty was signed on 2nd December, that text will be published on 5th December and copies sent as soon as possible... 122
219 To the Governor-General Irish Free State, 680 December 4	Transmits copy of No. 218... 123
220 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 567, Southern Rhodesia 503 ... December 9	Transmits copies of Treaty and Protocol as signed in London on 2nd December, 1924 123
221 To the Governor-General Canada, Telegram December 11	Asks what reply should be sent to Note received from German Ambassador inquiring whether the Canadian Government are disposed in principle to accede to the Anglo-German Commercial Treaty or whether they wish to settle their commercial relations with Germany independently 123
222 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 583, Secret, Southern Rhodesia, Secret ... ... December 18	Transmits copy of despatch to His Majesty's Representative at Berlin forwarding copies of the minutes of the meeting at which the Treaty was signed ... 124

(2) Suggested prolongation of operation of Article 276, Treaty of Versailles.

1924	
223 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 517, Confidential, Southern Rhodesia, Confidential ... ...October 31	Transmits copy of correspondence with the French Ambassador relative to the desire of the French Government to prolong after 10th January, 1925, the German obligations under Article 276 of the Treaty of Versailles 125

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
224 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland. Dominions 587, Confidential, Southern Rhodesia, Confidential (2) November 19	Transmits copy of correspondence with the Belgian Ambassador regarding German obligations under Article 276 126

(3) Agreement with Union Government relating to South-West Africa.

1924	
225 To the Governor-General Union of South Africa, 117 ... ... April 16	Transmits copy of correspondence with the German Ambassador regarding the Agreement, and inquires whether it should be included in the Treaty Series of Parliamentary Papers and registered with the Secretariat of the League of Nations 127
226 Mr. J. H. Thomas to General Smuts ... April 16	States that the Foreign Office are concerned that the first intimation that the Agreement had been made reached His Majesty's Government from the German Government and that His Majesty's Government were not made aware of the negotiations either during their progress or at their conclusion... 131
227 Mr. E. J. Harding to Captain E. F. C. Lane April 16	Explains that it is the regular practice of the Foreign Office to register with the League Secretariat all treaties with Foreign States as soon as they are published in the "Treaty Series" of Parliamentary Papers and asks for an expression of the views of the Union Government as regards registration of the present Agreement and other international instruments specially affecting the Union 131
228 General Smuts to Mr. J. H. Thomas ... May 21	Asks that it may be explained to Foreign Office that he thinks he mentioned to Lord Curzon his intention to try and secure the Agreement, and if he omitted to do so it was certainly unintentional 131
229 The Governor-General Union of South Africa, 263 ... ... May 21 (Rec. June 10)	Transmits Ministers' Minute asking that Agreement be published in the Treaty Series of Papers, and registered with the League Secretariat 132

GREAT BRITAIN AND NORTHERN IRELAND.
Method of Signature of Treaties on behalf of:

1924	
230 Foreign Office September 18	Memorandum regarding the form of declaration to be used by British Empire delegates in signing treaties, etc., on behalf of Great Britain and Northern Ireland, and the decision that "Great Britain" should be held for international purposes to include the Channel Islands and the Isle of Man 133

GREECE.
Termination of Existing Commercial Treaties.

1924	
231 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 467, Southern Rhodesia 408 September 22	Transmits copies of two notes from the Greek Minister giving notice to terminate the tacit renewal of all commercial treaties with Greece and the British Empire and to denounce them as from 10th December, 1924, and stating the willingness of the Greek Government to negotiate a new Treaty of Commerce and Navigation 133

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.

GUATEMALA.
Proposed Commercial Treaty.

1924	
232 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 441, Southern Rhodesia 375 ... September 5	Transmits copy of draft Treaty of Commerce with Guatemala which has been forwarded for presentation to the Guatemalan Government 135

INDUSTRIAL PROPERTY CONVENTIONS, 1883 AND 1911.
(1) Accession of Canada.

1924	
233 To the Governors-General and Governor Commonwealth of Australia 84, New Zealand 49, Union of South Africa 52, Irish Free State 112, Newfoundland 53 ... February 20	Notifies the accession of Canada to the Convention ... 135
234 To the Governor-General Irish Free State, 177 ... March 22	Gives list of countries which have ratified the Convention, and list of those which have acceded to the Convention as revised at Washington, and adds that there are no States which are bound by the earlier forms of the Convention and not by the Washington revision 136

(2) Registration of Australian Trade marks in Finland.

1924	
235 To the Governor-General Commonwealth of Australia 260 ... ... August 5	Transmits copy of correspondence with His Majesty's Minister at Helsingfors regarding the protection of Australian trade marks in Finland, and stating that His Majesty's Minister has been informed that whether or not any claim to protection can be based on the position of the Commonwealth as party to the Convention of 1883 it seems clear that the difficulty experienced would be removed by the accession of the Commonwealth to the Convention of 1911 136
236 To the Governor-General Commonwealth of Australia 378 ... October 20	Transmits copy of a further despatch from His Majesty's Representative at Helsingfors and states that unless the Commonwealth Government can arrange for early accession to the Convention of 1911, the simplest procedure would be for the Commonwealth Government to give an assurance to the Finnish Government that Finnish citizens enjoy in the Commonwealth the same rights in regard to trade marks as British subjects and to ask for a reciprocal arrangement 138

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.

INTERNATIONAL LABOUR CONFERENCE.

Amendment of Article 393, Treaty of Versailles.

1924

237	To the Governor-General Irish Free State 49 January 22	States that the ratification of the Protocol embodying amendment to Article 393 of Treaty and the corresponding Articles of the other Treaties of Peace embraced the whole Empire, including those parts not represented in the International Labour Organization and that as the Irish Free State was not a separate Member of the Organization at the time it would seem desirable to signify that the Irish Free State is included in the list of States non-Members of the Organization which have accepted the Protocol ... 140
238	The Governor-General Irish Free State 77 ... March 1 (Rec. Mar. 3)	Desires issue of separate ratification in respect of the Free State, and states that Ministers would be obliged if steps be taken to obtain His Majesty's ratification and forward it to them for transmission to League of Nations Secretariat 141
239	To the Governor-General Irish Free State, 342 ... June 4	Explains that the deposit of a further ratification in respect of the Irish Free State is not feasible, and inquires whether Ministers see any objection to the procedure suggested in No. 237... 142

(2) Position of Irish Free State in relation to International Labour Conventions.

1924

240	To the Governor-General Irish Free State, 28 January 15	In view of the admission of the Irish Free State to Membership of the League of Nations, states the position with regard to Conventions and Recommendations adopted by the International Labour Conference .. 142

INTERNATIONAL RADIO-TELEGRAPH CONVENTION, 1912.

Accession of Irish Free State.

1924

241	To the Governor-General Irish Free State, 97 February 18	Inquires whether Ministers desire that notice of accession to the Radio Telegraph Convention of 1912 should be given on behalf of the Irish Free State 141
242	The Governor-General Irish Free State, 121... April 9 (Rec. Apl. 10)	Desires to accede to Convention and asks that the necessary steps may be taken by His Majesty's Government. States that the Postal Telegraph Administration desires to be put in the third class of Administrations for the purpose of contribution to the expenses of the International Bureau 141
243	To the Governor-General Irish Free State, 327... May 28	Transmits copy of Circular notifying the accession of the Irish Free State addressed to His Majesty's Representatives in countries which are parties to the Convention 145

INTERNATIONAL REFRIGERATION CONVENTION, 1920.

1924

244	To the Governor Southern Rhodesia, 202 June 12	Transmits copy of (Cmd. 1837) containing the International Refrigeration Institute Convention and gives a list of countries which have ratified the Convention 145

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.

1924

245	To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 431, Southern Rhodesia 364 ... September 1	Transmits copy of note from French Minister for Foreign Affairs regarding the accession of the Irish Free State to the Convention 146
246	The Governor Southern Rhodesia, 324 October 15 (Rec. Nov. 10)	States that Ministers desire that Southern Rhodesia should become a Member of the Institute and adhere to the Convention, and are prepared to pay an annual subscription of 1,000 francs 147
247	To the Governor Southern Rhodesia, 520 December 16	Ministers' request in No. 246 has been communicated to the International Institute and a reply has been received stating that it will be submitted to the General Conference at its next session, not likely to be held before 1920 147

INTERNATIONAL SANITARY CONVENTION, 1912, AND INTERNATIONAL OFFICE OF PUBLIC HEALTH.

1924

248	To the Governor-General Commonwealth of Australia, 4 ... ... January 3	Transmits copy of note addressed to the French Government embodying the modified terms of the Commonwealth reservation in acceding to the Convention, together with a copy of a despatch from Paris stating that accession will be notified as having taken place on April 27th, 1923, as soon as certain further countries have approved the accession 147
249	The Governor-General New Zealand, 31 February 19 (Rec. April 5)	States that Ministers desire to adhere to the International Sanitary Convention of 1912 and to the Rome Convention of 1907 149
250	To the Governor-General New Zealand 93 ... May 27	Transmits copy of a note to the French Foreign Minister regarding the desire of New Zealand to accede to the Convention of 1912, together with copy of a despatch from Rome reporting that Italian Government has been notified of desire of New Zealand to accede to the Agreement of 9th December, 1907 149
251	To the Governor-General New Zealand, 105 ... June 12	Transmits copy of a note from the Italian Ministry for Foreign Affairs inquiring in what category of, the adhering States New Zealand wishes to be inscribed in accordance with Article II of the Agreement of 1907 150
252	The Governor-General New Zealand, 161 ... August 12 (Rec. Sept. 16)	Requests that Italian Government be advised that New Zealand Government desires to be placed in the fourth category under Section II of the Agreement of 1907 150
253	The Governor-General Irish Free State, 393 October 13 (Rec. Oct. 14)	Requests information regarding the procedure for admission as a " pays participant " to the " Office International d'Hygiene Publique " together with an estimate of the contribution payable and of any other expenditure involved 151
254	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 539 ... November 20	Transmits copy of a note from the Italian Chargé d'Affaires regarding the accession of New Zealand to the Agreement of 1907 151

Serial No., From or to whom, Despatch No., &c., and Date.		Subject and Page No.
	1924	
256	To the Governor-General New Zealand, 247 December 30	Transmits copy of note from the Italian Government reporting that the States signatory of or adhering to the Convention have been notified of the adhesion of New Zealand 152
256	To the Governor-General Irish Free State, 714 December 30	Supplies information requested in No. 253 152

INTERNATIONAL VETERINARY BUREAU. CONVENTION FOR CREATION OF.

	1924	
257	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 54 ... February 11	Transmits copy of note from French Chargé d'Affaires conveying views of French Government on the question of placing the Bureau under the direction of the League of Nations 153
258	To the Governor-General Irish Free State, 85 February 12	Transmits copy of previous correspondence explaining position with reference to No. 257 154
259	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 68 ... February 20	Transmits copy of despatch to His Majesty's Ambassador, Paris, authorizing him to sign the proposed Convention for the creation of an International Veterinary Bureau and to add reservations as to the right of each of the Dominions to accede to the Convention and the right of His Majesty's Government to withdraw at any time if the Bureau is not placed under the League of Nations 154
260	The Governor-General Union of South Africa, Telegram ... ... March 5 (Rec. Mar. 5)	Inquires whether Australia has decided to adhere to the Convention 155
261	To the Governor-General Union of South Africa, Telegram ... ... March 7	States that no reply has been received from Australia 155
262	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 110 ... ... March 10	Transmits copy of despatch from His Majesty's Ambassador at Paris, reporting the signature of the Convention on the 28th February, and that he had added the reservations directed 155
263	The Governor-General Irish Free State, 192 ... May 21 (Rec. May 22)	States that Ministers have approved of the accession of Saorstat Eireann to the Convention and of the entry into membership in the sixth category 156

IRISH FREE STATE.

(1) Constitutional position as regards the conclusion of International Treaties.

	1924	
264	To the Governor-General Irish Free State, 349 ... June 6	Transmits copy of memorandum from the Czechoslovak Minister inquiring as to the constitutional position of the Irish Free State with special reference to the conclusion of international treaties, and indicates reply which it is proposed to send subject to Ministers' concurrence 156

Serial No., From or to whom, Despatch No., &c., and Date.		Subject and Page No.
	1924	
265	The Governor-General Irish Free State, 286 ... July 15 (Rec. July 16)	States that Ministers concur in terms of reply to Czechoslovak Minister subject to the addition that the Irish Free State is competent to conclude commercial treaties with any foreign State if necessary 157
266	To the Governor-General Irish Free State, 471 ... August 7	Transmits copy of reply sent to Czechoslovak Minister 158

(2) Ratification of certain Conventions.

	1924	
267	To the Governor-General Irish Free State, 104 February 18	Indicates the present position of the Irish Free State with regard to certain International Conventions, a list of which is enclosed... 159

ITALY.

(1) Commercial Treaty with Canada.

	1924	
268	To the Governor-General Canada, Telegram January 11	Reports exchange of ratifications of Italo-Canadian Commercial Convention on 8th January, 1924 162
269	To the Governor-General Canada, 33 ... January 18	Confirms No. 268, and encloses copy of despatch from His Majesty's Ambassador at Rome regarding the discussion on the Treaty in the Italian Senate ... 162
270	Mr. E. J. Harding to Mr. F. A. McGregor March 7	Explains usual procedure of registering treaties with the Secretariat of the League of Nations. Encloses a list of Conventions, etc., specially affecting Canada which have been registered and states that no action will be taken as regards other Treaties specially affecting Canada pending an expression of the views of the Canadian Government 163
271	To the Governor-General Canada, 108 ... ... March 7	Inquires whether it is desired that the Convention should be registered with the League Secretariat, and states that if desired the necessary arrangements will be made for the inclusion of this and similar Conventions among those His Majesty's Government communicate to the Secretariat for registration 164
272	The Governor-General Canada, 168 ... April 17 (Rec. April 30)	Requests that the Convention be registered with the League Secretariat 164

(2) Proposed Convention relating to Legal Procedure in Civil and Commercial Matters.

	1924	
273	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 24 ... January 22	Transmits draft of proposed Convention which has been forwarded to the Italian Government for consideration 165

Serial No., From or to whom, Despatch No., &c., and Date.		Subject and Page No.
	1924	
274	To the Governors-General and Governor Canada 48, Commonwealth of Australia 39, New Zealand 23, Union of South Africa 29, Newfoundland 11 January 22	Invites attention to certain correspondence as to a similar Convention with France 165
275	To the Governor-General Irish Free State 50 January 22	States with reference to No. 273 that a similar Convention with France is printed in Treaty Series Paper No. 5 of 1922 (Cmd. 1661) 165
276	The Governor-General Commonwealth of Australia 116 ... ... May 18 (Rec. June 30)	Desires that the Convention be extended to include the Commonwealth of Australia, Papua, Norfolk Island, and, if practicable, the Mandated Territory of New Guinea 166

JAPAN.

(1) Abrogation of Article 8 of Commercial Treaty of 1911 and supplementary Commercial Convention, 1925.

	1924	
277	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 182 ... ... April 16	Transmits copy of a note from the Japanese Ambassador submitting proposals for the amendment of the Treaty of 1911, and states that the views of His Majesty's Government thereon will be conveyed later 166
278	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 208 ... ... May 8	Transmits copy of a notification by the Japanese Government concerning the abrogation of Article 8 of the Treaty of 1911 and the schedule annexed thereto ... 168
279	To the Governor-General Irish Free State, 275 ... May 8	States that endeavour is being made to secure for the Irish Free State a similar liberty to withdraw from the Treaty, to that already conceded by Article XXVII to Dominions which have adhered 169
280	The Governor-General Irish Free State, 247 ... June 30 (Rec. July 1)	States that Ministers desire that a similar liberty to withdraw from the Treaty to that already conceded to Dominions should be secured for the Irish Free State 169
281	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 263 ... ... August 5	Transmits copy of notes to and from the Japanese Ambassador regarding the abrogation of Article 8 and the schedule annexed thereto as from 10th March, 1925 170

(2) Agreement regarding Loadlines.

	1924	
282	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 117 ... ... March 12	Transmits copy of Cmd. 2055 containing text of Agreement as signed on 21st January, 1924 171

Serial No., From or to whom, Despatch No., &c., and Date.		Subject and Page No.

JUBALAND.

Anglo-Italian Treaty regarding cession of:

	1924	
283	To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 274, Southern Rhodesia 214 ... ... June 19	Transmits draft Convention between British and Italian Governments regarding the cession of Jubaland, initialled on 7th June, by British and Italian experts 171
284	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram ... ... June 30	Explains the Convention and states that as no special Dominion interests appear to be affected His Majesty's Government are taking necessary action as regards signature and ratification 172
285	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... June 30	In connexion with No. 284 refers to Foreign Office memorandum on questions outstanding with Italy and to certain despatches to Rome sent to Prime Minister 172
286	To the Governor-General Irish Free State, 405 ... July 2	Transmits copy of No. 284 172
287	To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 356, Southern Rhodesia 297 ... ... August 1	Transmits copy of Cmd. 2194 containing the text of Treaty as signed... 173

LAWS OF WAR.

Report of Commission of Jurists on proposed Revision of:

	1924	
288	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 145, Confidential March 27	Transmits copy of correspondence with the United States Ambassador as to the desire of the United States Government for the conclusion of Conventions for the adoption of certain Rules for the control of radio in war time and for aerial warfare 173
289	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 307, Secret ... July 8	Transmits copy of a report of the Sub-Committee of the Committee of Imperial Defence on the Report of the International Commission of Jurists on the Revision of the Laws of War. States that His Majesty's Government are prepared to approve the recommendations of the Sub-Committee subject to the stipulations stated, and inquires whether Dominion Governments are in general agreement with the recommendations or desire to make any observations 175

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
290 The Governor-General Irish Free State, Secret July 28 (Rec. July 29)	States that Ministers are in general agreement with the recommendations forwarded in No. 289 176
291 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... August 18	Requests early reply to No. 289 176
292 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 397, Confidential August 20	Transmits copy of correspondence with the United States Ambassador regarding the request of the United States Government for a reply to suggestions made in No. 288 177
293 The Governor Newfoundland, Telegram, Confidential ... August 23 (Rec. Aug. 23)	States that Ministers concur in recommendations set forth by the Committee of Imperial Defence, but do not desire to make any observations thereon 178
294 The Governor-General Union of South Africa, Telegram, Secret ... August 25 (Rec. Aug. 25)	States that Ministers are in general agreement with recommendations contained in No. 289 178
295 The Governor-General New Zealand, Telegram, Secret ... ... August 30 (Rec. Aug. 30)	Ditto, ditto 178
296 The Governor-General Commonwealth of Australia, Telegram September 29 (Rec. Sept. 29)	Ditto, ditto 179
297 The Governor-General Canada, Confidential (2) September 23 (Rec. Oct. 6)	States that the Canadian Government is in general agreement with the recommendations of the Sub-Committee of the Committee of Imperial Defence especially relating to the visit and search of merchant shipping by aircraft, and suggests that it might be pointed out that this overseas trade is their most vulnerable point 179

LEAGUE OF NATIONS.

(1) Ratification of Amendments to Covenant.

1924	
298 To the Governor-General Irish Free State, 96 February 18	States the position as regards the ratification of amendments to the Covenant of the League adopted by the Second Assembly in 1921 179
299 To the Governors Newfoundland, 141, Southern Rhodesia, 409 September 23	Notifies ratification of the amendment to the last paragraph of Article 6 of the Covenant of the League of Nations and that it came into force as from 18th August. Encloses copy of the Covenant embodying the new amendment 181
300 To the Governors Newfoundland, 173, Southern Rhodesia, 434 November 17-25	States that the amendments to Articles 12, 13 and 15 came into force as from 26th September, 1924, and encloses copy of Covenant embodying the amendments 181

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
(2) Amendment of Article 16.	
1924	
301 To the Governor-General Irish Free State, Confidential ... ... February 5	Requests that Ministers will intimate their wishes as to the signature and ratification of the Protocols embodying the amendments to Article 16 of the Covenant 182
302 The Governor-General Irish Free State, Confidential ... ... March 27 (Rec. Mar. 26)	States that Ministers feel that the proposed amendment raises difficult and important questions for examination at the next League of Nations meeting, and they wish to be free to decide their action after full debate of the matter 182
303 To the Governor-General Irish Free State, Confidential ... ... June 5	Inquires whether, in view of the considerations stated, it is still desired that ratification of the amendments on behalf of the Free State should be deferred ... 182
304 The Governor-General Irish Free State, Confidential ... ... June 20 (Rec. June 21)	States, in reply to No. 303, that Ministers desire that the Irish Free State should be excluded from the instrument of His Majesty's ratification 183
305 To the Governor Newfoundland, 110 September 19	Transmits copy of letter from Secretary-General, League of Nations, notifying the deposit of His Majesty's ratification of the Protocols embodying the amendments to Article 16 and states that further amendments are under discussion in the Fifth Assembly 184
306 To the Governor Southern Rhodesia, 403 September 19	Ditto 185
307 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 469, Southern Rhodesia 411 September 25	Transmits copies of (Cmd. 2241) containing the Protocols of amendments to Article 16 adopted by the Second Assembly of the League of Nations on 4th October, 1921 186
308 To the Governors-General Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Telegram December 3	States that fresh amendment of first paragraph of Article 16 has been adopted by Fifth Assembly and embodied in a Protocol which it is proposed should be signed and ratified as soon as possible. Inquires whether Ministers desire signature and ratification on their behalf and if so whom they nominate to sign... 187
309 To the Governor-General Irish Free State, Confidential ... ... December 4	Transmits copy of No. 308 and asks for Ministers' views as to signature and ratification on behalf of the Irish Free State of the Protocol embodying the new amendment 187
310 The Acting Governor-General New Zealand, Telegram December 9 (Rec. Dec. 9)	States that New Zealand Government agrees to signature and ratification of amending Protocol and nominates the High Commissioner to sign on its behalf ... 188
311 The Governor-General Commonwealth of Australia, Telegram December 23 (Rec. Dec. 23)	States that Commonwealth Government approves of amendment and desires that the British representative on the Council shall sign the Protocol on its behalf 188
(3) Reduction of Armaments: Proposed Treaty of Mutual Assistance.	
1924	
312 To the Governors-General Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Telegram, Secret May 23	Embodies proposed reply to letter from the Secretary-General submitting the draft Treaty of Mutual Assistance, and inquires whether Ministers concur therein 188

Serial No., From or to whom, Despatch No., &c., and Date.			Subject and Page No.
	1924		
313	To the Governor-General Irish Free State, Secret	May 27	Transmits copy of No. 312 and inquires whether Ministers concur in proposed reply 189
314	The Governor-General New Zealand, Telegram Secret	May 30 (Rec. May 30)	Concurs in proposed reply embodied in No. 312... ... 190
315	The Governor-General Union of South Africa, Telegram, Secret ...	June 2 (Rec. June 2)	States that Union Government do not consider the Draft Treaty a practical solution to the question of disarmament and cannot give it their support 191
316	The Governor-General Commonwealth of Australia, Telegram, Secret	June 6 (Rec. June 6)	States that Ministers concur in the sense of the proposed reply in No. 312 191
317	The Governor-General Canada, Telegram ...	June 12 (Rec. June 12)	Concurs generally in conclusions expressed in proposed reply to League and quotes draft reply prepared by Canadian Government which will not however be despatched until His Majesty's Government has signified concurrence therein 191
318	To the Governor-General Irish Free State, Secret	June 23	Requests early reply to No. 313 192
319	To the Governor-General Irish Free State, Telegram, Secret	July 3	States that His Majesty's Government cannot delay sending their reply to the League after 5th July ... 193
320	The Governor-General Commonwealth of Australia, Telegram, Secret	July 4 (Rec. July 4)	Indicates the nature of Commonwealth Government's reply to letter from Secretary-General 193
321	The Governor-General Irish Free State, Telegram	July 4 (Rec. July 4)	Desires that Irish Free State be specifically excluded from reply proposed 193
322	To the Governor-General Canada, Telegram, Secret	July 5	Concurs in Canadian proposed reply. Notifies principal amendments in draft reply of His Majesty's Government. States that the reply is being sent 5th July... 193
323	To the Governor-General Commonwealth of Australia, Telegram, Secret	July 5	Notifies the principal amendments made to draft reply of His Majesty's Government and states reply is being sent 5th July 194
324	The Governor-General Irish Free State, Secret	July 16 (Rec. July 17)	Confirms No. 321 194
325	To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 340, Southern Rhodesia 288 ...	...July 25-28	Transmits copy of letter to Secretary-General stating the attitude of His Majesty's Government towards the draft Treaty 195
326	To the Governors-General New Zealand, Union of South Africa, Irish Free State, Secret	July 25	Draws attention to the alterations made in the letter enclosed in No. 325 as compared with the draft letter enclosed in No. 312 195

Serial No., From or to whom, Despatch No., &c., and Date.			Subject and Page No.
	(4) Interpretation of Articles 12 to 15. Report of Jurists' Commission.		
	1924		
327	To the Governors Newfoundland. 80, Southern Rhodesia 184	May 27	Transmits copy of a letter from Secretary-General, League of Nations, regarding the Report by the Special Commission of Jurists on certain questions concerning the interpretation of the Covenant submitted by the Council of the League 195
	(5) Geneva Protocol for Pacific Settlement of International Disputes.		
	1924		
328	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 416, Confidential	September 6	Inquires as to Ministers' views regarding the acceptance of compulsory jurisdiction of the Permanent Court of International Justice in certain classes of legal disputes 201
329	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Secret	September 6	States with reference to No. 328 that the matter is receiving the consideration of the Prime Minister, and encloses memoranda on the subject which it is thought will assist Ministers in considering the various aspects of the problem 202
330	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Confidential	September 27	Transmits message from Prime Minister referring to the question of the acceptance of compulsory jurisdiction of Permanent Court of International Justice raised by him at the Assembly of the League of Nations in connexion with general disarmament question and stating that a Protocol is being drawn up and will probably form subject of resolution by Assembly for which British Delegation will vote if document seems generally satisfactory, but that such vote will in no way prejudice freedom of His Majesty's Government to sign or withhold signature of Protocol 202
331	To the Governor-General Irish Free State, Secret	September 29	Transmits copy of No. 330... 203
332	The Governor-General Commonwealth of Australia, Telegram	September 29 (Rec. Sept. 29)	Transmits message from Prime Minister acknowledging No. 330, inquiring as to the procedure proposed with regard to subsequent signature and ratification of Protocol and pointing out that the Commonwealth Government would not consider Protocol binding until ratified by them 203
333	Irish Free State	November 6	Extract from Dail Eireann Parliamentary Debates regarding the acceptance and signature of the Protocol 203
334	The Governor-General Union of South Africa, Confidential (2)	...October 22 (Rec. Nov. 11)	Transmits copy of Minute from Ministers stating that the question of compulsory jurisdiction of the Permanent Court of International Justice is receiving consideration, but Ministers do not consider it necessary to offer any observations on the question at present 204
335	The Governor-General New Zealand, Telegram	November 13 (Rec. Nov. 13)	States that New Zealand Government strongly objects to the proposal in No. 328, and Prime Minister trusts no such declaration will ever be made without reserving matters of vital interests from the jurisdiction of the Permanent Court 204

Serial No., From or to whom, Despatch No., &c., and Date.		Subject and Page No.
	1924	
336	To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 534, Southern Rhodesia 473 ... November 17	Transmits copies of Cmd. 2273, containing the General Report on Arbitration, Security, and Reduction of Armaments, submitted to the League of Nations, the Resolutions adopted by the Assembly, and the Protocol for the Pacific Settlement of International Disputes 205
337	To the Governors-General Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Telegram November 21	Quotes terms of letter addressed to Secretary-General, League of Nations, requesting, for reasons given, the postponement to a later session of the Council of the question of reduction of armaments. Explains that this step has been taken in order to allow His Majesty's Government more time to study the problems involved and to arrive at an agreement with the Dominions before any further action is taken in regard to the Protocol 205
338	To the Governor-General Irish Free State, 655 November 21	Transmits copy of the letter quoted in No. 337, together with a copy of No. 337 206
339	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 556, Confidential (Extract) ... December 2	States that His Majesty's Government hope to communicate with Ministers at an early date with regard to the arrangements to be made for securing personal consultation regarding the Protocol 206
340	The Governor-General Commonwealth of Australia, Telegram (Extract) ... ... December 9 (Rec. Dec. 9)	Transmits message from Prime Minister urging that it is of utmost importance that no action should be taken by the British Government regarding the Protocol until Australia has been consulted and that such action when taken shall represent the considered opinion of the whole Empire... 207
341	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Confidential December 19	Transmits message from Prime Minister for Prime Minister urging, for reasons stated, the necessity of arranging a special meeting of Imperial Conference to determine the Empire policy in regard to Geneva Protocol and suggests that Conference should take place early in March 207
342	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret December 19	Transmits message from Prime Minister amplifying No. 341 and asking for any preliminary expression of opinion after consideration of the papers which are being sent 208
343	To the Governor-General Irish Free State, Confidential... ... December 20	Transmits copy of No. 341 and inquires whether the President of the Executive Council could attend proposed Imperial Conference at the date suggested ... 209
344	To the Governor-General Irish Free State, Secret December 20	Transmits copy of No. 342... 209
345	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Telegram ... ... December 22	Quotes statement issued to the Press for publication on 24th December regarding the proposed meeting of the Imperial Conference in March, 1925 209

Serial No., From or to whom, Despatch No., &c., and Date.		Subject and Page No.
	1924	
346	The Governor-General Commonwealth of Australia, Telegram December 23 (Rec. Dec. 23)	Transmits message for Prime Minister from Prime Minister communicating views with regard to the Protocol and promising the earliest possible indication of Commonwealth attitude towards the proposed Conference 210
347	The Governor-General Commonwealth of Australia, Telegram, Confidential... ... December 23 (Rec. Dec. 23)	Transmits message from Prime Minister for Prime Minister agreeing as to the necessity of a single policy with regard to the Geneva Protocol. States that views on Protocol and proposed Conference will be cabled later when Government has consulted Sir Littleton Groom. Urges the desirability of interchange of opinion by cable rather than by personal consultation and emphasizes the embarrassment caused by Press statement that Conference will be held 210
348	The Governor-General New Zealand, Telegram, Secret ... December 23 (Rec. Dec. 23)	Transmits message from Prime Minister for Prime Minister stating that he is in communication with other Dominion Prime Ministers and will endeavour to attend Conference if others are able to do so in March. States that alterations in Protocol that appear essential will be cabled later. Considers that whatever is done now will be rendered nugatory under Article XXI by disagreements concerning disarmament ... 211
349	To the Governor-General Commonwealth of Australia, Telegram, Confidential... ... December 23	Transmits message from Prime Minister for Prime Minister replying to point raised in No. 347 as to Press communiqué 211
350	The Governor Newfoundland, Telegram, Confidential December 24 (Rec. Dec. 25)	States that it is unlikely that the Prime Minister would be able to attend proposed Conference but endeavour would be made to send representative... 212
351	The Governor-General Canada, Telegram, Confidential ... December 29 (Rec. Dec. 29)	Transmits message from Prime Minister for Prime Minister agreeing that unanimity suggested is highly desirable, but does not consider proposed Conference in March practicable for reason stated. Suggests interchange of opinion by cable on the understanding that if this method is found inadequate question of Conference in London be considered again 212

(6) Registration of Treaties under Article 18.

	1924		
352	Mr. E. J. Harding to Sir E. R. Garran ...	May 21	Discusses certain points which have arisen in connexion with the registration of treaties with the League of Nations under Article 18 of the Covenant with especial reference to the registration of a convention between Australia and the Federated Malay States for the exchange of money orders 212

(7) Registration under Article 18 of Articles of Agreement for a Treaty between Great Britain and Ireland, 6th December, 1921.

	1924		
353	The Governor-General Irish Free State 258	July 5 (Rec. July 7)	States that representative at Geneva has been instructed to deposit the Treaty for registration... 213
354	Foreign Office ...	August 19	Transmits copy of letter from the Secretary-General, League of Nations, stating that the Treaty has been registered, and inquires whether a reply should be sent and, if so, in what terms... 214

Serial No., From or to whom, Despatch No., &c., and Date.			Subject and Page No.
		1924	
355	Colonial Office ...	August 22	Memorandum on the registration of the Irish "Treaty" with the League of Nations and certain correspondence relative thereto 214
356	To the Governor-General Irish Free State 628	November 4	States, with reference to No. 353, that it is not considered that the Treaty is a document proper to be registered under Article 18 of the Covenant... ... 217
357	To Foreign Office	November 4	Transmits copies of Nos. 353 and 356 217
358	To the Governors-General Canada, 480, Commonwealth of Australia 396, New Zealand 208, Union of South Africa, 351	November 6	Transmits copies of Nos. 353 and 356 218
359	League of Nations to Foreign Office ... (Rec. in Colonial Office Jan. 9, 1925)	December 8	Circular note to the Members of the League enclosing a copy of a letter from the Foreign Office stating that the British Government do not consider the terms of Article 18 of the Covenant applicable to the Anglo-Irish Treaty 218
360	The Governor-General Irish Free State 462 (Rec. December 17)	December 16	States that Ministers were and are convinced that it was eminently their duty to deposit the Treaty for registration and action to this effect was taken and the Treaty duly registered on 11th July. Ministers further are unable to accept the view that the terms of Article 18 of the Covenant are not applicable to the Treaty 218
361	House of Commons	December 17	Question asked by Mr. Rose regarding the Irish Free State and the League of Nations and Mr. Chamberlain's reply thereto 219
362	League of Nations to Foreign Office ... (Rec. in Colonial Office Jan. 9, 1925)	December 23	Circular note to the Members of the League covering a letter from the Irish Representative enclosing a letter from the Irish Free State dissenting from the view expressed in No. 359 219
363	Colonial Office		Memorandum on the registration of the "Articles of Agreement" of 6th December, 1921, by the Irish Free State under Article 18 of the Covenant of the League of Nations... 220

(8) Protocol concerning Arbitration Clauses in Commercial Agreements.

		1924	
364	To the Governors-General and Governors, Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 418, Southern Rhodesia, 356	August 29	Transmits copies of the Arbitration Clauses (Protocol) Act, 1924 224
365	To the Governors-General and Governors, Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 459, Southern Rhodesia, 399	September 16	States that it is proposed to advise His Majesty to ratify the Protocol [*To Newfoundland and Southern Rhodesia:* inquires whether Ministers desire that notification of adhesion under Article 8 of the Protocol should be made on behalf of [Newfoundland] [Southern Rhodesia] and encloses copies of certain correspondence] 224

Serial No., From or to whom, Despatch No., &c., and Date.			Subject and Page No.
		1924	
366	To the Governors-General and Governors, Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 508, Southern Rhodesia, 450	October 24	States that His Majesty's ratification of the Protocol was deposited with the Secretary-General of the League of Nations on 27th September 225
367	The Governor Southern Rhodesia 341 (Rec. Dec. 1)	November 7	Requests that notice of adhesion to Protocol signed at Geneva on 24th September, 1923, may be given on behalf of Southern Rhodesia 225

(9) Customs Formalities Convention.

		1924	
368	To the Governors-General Canada 37, Commonwealth of Australia 31, New Zealand 21, Irish Free State 45 ...	January 19	Inquires whether Ministers desire that Convention should be ratified on their behalf and, if so, what arrangements they contemplate for its signature. Inquires also as to any declarations of exclusion on behalf of mandated territories which it is desired should be made 225
369	To the Acting Governor-General, Union of South Africa, 25 ...	January 19	States that the Convention has been signed on behalf of the Union, inquires whether Ministers desire ratification also and, if so, whether a declaration of exclusion should be made in respect of South-West Africa ... 226
370	The Governor-General Irish Free State 48 (Rec. Feb. 5)	February 2	Inquires as to the exact interpretation of Article 21 of the Convention 227
371	The Governor Southern Rhodesia 27 (Rec. Feb. 19)	January 25	States that Ministers have no objection to the acceptance of the Convention and that a declaration under Article 29 excluding Southern Rhodesia is not desired ... 227
372	The Governor-General Union of South Africa, Telegram ... ... (Rec. March 7)	March 6	States that High Commissioner has been instructed to ratify Convention and Protocol on behalf of the Union and South-West Africa 227
373	Office of the High Commissioner Union of South Africa	March 13	States that the Convention and Protocol have now been signed and requests that the necessary action may be taken for ratification on behalf of the Union and South-West Africa 227
374	The Governor-General New Zealand, Telegram (Rec. March 18)	March 18	States that Government desires to adhere to the Convention on behalf of New Zealand and Western Samoa, and that the High Commissioner will be asked to arrange for the necessary formalities 228
375	To the Governor-General Irish Free State, Confidential	March 27	Interprets Article 21 as requested in No. 370 228
376	The Governor-General New Zealand ... (Rec. April 5)	February 26	Conveys message for Secretary-General, League of Nations, acknowledging receipt of certified copy of the Convention, Protocol and Final Act, and stating that the High Commissioner will be authorized to arrange for formal signature and ratification on behalf of New Zealand 228
377	The Governor Newfoundland, Telegram (Rec. April 26)	April 26	States that it is not desired that Newfoundland should be included in the Convention 229

Serial No., From or to whom, Despatch No., &c., and Date.			Subject and Page No.
		1924	
378	To the Governor-General New Zealand 75 ...	May 3	Transmits copy of note to the Secretary-General, League of Nations in the sense of No. 376 229
379	The Governor Newfoundland 43 ...	April 25 (Rec. May 13)	Amplifies No. 377 230
380	The Governor-General Canada, Telegram ...	May 21 (Rec. May 21)	Reports that Privy Council Minute was approved on 17th May to the effect that Canada does not adhere to the Convention 230
381	The Governor-General New Zealand ...	April 17 (Rec. May 28)	Requests that the Secretary-General, League of Nations, may be informed that the High Commissioner in London has been asked to ratify the Convention on behalf of New Zealand and Western Samoa... ... 230
382	The Governor-General Canada 223	May 22 (Rec. June 2)	Transmits copy of Privy Council Minute upon which No. 380 was based 230
383	To the Governor-General, New Zealand 118 ...	June 27	States that Convention is likely to be ratified on behalf of this country at an early date, and that it is proposed that instrument of ratification should include New Zealand and Western Samoa. This will be made clear to the Secretary-General, League of Nations, when instrument of ratification is forwarded... ... 231
384	The Governor-General New Zealand 164 ...	August 18 (Rec. Sept. 16)	Expresses thanks for arranging to ratify the Convention on behalf of New Zealand and Western Samoa ... 232
385	To the Governors Newfoundland 159, Southern Rhodesia 451	October 25	Transmits copy of letter from Secretary-General, League of Nations, notifying the ratification by His Britannic Majesty of the Convention and Protocol 232
386	The Governor-General Commonwealth of Australia, Telegram	November 27 (Rec. Nov. 27)	States that Orders in Council passed, approving ratification, with and for the issue of Letters Patent to Sir J. Cook authorizing him to sign, on behalf of the Commonwealth, the Convention, Protocol and Instrument of Ratification, excluding Papua, Norfolk Island, New Guinea and Nauru 233
387	The Governor-General Commonwealth of Australia 315 ...	November 6 (Rec. Dec. 15)	Amplifies No. 380 and transmits copy of the Order in Council 235
388	The Governor-General Commonwealth of Australia 332 ...	November 24 (Rec. Dec. 29)	States that the High Commissioner has been requested to sign the Convention, Protocol and Instrument of Ratification, with a reservation that his signature does not include Papua, Norfolk Island or the Mandated Territories of New Guinea and Nauru 235

LIECHTENSTEIN.

Application of Commercial Treaties with Switzerland.

		1924	
389	To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 242, Southern Rhodesia 186	May 28	Transmits copy of correspondence with the Swiss Minister inquiring whether His Majesty's Government would agree to the application to the Principality of Liechtenstein of commercial agreements in force between Switzerland and Great Britain... ... 235

Serial No., From or to whom, Despatch No., &c., and Date.			Subject and Page No.

LOCUSTS.

International Convention for the Suppression of.

		1924	
390	To the Governor Southern Rhodesia 192	June 5	Transmits copy of the International Convention for the Suppression of Locusts, together with copy of a note from the Italian Ambassador reporting the present position with regard to the Convention 237

MANDATES.

(1) Attitude of United States Government.

(a) "B" Mandates.

		1924	
391	To the Governors-General Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Confidential	September 22	Transmits copy of note from United States Ambassador suggesting a simplified form of preamble to the proposed Treaties, and expressing willingness to proceed with the signature of the Treaties, together with a copy of a note in reply stating that His Majesty's Government would prefer to postpone their final answer to American note of 18th February 238

(b) "C" Mandates.

		1924	
392	To the Governors-General Commonwealth of Australia, New Zealand, Union of South Africa, Confidential ...	September 6	States that it is considered that a reply to the United States Government regarding "C" Mandates should be deferred until the questions at issue regarding "A" and "B" Mandates are settled. Inquiries whether Ministers would concur in certain reply being sent when the occasion arises 240
393	To the Governors-General Commonwealth of Australia, New Zealand, Union of South Africa, Telegram ...	November 27	States that there is now no further obstacle to the conclusion of the Convention concerning "B" Mandates, nor to the despatch of proposed reply to United States in the matter of "C" Mandates. Requests, therefore, reply to No. 392 241
394	The Acting Governor-General New Zealand, Telegram, Confidential ...	November 28 (Rec. Nov. 28)	Expresses concurrence in course proposed in No. 392 and with respect to special treaty rights in Western Samoa, invites reference to correspondence with United States in No. 413 242
395	The Governor-General Union of South Africa, Telegram, Confidential	December 1 (Rec. Dec. 1)	Quotes text of Ministers' Minute which concludes by impressing upon the British Government the necessity of bringing to the notice of the United States that the Union Government is the proper authority to whom any claim respecting South-West Africa is to be submitted 242
396	The Governor-General Union of South Africa, Telegram, Private and Personal ...	December 1 (Rec. Dec. 1)	Reports, with comments, views expressed by Prime Minister regarding negotiations with United States in connexion with South-West Africa throwing light on motives for the action taken in No. 395 243
397	The Governor-General Commonwealth of Australia, Telegram	December 2 (Rec. Dec. 2)	Agrees to the terms of the draft note to the United States forwarded in No. 392 243

26

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.

(2) Position of Mandated Territories in Relation to Treaties.

(a) Generally.

1924

398	To the Governor-General Commonwealth of Australia 46 ... ... January 23	Replies to questions raised as to the application of Special and General International Conventions to Mandated Territories 243
399	The Department of External Affairs, Commonwealth of Australia to the Secretary-General, League of Nations (Extract) ... April 30 (Rec. from Foreign Office, Aug. 1)	Transmits observations of the Commonwealth Government on the report of the Permanent Mandates Commission as to the extension to territories under mandate of special and general international Conventions 244
400	The Prime Minister New Zealand to the Secretary-General, League of Nations (Extract) ... ... May 30 (Rec. from Foreign Office, Aug. 1)	Transmits observations of the New Zealand Government on the report of the Permanent Mandates Commission regarding the extension to the Territories under mandate of special international treaties 245
401	The Belgian Minister for Foreign Affairs to the Secretary, League of Nations (Extract) ... June 7 (Rec. from Foreign Office, Aug. 1)	Transmits observations of the Belgian Government on the report of the Permanent Mandates Commission regarding the extension to territories under mandate of special and general international conventions ... 245
402	The Japanese League of Nations Office to the Secretary-General, League of Nations (Extract) ... ... October 21 (Rec. from Foreign Office, Nov. 6)	Transmits observations of the Japanese Government on the report of the Permanent Mandates Commission regarding the extension of special International Conventions to the Mandated Territories... 246

(b) Extradition Treaties.

1924

403	To the Governor-General New Zealand, Telegram October 28	States that, on learning that Ministers agree, His Majesty's Government will arrange with foreign States concerned for formal extension to Western Samoa of existing extradition treaties 247
404	The Governor-General New Zealand, Telegram October 30 (Rec. Oct. 30)	Concurs in action suggested in No. 403 247
405	The Deputy Governor-General Commonwealth of Australia 268 (Extract) September 24 (Rec. Nov. 4)	Considers it desirable that all existing and future extradition treaties entered into by Great Britain should be applied to New Guinea, Papua and Norfolk Island 247
406	To the Governor-General Union of South Africa, Telegram ... ... December 2	States that it is proposed to approach foreign States concerned with a view to arranging for formal extension of existing extradition treaties to New Guinea and Western Samoa, and inquires whether Ministers desire that South-West Africa should be included in any such arrangement 248
407	The Governor-General Union of South Africa, Telegram, Confidential December 18 (Rec. Dec. 18)	States Ministers' views on proposal contained in No. 406 248
408	To the Governor-General Commonwealth of Australia 452 (Extract) December 31	Explains the position with regard to the application of present and future extradition treaties to New Guinea, Papua and Norfolk Island 249

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.

(3) Nauru Report, 1923.

1924

409	To the Governor-General Commonwealth of Australia 47 ... ... January 23	Transmits copies of certain League of Nations papers on the subject of the resolutions adopted by the Council of the League of Nations in connexion with the Report of the Third Session of the Permanent Mandates Commission 249
410	To the Governor-General New Zealand 27 January 23	Transmits copy of No. 409... 250

(4) Western Samoa: Preferential Tariff.

1924

411	To the Governor-General New Zealand, Telegram April 19	Inquires whether Government concur in terms of draft note to United States Ambassador respecting treaty rights in Western Samoa, which has already been communicated to Prime Minister's Private Secretary ... 250
412	The Governor-General New Zealand, Telegram, Confidential ... ... May 8 (Rec. May 8)	States that Ministers are content that note as drafted should be sent to United States Ambassador provided that there is despatched therewith the communication as quoted from the New Zealand Government... 251
413	To the Governor-General New Zealand, Confidential July 21	Transmits copy of the note which has been addressed to the United States Ambassador with certain relative papers on the subject of preferential tariff in Western Samoa 251

(5) Treaty with 'Iraq.

1924

414	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 531 ... ... November 14	Reports that the instrument of His Majesty's ratification of the Anglo-'Iraq Treaty together with the 1923 Protocol and Subsidiary Agreements has been forwarded to the High Commissioner for 'Iraq with a view to exchange against a similar instrument signed by King Feisal 256

MEMEL:

Convention for Transfer of Sovereignty to Lithuania.

1924

415	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 410 ... ... August 27	Transmits copy of the Convention providing for the transfer to Lithuania of the territory of Memel ... 256
416	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 438 ... ... September 2	Reports signature of ratification of the Convention by the President of Lithuania on 14th August, 1924... ... 256

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
417 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 463 ... ... September 16	Transmits copies of Cmd. 2285 containing text of the Convention as signed at Paris on the 8th May, 1924 257
418 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 515 ... ... October 31	States that it is now proposed to arrange for the ratification of the Convention by His Majesty 257

METRIC SYSTEM.

International Convention relating to:

Position of Irish Free State.

1924	
419 To the Governor-General Irish Free State 527 September 6	Explains position with regard to the Convention and inquires which of the two courses proposed the Free State Government prefer to adopt 257

MOROCCO.

Request for Surrender of British Capitulatory Rights.

1924	
420 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 277, Confidential June 21	States that the French Government have formally requested the surrender of British capitulatory rights in the French Protectorate of Morocco, and gives views of the Secretary of State for Foreign Affairs on the point 258

MOTOR CARS: INTERNATIONAL CONVENTION, 1909, RELATIVE TO THE CIRCULATION OF:

Position of the Irish Free State.

1924	
421 The Governor-General Irish Free State 112 March 31 (Rec. April 1)	Requests that the French Government be informed that the Irish Free State considers itself bound by the International Convention 1909 and that the identification letters of the Free State for use on the registration plaque will be "S.E." 259
422 To the Governor-General Irish Free State 252 April 25	Transmits copy of despatch to Paris asking that the French Government be approached in the sense desired in No. 421 259
423 To the Governor-General Irish Free State 371 June 16	Transmits copies of notes addressed to the French Government regarding the desire of the Irish Free State that the Royal Irish Automobile Club should be recognized internationally 260

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
424 To the Governor-General Irish Free State 403 ... July 1	Transmits copy of note from the French Minister for Foreign Affairs stating that his Government has no objection to Irish Free State declaration 260
425 The Governor-General Irish Free State 380 September 30 (Rec. Oct. 1)	Requests that His Majesty's Ambassador may be asked to ascertain from the French Government if the letters "S E" for use on the registration plaque have been accepted and whether the accession is governed by Article 13 of the Convention 261
426 To the Governor-General Irish Free State 675 December 2	Transmits, with reference to No. 425, copy of note from French Minister for Foreign Affairs replying to certain points raised 261

MUSCAT.

Anglo-Muscat Treaty, 1891.

427 To the Governors-General Canada 222, Commonwealth of Australia 191, Irish Free State 329 May 28	Transmits copy of a document prolonging the Treaty for one year [*To Australia only*: together with the notice of withdrawal of Australia and of the acknowledgment thereto] [*To Irish Free State*: Explains position and inquires as to Ministers' wishes] ... 262
428 The Governor-General Irish Free State 259 ... July 7 (Rec. July 8)	States that in any future agreement extending the present Treaty Ministers would wish arrangements to be made to enable the Irish Free State to withdraw at any time on notice being given 264
429 To the Governor-General Irish Free State 457 ... July 30	Transmits copy of letter to the Government of India asking that when the renewal of the Treaty is next under consideration provision may be made for the withdrawal of the Irish Free State at any time on notice being given 264

POSITION OF THE SELF-GOVERNING DOMINIONS AND SOUTHERN RHODESIA.

CORRESPONDENCE, 1924.

PART I.

AERIAL NAVIGATION CONVENTION, 1919.

(*Treaty Series* 1922, *Nos.* 2 *and* 11.)

(1) Article 5: Postponement of Application and Amendment of Article.

(*Treaty Series* 1925, *No.* 12.)

1430

No. 1.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
} Dominions Treaty No. 2.)

[MY LORD,] [SIR,] Downing Street, 16th January, 1924.

WITH reference to [Your Excellency's telegram of the 15th of February, 1923,*] [Your Excellency's telegram of the 4th of January, 1923,†] [Your Excellency's telegram of the 19th of February, 1923,‡] [His Royal Highness Prince Arthur of Connaught's telegram of the 24th of January, 1923,§] [Your Excellency's despatch No. 301 of the 22nd of October,‖] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, a [certified copy] [copy] of the Minutes of the deposit of His Majesty's ratification of the Protocol, signed in London on the 27th of October, 1922, amending Article 5 of the International Air Navigation Convention.

I have, &c.,
DEVONSHIRE.

Enclosure in No. 1.

MINUTES OF THE DEPOSIT OF THE BRITISH EMPIRE'S RATIFICATION OF THE PROTOCOL, DATED IN LONDON THE 27TH OCTOBER, 1922, CONCERNING AN AMENDMENT TO ARTICLE 5 OF THE CONVENTION FOR THE REGULATION OF AIR NAVIGATION DATED IN PARIS THE 13TH OCTOBER, 1919.

THE British Ambassador in Paris to-day deposited at the seat of the International Commission for Air Navigation, 20, Avenue Kleber, Paris, the ratification of His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the seas, Emperor of India, etc., of the Protocol, dated in London the 27th October, 1922, concerning an amendment to Article 5 of the Convention for the Regulation of Aerial Navigation, dated in Paris the 13th October, 1919, and handed same to the General Secretary of the International Commission for Air Navigation.

---

* No. 7 in Dominions No. 88. † No. 2 in Dominions No. 88. ‡ No. 8 in Dominions No. 88.
§ No. 5 in Dominions No. 88. ‖ No. 15 in Dominions No. 88.

This Instrument having been found in good and due order was entrusted to the General Secretary of the International Commission for Air Navigation to be deposited in the archives of the Commission.

A certified true copy of the present minutes will be forwarded to all the States parties to the Convention by the General Secretary of the International Commission for Air Navigation.

In Faith Whereof the Undersigned have signed the present Minutes and have affixed thereto their seals.

Done in Paris the nineteenth day of December, nineteen hundred and twenty-three.

(L.S.) Crewe.
(L.S.) Albert Roper.

Stamp.

2283

No. 2.

NEWFOUNDLAND.

The SECRETARY OF STATE to the GOVERNOR.

(No. 21.)

Sir, Downing Street, 6th February, 1924.

With reference to Mr. Churchill's despatch No. 140 of the 20th September, 1922,* in which allusion was made to the possible amendment of Article 5 of the Aerial Navigation Convention, I have the honour to request you to inform your Ministers that, at a meeting of the International Commission for Air Navigation held in London in October, 1922, the French representatives proposed the amendment of the Article in order to permit exceptions being made to the provisions of the Article in cases where one of the contracting States has entered into an individual agreement with another State which is not a party to the Convention. The amended Article was embodied in a Protocol of Amendment, which read as follows:—

"No contracting State shall, except by a special and temporary authorization, permit the flight above its territory of an aircraft which does not possess the nationality of a contracting State, unless it has concluded a special Convention, with the State, in which the aircraft is registered. The stipulations of such special Convention must not infringe the rights of the contracting parties to the present Convention and must conform to the rules laid down by the said Convention and its annexes. Such special Convention shall be communicated to the International Commission for Air Navigation which will bring it to the knowledge of the other contracting States."

2. This Protocol was signed by His Majesty's Chargé d'Affaires in Paris on the 28th March, 1923, and His Majesty's Ratification was deposited in Paris on the 19th December, 1923.

3. I take this opportunity to state that Italy ratified the Convention on the 13th March, 1923, and the additional Protocol to the Convention on the 10th April, 1923, and that Czechoslovakia ratified the Convention and the additional Protocol on the 23rd November, 1923.

I have, &c.,
J. H. THOMAS.

2283

No. 3.

SOUTHERN RHODESIA.

The SECRETARY OF STATE to the GOVERNOR.

(No. 44.)

Sir, Downing Street, 6th February, 1924.

With reference to Mr. Churchill's Circular despatch of the 7th March, 1922,† of which copies are enclosed for convenience of reference, and previous correspondence, regarding the International Air Navigation Convention, I have the honour to transmit to you, for the information of your Ministers, copies of Treaty Series Paper No. 2 of 1922 [Cmd. 1609], containing the text of the Convention, together with copies of Treaty Series Paper No. 11 of 1922 [Cmd. 1741], containing the additional Protocol to the Convention, the *procès verbaux* of the deposit of ratifications, and the notification of the accession of Persia, and of Treaty Series Paper No. 14 of 1923 [Cdm. 1916], containing amendments to Annexes (*A*), (*C*), (*D*) and (*E*) to the Convention. I also enclose copies of Resolutions (Nos. 38, 43 and 47) adopted by the International Commission for Air Navigation concerning the regulation of matters to which the Convention relates, of the Journal Log referred to in Resolution No. 47, and of a letter from the International Commission containing later resolutions on the subject of Resolution No. 47.

2. As indicated in the *procès verbaux*, printed on pages 5-9 of [Cmd. 1741], the ratifications of Belgium, Bolivia, France, Greece, Japan, Portugal, the Serb-Croat-Slovene State, and Siam, as well as that of the British Empire, were deposited on the 1st June, 1922. The Italian ratification of the Convention was deposited on the 13th March, 1923, and the Italian ratification of the additional Protocol to the Convention on the 10th April, 1923; the ratification of Czechoslovakia was deposited on the 23rd November, 1923. In addition, Peru, Nicaragua, Liberia, Persia and Bulgaria have acceded to the Convention.

3. In accordance with the terms of the Declaration embodied in the *procès verbaux* of the deposit of ratifications (page 7 of [Cmd. 1741]), His Majesty's Government and the Governments of the self-governing Dominions and India have announced their intention of postponing provisionally the application of Article 5 of the Convention in respect of the States enumerated in the Declaration. Similar announcements have been made by France, Italy, Persia, and Siam.

4. At a meeting of the International Commission for Air Navigation held in London in October, 1922, the French representatives proposed the amendment of Article 5 of the Convention, in order to permit exceptions being made to the provisions of the Article in cases where one of the Contracting States has entered into a special agreement with another State which is not a party to the Convention. The amended Article was embodied in a Protocol of Amendment, which reads as follows:—

"No contracting State shall, except by a special and temporary authorization, permit the flight above its territory of an aircraft which does not possess the nationality of a contracting State, unless it has concluded a special Convention with the State in which the aircraft is registered. The stipulations of such special Convention must not infringe the rights of the contracting parties to the present Convention and must conform to the rules laid down by the said Convention and its annexes. Such special Convention shall be communicated to the International Commission for Air Navigation which will bring it to the knowledge of the other contracting States."

5. This Protocol was signed by His Majesty's Chargé d'Affaires in Paris on the 28th March, 1923, and His Majesty's Ratification was deposited in Paris on the 19th December, 1923.

6. I take this opportunity to enclose copies of the Air Navigation (Consolidation) Order, 1923, dated the 19th December, 1923.

I have, &c.,
J. H. THOMAS.

---

(2) Article 5: Application for Derogation by Great Britain.

61772

No. 4.

IRISH FREE STATE.

The SECRETARY OF STATE to the GOVERNOR-GENERAL.

[*Answered by No. 9.*]

(No. 55.)

Sir, Downing Street, 29th January, 1924.

With reference to my predecessor's despatch No. 407 of the 10th July, 1923,* I have the honour to transmit to Your Excellency, to be laid before your Ministers,

* No. 27 in Dominions No. 87. † Not reprinted.

* No. 14 in Dominions No. 88.

a copy of a letter* from the International Commission for Air Navigation regarding an application by His Majesty's Government for a derogation from Article 5 of the Aerial Navigation Convention of 1919.

2. The circumstances leading up to this letter are set out in a despatch† to Canada, the Commonwealth of Australia, New Zealand, and the Union of South Africa, a copy of which is enclosed. Applications‡ for derogations by Belgium and France in favour of the same countries as are mentioned in the application by His Majesty's Government have already been granted by the International Commission, in addition to an application§ by Canada for a derogation in favour of the United States.

3. Your Ministers will see from the despatches enclosed that it is presumed that the Dominion Governments to which they are addressed will agree to a reply being sent to the International Commission, to the effect that they accept the derogation. His Majesty's Government would be glad to know whether this course will similarly be in accordance with the wishes of the Irish Free State Government.

I have, &c.,
J. H. THOMAS.

5259

No. 5.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2.5 a.m., 2nd February, 1924.)

TELEGRAM.

1ST FEBRUARY. Your despatch of 31st December, Dominions Treaty 50.† Action proposed in regard to derogation under additional protocol of Aerial Navigation Convention is concurred in by Canadian Government.—BYNG.

7136

No. 6.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.20 p.m., 12th February, 1924.)

TELEGRAM.

12TH FEBRUARY. Your despatch 31st December, Dominions Treaty No. 50.† Application of Great Britain and Northern Ireland for derogation from Article 5 Air Convention. Ministers have no objection.—ATHLONE.

10160

No. 7.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.26 a.m., 3rd March, 1924.)

TELEGRAM.

3RD MARCH. Your despatch of 31st December, Dominions Treaty No. 50.† Aerial Navigation Convention. Commonwealth Government accepts derogation from Article 5.—GOVERNOR-GENERAL.

---

* Enclosure in No. 30 in Dominions No. 88. † No. 30 in Dominions No. 88. ‡ No. 37 in Dominions No. 87 and No. 21 in Dominions No. 88. § No. 26 in Dominions No. 88.

10425

No. 8.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.58 a.m., 4th March, 1924.)

TELEGRAM.

4TH MARCH. Your despatch of 31st December, Dominions Treaty No. 50.* Aerial Navigation Convention. New Zealand Government accepts derogation.—JELLICOE.

23614

No. 9.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 17th May, 1924.)

(No. 189.)

SIR, Vice Regal Lodge, Dublin, 16th May, 1924.

I HAVE the honour to refer to your despatches No. 55 of the 29th January last† and No. 156 of the 7th March,‡ relating to an application by His Majesty's Government for a derogation from Article 5 of the Aerial Navigation Convention of 1919.

2. My Ministers will be glad if their acceptance of the derogation is notified to the International Commission. They regret the delay which has occurred in sending this reply.

I have, &c.,
T. M. HEALY.

---

(3) Amendment of Article 34.

(Treaty Series 1925, No. 13.)

62846

No. 10.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 7.)

MY LORD, Downing Street, 4th January, 1924.

WITH reference to Your Excellency's telegram of the 27th November, 1923,§ I have the honour to request you to inform your Ministers that the Protocol amending Article 34 of the Convention for the Regulation of Aerial Navigation was signed in Paris on the 19th December last by Major-General Sir W. Sefton Brancker on behalf of the Commonwealth of Australia.

I have, &c.,
DEVONSHIRE.

22070

No. 11.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9th May, 1924.)

[*Answered by No. 12.*]

(Confidential.)

SIR, Vice Regal Lodge, Dublin, 8th May, 1924.

I HAVE the honour to refer to the Duke of Devonshire's Confidential despatches dated the 19th October‖ and the 11th December, 1923,¶ and your

* No. 30 in Dominions No. 88. † No. 4. ‡ 61772/23: not printed; reminder. § No. 44 in Dominions No. 88. ‖ No. 40 in Dominions No. 88. ¶ 44303/23: not printed.

Confidential despatch of the 5th February,* relative to the Protocol embodying an Amendment to Article 34 of the Aerial Navigation Convention, 1919, and to state that my Ministers concur in the provisions of the Protocol and desire that it should be signed by the High Commissioner for the Irish Free State.

2. I have to express regret for any inconvenience caused by the delay in arriving at this decision.

I have, &c.,
T. M. HEALY.

22070

No. 12.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Confidential.)

SIR, Downing Street, 19th May, 1924.

I HAVE the honour to acknowledge the receipt of Your Excellency's Confidential despatch of the 8th May† regarding the signature on behalf of the Irish Free State of the Protocol embodying an Amendment to Article 34 of the Aerial Navigation Convention, 1919, and to request you to inform your Ministers that His Majesty's Government are taking the necessary steps with a view to giving effect to their wishes.

I have, &c.,
J. H. THOMAS.

25472

No. 13.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 28th May, 1924.)

[*Answered by No.* 15.]

(Confidential.)

SIR, Vice Regal Lodge, Dublin, 27th May, 1924.

I HAVE the honour to refer to my Confidential despatch of the 8th May† regarding the signature of the Protocol embodying an Amendment to Article 34 of the Aerial Navigation Convention, 1919, and to state that my Ministers desire to advise His Majesty to ratify the Protocol in respect of the Irish Free State.

I have, &c.,
T. M. HEALY.

47590

No. 14.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 3.20 p.m., 9th October, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)

9TH OCTOBER. My telegram of 17th October, 1923.‡ Amendment to Article 34, Air Convention. Necessary signatures to Protocol now complete and instrument of ratification by His Majesty being prepared.—SECRETARY OF STATE FOR THE COLONIES.

---

* 44303/23: not printed: reminder. † No. 11. ‡ No. 39 in Dominions No. 88.

47590

32

No. 15.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Confidential (3).)

SIR, Downing Street, 14th October, 1924.

WITH reference to Your Excellency's Confidential despatch of the 27th May,* I have the honour to request you to inform your Ministers that the necessary signatures to the Protocol concerning an amendment of Article 34 of the Aerial Navigation Convention of 1919 are now complete and that the instrument of ratification by His Majesty is being prepared.

2. The other Dominion Governments concerned have been so informed by telegraph.

I have, &c.,
J. H. THOMAS.

56751

No. 16.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State. } Dominions Treaty No. 42.)

[MY LORD,] [SIR,] Downing Street, 12th December, 1924.

[*Not to Irish Free State:* With reference to my predecessor's telegram of the 9th of October,†] I have the honour to transmit to Your Excellency, for the information of your Ministers, a certified copy of the Minute recording the deposit of His Majesty's ratification of the Protocol, dated the 30th of June, 1923, concerning an amendment to Article 34 of the International Convention for the Regulation of Aerial Navigation.

I have, &c.,
L. S. AMERY.

[58317]

Enclosure in No. 16.

MINUTE OF THE DEPOSIT OF THE BRITISH EMPIRE'S RATIFICATION OF THE PROTOCOL, DATED IN LONDON THE 30TH JUNE, 1923, CONCERNING AN AMENDMENT TO ARTICLE 34 OF THE CONVENTION FOR THE REGULATION OF AERIAL NAVIGATION, DATED IN PARIS THE 13TH OCTOBER, 1919.

THE British Ambassador in Paris to-day deposited at the seat of the International Commission for Air Navigation, 20, Avenue Kléber, Paris, the ratification of His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the seas, Emperor of India, etc. . . . of the Protocol, dated in London the 30th June, 1923, concerning an amendment to Article 34 of the Convention for the regulation of Aerial Navigation, dated in Paris the 13th October, 1919, and handed same to the General Secretary of the International Commission for Air Navigation.

This instrument having been found in good and due order was entrusted to the General Secretary of the International Commission for Air Navigation to be deposited in the archives of the Commission.

A certified true copy of the present Minute will be forwarded to all the States parties to the Convention by the General Secretary of the International Commission for Air Navigation.

---

* No. 13. † No. 14.

In faith whereof the Undersigned have signed the present Minute and have affixed thereto their seals.

Done in Paris the twentieth day of November, nineteen hundred and twenty-four.

(L.S.) CREWE.
(L.S.) ALBERT ROPER.

Certified true copy.
ALBERT ROPER,
General Secretary to the International Commission for Air Navigation.

56751

No. 17.

THE SECRETARY OF STATE to THE GOVERNORS.

(Newfoundland. No. 178.)
(Southern Rhodesia. No. 516.)

SIR, Downing Street, 12th December, 1924.

I HAVE the honour to request you to inform your Ministers that at a meeting of the International Commission on Aerial Navigation early in 1923, the Belgian representative on the Commission put forward a proposal that Article 34 of the Aerial Navigation Convention, 1919, should be amended to the following effect:—

(1) Each State represented on the Commission should have only one vote, the British Empire as at present counting as one State for voting purposes.

(2) The majority required for any modification of the Annexes of the Convention should include at least three of the following five States: the United States of America, the British Empire, France, Italy and Japan.

2. The French representative proposed a further amendment that the expenses of the Commission should be apportioned as follows:—

Two shares each by the United States of America, the British Empire, France, Italy and Japan, and one share each by all other Contracting States.

3. At the meeting of the Commission held in June, 1923, the amendments were adopted, and they have been embodied in a Protocol. According to the provisions of the Protocol and of Article 34 of the Convention, the amendments will not take effect until after the deposit, at the seat of the Commission, of the ratifications of all States at present Contracting Parties to the Convention.

4. His Majesty's ratification of the Protocol was deposited on the 20th of November, 1924, and the Protocol has also been ratified by Belgium and Italy.

I have, &c.,
L. S. AMERY.

ANTARCTIC.

57243/S

No. 18.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.35 a.m., 4th December, 1924.)

TELEGRAM.

4TH DECEMBER. Secret. Your despatch 6th February, 1920, Secret,* and subsequent correspondence respecting incorporation of the Antarctic region in the British Empire. Ministers would be glad to learn whether any further action has been taken to establish British sovereignty with Australian control over region from 160 degrees East to 90 degrees East. Prime Minister advises that Commonwealth Government notes with regret that the French Government has greatly strengthened its position in Adélie Land and in Wilkes Land by its Decree of 27th March last respecting mining, hunting and fishing concessions in this Territory. Region

* No. 89 in Dominions No. 75.

subject to French control will thus form serious enclave particularly as no boundary appears to be defined to it. In view of unanimous agreement as to importance of Antarctic passing under British control, Commonwealth Government feels that unless there are insuperable obstacles in the way it would be advisable to assert rights over these regions at the earliest opportunity. This will now necessitate agreement with France as to boundary, but Commonwealth Government feels that indefinite postponement of the matter will probably be the cause of difficulty in the future.—FORSTER.

57243/S

No. 19.

COLONIAL OFFICE to [FOREIGN OFFICE.] [ADMIRALTY.]

(Secret.)

SIR, Downing Street, 24th December, 1924.

WITH reference to your letter of the [27th November,*] [10th October,†] and previous connected correspondence, I am directed by Mr. Secretary Amery to transmit to you, to be laid before [Mr. Secretary Chamberlain,] [the Lords Commissioners of the Admiralty,] the accompanying copy of a telegram‡ from the Governor-General of the Commonwealth of Australia hoping that early steps should be taken to assert British rights over the Antarctic regions. A memorandum§ dealing with the previous history of this question, which has been prepared in the Colonial Office, is also enclosed.

2. Mr. Amery strongly adheres to the policy laid down by His Majesty's Government in 1920, and entirely agrees with the Commonwealth Government as to the undesirability of further delay. He desires, therefore, that the earliest possible action should be taken to arrive at a decision as to the attitude to be adopted towards the French claims. Mr. Amery would be glad to receive an early expression of any views which [Mr. Chamberlain] [Their Lordships] may wish to offer on the subject generally, and if it is thought that an inter-departmental discussion would be useful, he would be pleased to nominate a representative to take part in such a conference.

3. A similar letter has been addressed to the [Admiralty.] [Foreign Office.]

I am, etc.,
E. J. HARDING.

ANTI-DIPHTHERITIC SERUM.

Proposed agreement for control of:

40825

No. 20.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 374.) } Dominions No. 440.)

[MY LORD,] [SIR,] Downing Street, 5th September, 1924.

I HAVE the honour to transmit to [Your Excellency.] [you,] for the information of your Ministers, the accompanying copy of a draft international agreement‖ for the control of anti-diphtheritic serum, together with copy of correspondence with the President of the Committee of the International Office of Public Health on the subject.

I have, &c.,
(for the Secretary of State),
HENRY LAMBERT.

---

* 55824/24: not printed; it enclosed copies of the French decree of the 27th March, 1924, mentioned in No. 18. † 48411/24: not printed; it discussed the bearing of the French decree of the 27th March, 1924. ‡ No. 18. § Attached to 57243/24: afterwards revised and printed as 40316/25. ‖ Not printed.

Enclosure 2 in No. 20.

Office International d'Hygiène Publique, Paris.
14 24 juillet, 1924.
195, Boulevard St. Germain (VIIe Arr.)

Monsieur le Secrétaire d'Etat,

Par une circulaire en date du 13 novembre, 1910, le Comité de l'Office international d'Hygiène publique avait donné connaissance aux Gouvernements participants du voeu ci-après, qu'il avait émis au cours de sa session d'octobre de la même année :—

> Le Comité de l'Office international d'Hygiène publique, considérant qu'il y aurait intérêt à ce que le contrôle des sérums, vaccins et produits microbiens qui peuvent être utilisés pour le traitement et la prévention des maladies contagieuses, fût l'objet d'accords internationaux, émet le voeu que les Gouvernements des pays participants se préoccupent de faire étudier les éléments de ces accords éventuels.
>
> Le Comité croit devoir signaler en particulier, à l'attention des Gouvernements, le sérum anti-diphtérique, comme pouvant faire dès maintenant l'objet d'un examen susceptible d'aboutir à des conclusions pratiques.

L'attention du Comité a été appelée par M. le Professeur A. Calmette, qui en faisait alors partie, dans la session d'octobre, 1921 (v. procès verbaux, page 21), sur l'intérêt que présenterait un nouvel examen de la question d'une entente internationale sur les sérums thérapeutiques, et notamment sur le sérum anti-diphtérique. Une Commission spéciale, prise dans son sein, fût, en conséquence, désignée par le Comité pour procéder à une étude générale de cette question. Les expériences et vérifications faites à la suite de la Conférence scientifique, réunie à Londres du 12 au 14 décembre, 1921, sur la convocation de l'Organisation provisoire d'Hygiène de la Société des Nations, relativement à la "standardisation des sérums et réactions sérologiques," sont venues confirmer, en ce qui concerne le sérum anti-diphtérique, le bien-fondé de l'opinion émise, en 1910, par le Comité de l'Office international. Celui-ci s'est trouvé, ainsi, d'autant plus porté à poursuivre l'initiative, qu'il venait de prendre, de charger sa Commission des sérums d'envisager les conditions dans lesquelles il était possible d'arrêter un projet d'arrangement international visant la circulation et l'usage des sérums anti-diphtériques.

Les procès-verbaux des sessions du Comité de mai, 1922 (pp. 171 à 177), et de mai, 1923 (p. 115), permettent de se rendre compte des considérations pour lesquelles la Commission des sérums est arrivée à la conclusion que, parmi tous les sérums au sujet desquels une standardisation internationale a pu être envisagée, seul le sérum anti-diphtérique peut être, quant à présent, pris en considération.

Le projet d'arrangement international ainsi préparé par la Commission a été examiné et discuté par le Comité, d'une part, dans sa session d'octobre, 1922 (v. procès-verbaux, pp. 56 et 99) et, d'autre part, dans la sixième séance de la session qu'il a tenue récemment du 28 avril au 7 mai, 1924.

La discussion, dont les propositions de la Commission des sérums ont été l'objet dans cette dernière session, fait ressortir le point de vue auquel le Comité s'est placé, en envisageant les stipulations insérées dans le projet qu'il a définitivement arrêté. C'est ainsi qu'il a été nettement indiqué que l'arrangement proposé ne concerne que le sérum ordinaire et le sérum sec, qui sont d'un usage universel. Des considérations d'ordre scientifique ont amené, en effet, le Comité à penser qu'il état préférable, actuellement, de ne pas étendre l'arrangement aux sérums concentrés ou précipités. Les Gouvernements resteront, dès lors, libres de réglementer, comme ils le jugeront opportun, tout ce qui concerne l'usage, la circulation ou l'importation de ces derniers produits dans leurs territoires.

D'après l'article 6 du projet, à l'égard des sérums ordinaires et des sérums secs, les Gouvernements posséderont, notamment, le droit d'exercer, sur les produits importés, un contrôle pour vérifier l'exécution des stipulations prévues aux articles 4 et 5; ils auront la faculté de fixer les règles d'après lesquelles les sérums antidiphtériques cesseront de pouvoir être utilisés pour l'usage médical sur leurs territories; il leur sera loisible également d'exiger l'inscription de mentions supplémentaires sur les étiquettes. Enfin, l'article 7 stipule que les Gouvernements feront connaître à l'Office international d'Hygiène publique toutes mesures qu'ils prendront en vue de l'application de l'arrangement et l'Office international communiquera ces renseignements aux Parties contractantes.

J'ai été chargé de soumettre à l'examen et à l'approbation des Gouvernements représentés dans l'Office international le texte de ce projet d'arrangement international, dont trois exemplaires se trouvent ci-joints.

Le Comité aurait intérêt à savoir si est disposé à accepter les termes de l'arrangement dont il s'agit et à revêtir ce dernier de sa signature.

Lorsque les réponses des divers Gouvernements lui seront parvenues, le Comité examinera si elles lui permettraient de demander au Gouvernement français de vouloir bien faire une démarche auprès des Gouvernements ayant décidé de signer l'arrangement pour qu'ils désignent des plénipotentiaires à cet effet.

Agréez, etc.,
Le Président du Comité.
de l'Office international d'Hygiène publique.
(Signé.)

Son Excellence
Monsieur le Secrétaire d'Etat de Sa Majesté
Britannique pour les Affaires Etrangères,
Londres.

Enclosure 3 in No. 20.

Foreign Office, S.W.1.
19th August, 1924.

Sir,

In reply to your letter of the 24th ultimo, I am directed by Mr. Secretary Ramsay MacDonald to state that, while His Majesty's Government concur in the terms of the draft international agreement for the control of anti-diphtheritic serum, they would prefer, in view of the terms of Article 8, that the instrument should be drawn in the form of a convention between Heads of States.

2. His Majesty's Government are also of opinion that an article should be inserted in the draft providing for the accession of non-signatory states on the lines of Article 5 of the draft convention regarding the treatment of venereal disease among seamen which has been prepared by the Belgian Government.

3. The Secretary of State will, in these circumstances, be glad to be informed at an early date whether the International Office can see their way to meet the wishes of His Majesty's Government in this matter.

I am, &c.,
G. H. Villiers.

The President of the Committee of the
International Office of Public Health,
195, Boulevard St. Germain,
Paris, VII.

ARBITRATION AGREEMENTS.

(1) Norway. (2) Portugal. (3) Sweden.

(1) *Treaty Series* 1925, *No.* 30. (2) *Treaty Series* 1925, *No.* 41.
(3) *Treaty Series* 1925, *No.* 28.

2891

No. 21.

The SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNOR.

[*Answered by Nos.* 23, 24, 25, 26, 27 *and* 29.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
} Dominions No. 25.)

[My Lord,] [Sir,] Downing Street, 22nd January, 1924.

With reference to my despatch [Dominions No. 81 of the 10th of March, 1923,*] [No. 165 of the 24th of March, 1923,†] I have the honour to request [Your

* No. 55 in Dominions No. 88. † No. 56 in Dominions No. 88.

Excellency] [you] to inform your Ministers that the Arbitration Agreements with the following countries, which have been successively renewed in the past at intervals of five years, will expire during the current year on the dates mentioned unless further renewed by means of formal exchange of notes:—

Norway (11th August, 1904)—9th November, 1924.
Portugal (16th November, 1904)—16th November, 1924.
Sweden (11th August, 1904)—9th November, 1924.

2. His Majesty's Government propose, in accordance with the established policy, which they understand, is in harmony with the views of your Ministers, to take steps for the renewal of these Agreements in due course.

3. I should be glad to learn whether your Ministers concur.

I have, &c.,
DEVONSHIRE.

2891

No. 22.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

[Answered by No. 28.]

(No. 39.)

Sir, Downing Street, 4th February, 1924.

I HAVE the honour to request you to inform your Ministers that Arbitration Agreements with the following countries, which have been successively renewed in the past at intervals of five years, will expire during the current year on the dates mentioned, unless further renewed by means of formal exchange of notes:—

Norway (11th August, 1904)—9th November, 1924.
Portugal (16th November, 1904)—16th November, 1924.
Sweden (11th August, 1904)—9th November, 1924.

These Agreements are printed in Treaty Series Papers Nos. 8 and 10 of 1904, of which copies are enclosed.

2. His Majesty's Government propose, in accordance with the established policy, to take steps for the renewal of these Agreements in due course. They assume that this procedure and the renewal of other similar Agreements which fall to be renewed from time to time, will be in harmony with the views of your Ministers.

3. In this connexion I would invite reference to my predecessor's despatch No. 64 of the 21st November, 1923,* regarding the Anglo-Italian Arbitration Agreement of the 1st February, 1904.

I have, &c.,
J. H. THOMAS.

6354

No. 23.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 11th February, 1924.)

(No. 47.)

Sir, Vice Regal Lodge, Dublin, 8th February, 1924.

I HAVE the honour to refer to the Duke of Devonshire's despatch Dominions No. 25 of the 22nd January,† acquainting my Government of the proposed renewal of Arbitration Agreements with Norway, Portugal and Sweden, and to inform you that my Ministers have no comment or objection to make with regard to the proposed action of His Majesty's Government.

I have, &c.,
T. M. HEALY.

---

* No. 65 in Dominions No. 88. † No. 21.

10481

No. 24.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4th March, 1924.)

(No. 58.)

Sir, Government House, Ottawa, 18th February, 1924.

WITH reference to the Duke of Devonshire's despatch Dominions No. 25 of the 22nd January,* on the subject of the renewal of Arbitration Agreements with Norway, Portugal and Sweden, I have the honour to inform you that the Minister of Justice of Canada has no objection to the renewal of these Agreements in due course.

I have, &c.,
BYNG OF VIMY.

12404

No. 25.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 15th March, 1924.)

(No. 23.)

Sir, Government House, St. John's, 28th February, 1924.

I HAVE the honour to acknowledge the receipt of your despatch Dominions No. 25 of the 22nd January,* on the subject of the renewal of Arbitration Agreements with Norway, Portugal and Sweden, and to inform you that my Ministers concur in the proposal to renew these Agreements in due course.

I have, &c.,
W. L. ALLARDYCE.

12777

No. 26.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 17th March, 1924.)

(No. 80.)

Sir, Governor-General's Office, Cape Town, 29th February, 1924.

I HAVE the honour to transmit to you herewith, with reference to the Duke of Devonshire's despatch Dominions No. 25 of the 22nd January, 1924,* copy of Minute from Ministers on the subject of the renewal of the existing Arbitration Agreements between the United Kingdom and Norway, Portugal and Sweden.

I have, &c.,
ATHLONE,
Governor-General.

Enclosure in No. 26.

(Minute No. 136.)

Prime Minister's Office, 26th February, 1924.

MINISTERS have the honour to acknowledge the receipt of His Excellency the Governor-General's Minute No. 74/45 of the 13th instant transmitting a copy of despatch Dominions No. 25 from the Secretary of State for the Colonies on the subject of the renewal of the existing Arbitration Agreements between the United Kingdom and Norway, Portugal and Sweden.

2. Ministers have the honour to inform His Excellency that they have no objection to the renewal of the Agreements referred to.

J. C. SMUTS.

---

* No. 21.

21206

No. 27.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5th May, 1924.)

(No. 67.)

SIR, Governor-General's Office, Melbourne, 29th March, 1924.

WITH reference to your predecessor's despatch dated 22nd January, 1924, Dominions No. 25,* relative to the expiry during the current year of Arbitration Agreements with Norway, Portugal and Sweden, I have the honour to inform you that I am advised by my Prime Minister that the Commonwealth Government concurs in the proposal of His Majesty's Government to take steps for the renewal of these Agreements.

I have, &c.,
FORSTER.
Governor-General.

22493

No. 28.

SOUTHERN RHODESIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 12th May, 1924.)

(No. 95.)

SIR, Governor's Office, Salisbury (Rhodesia), 16th April, 1924.

I HAVE the honour to refer to your despatch No. 39 of the 4th of February,† on the subject of the renewal of Arbitration Agreements with Norway, Portugal and Sweden.

2. In reply to the second paragraph of your despatch, the renewal of the above Agreements and of other similar Agreements which fall to be renewed from time to time will be in accordance with the views of my Ministers.

I have, &c.,
J. R. CHANCELLOR.
Governor.

23263

No. 29.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 15th May, 1924.)

(No. 72.)

SIR, Government House, Wellington, 6th April, 1924.

I HAVE the honour to inform you that my Ministers advise me that the Government of New Zealand concurs in the renewal of the Arbitration Agreements referred to in the Duke of Devonshire's despatch Dominions No. 25 of the 22nd January.*

I have, &c.,
JELLICOE,
Governor-General.

54976

No. 30.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 12.15 p.m., 27th November, 1924.)

TELEGRAM.

[Answered by Nos. 33, 31, 35 and 37.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

27TH NOVEMBER. My despatch 22nd January, Dominions No. 25.* Arbitration Agreements. Portugal concurs in renewal, but Norway and Sweden

* No. 21. † No. 22.

have raised question of enlargement of scope of agreement, former desiring that it should embrace as many categories of disputes as possible, and also propose that agreements should contain reference to Permanent Court of International Justice. His Majesty's Government consider it desirable that all three agreements should be renewed in same form, and as their expiry this month leaves no time for discussion of extension of terms would prefer simple continuation of existing agreements pending general decision on policy to be adopted towards Geneva protocol. His Majesty's Government see no objection, however, to substitution in text of agreements of Permanent Court of International Justice for Permanent Court of Arbitration provided Governments of Dominions and India concur. Please telegraph as soon as possible whether your Government agree.—AMERY.

54976

No. 31.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 12.15 p.m., 27th November, 1924.)

TELEGRAM.

27TH NOVEMBER. Your despatch 16th April, 95.* Arbitration Agreements. Portugal concurs in renewal, but Norway and Sweden have raised question of enlargement of scope of agreements and also propose that they should include reference to Permanent Court of International Justice. Expiry of agreements this month leaves no time for discussion of extension of terms, but His Majesty's Government see no objection to substitution in text of agreements of Permanent Court of International Justice for Permanent Court of Arbitration if other Governments of Empire concerned concur. Will assume, unless I hear to the contrary, that your Ministers have no objection.—AMERY.

54976

No. 32.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[Answered by No. 36.]

(No. 664.)

SIR, Downing Street, 27th November, 1924.

WITH reference to the Duke of Devonshire's despatch Dominions No. 25 of the 22nd January,† I have the honour to transmit to Your Excellency, for the consideration of your Ministers, the accompanying copy of a telegram‡ to the other self-governing Dominions regarding the renewal of the Arbitration Agreements with Norway, Sweden and Portugal.

2. In view of the urgency of the matter I should be glad to learn as soon as possible whether your Ministers agree to the proposal outlined in this telegram.

I have, &c.,
L. S. AMERY.

56561

No. 33.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 6.15 a.m., 2nd December, 1924.)

TELEGRAM.

1ST DECEMBER. Your telegram 27th November.‡ Arbitration Agreements. My Ministers agree.—ALLARDYCE.

---

* No. 28. † No. 21. ‡ No. 30.

66681

No. 34.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4.45 p.m., 2nd December, 1924.)

TELEGRAM.

2ND DECEMBER. Your telegram of 27th November.* Ministers have no objection to substitution of Permanent Court of International Justice for Permanent Court of Arbitration in the text of the renewed Arbitration Agreements with Portugal, Norway and Sweden.—ATHLONE.

56909

No. 35.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.20 a.m., 4th December, 1924.)

TELEGRAM.

4TH DECEMBER. Your telegram of 27th November.* Arbitration Agreements. Commonwealth Government agree that as the policy to be adopted towards the Geneva Protocol is at present under consideration simple continuation of the Agreement best course to adopt, but see no objection to referring the disputes provided for in Agreements to the Permanent Court of International Justice instead of to the Permanent Court of Arbitration.—FORSTER.

57642

No. 36.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9th December, 1924.)

(No. 454.)

SIR, Vice Regal Lodge, Dublin, 8th December, 1924.

I HAVE the honour to acknowledge the receipt of your despatch No. 664 of the 27th November† transmitting a copy of a telegram* to the Overseas Dominions regarding the renewal of the Arbitration Agreements with Norway, Sweden and Portugal.

2. My Ministers desire me to inform you that they have no observations to offer on the proposal set out in the enclosure to your despatch under reply.

I have, &c.,
T. M. HEALY.

59005

No. 37.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.25 a.m., 17th December, 1924.)

TELEGRAM.

17TH DECEMBER. Your telegram of 27th November.* Arbitration Agreements. My Government is strongly of opinion that there should be no enlargement of the scope of the Agreements if reference is to be made to the Court of International Justice, and having regard to the careful limitations of Clause 1 of the three Agreements they have no objection to the substitution of Court of International Justice for Court of Arbitration.—FERGUSSON.

---

* No. 30. † No. 32.

(4) Spain.

(*Treaty Series* 1924, *No.* 16.)

9359

No. 38.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 80.) } Dominions No. 96.)

[MY LORD,] [SIR,] Downing Street, 5th March, 1924.

[*Not to Irish Free State or Southern Rhodesia:* With reference to my predecessor's despatch Dominions No. 81 of the 10th of March, 1923,*]

[*To Irish Free State only:* With reference to my predecessor's despatch No. 165 of the 24th of March, 1923,†]

I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of notes exchanged with the Spanish Ambassador on the 9th of February renewing for a further period of five years the Arbitration Agreement between the United Kingdom and Spain signed at London on the 27th of February, 1904.

2. [*To Southern Rhodesia only:* The Agreement of the 27th February, 1904, is printed in Treaty Series Paper No. 2 of 1919.]

I have, &c.,
J. H. THOMAS.

Enclosure 1 in No. 38.

(No. 45.)
(Translation.)

Embajada de Espana en Londres,
London, 9th February, 1924.

YOUR EXCELLENCY,

THE Government of His Majesty the King, my August Sovereign, being desirous that the effects of the Arbitration Agreement of 27th February, 1904, already prorogued on the 27th February, 1909, the 27th February, 1914, and the 27th February, 1919, be extended in the future, and, being aware of the same desire on the part of His Britannic Majesty's Government, considers the said Arbitration Treaty prorogued during a fresh term of five years counting from the 26th day of the present month.

I avail myself, &c.,
ALFONSO MERRY DEL VAL.

The Rt. Hon. James Ramsay Macdonald, M.P.,
&c. &c., &c.

Enclosure 2 in No. 38.

YOUR EXCELLENCY, Foreign Office, S.W.1, 9th February, 1924.

I HAVE the honour to acknowledge the receipt of your note of this day's date, expressing the desire of the Spanish Government to maintain in force for a further period of five years the Arbitration Agreement between the United Kingdom and Spain, signed at London on 27th February, 1904, and successively prolonged for similar periods commencing on 27th February, 1909, 27th February, 1914, and 27th February, 1919, respectively.

2. His Majesty's Government, animated by the same desire, note that the Spanish Government consider the said Agreement prolonged for a further period of five years dating from the 26th instant. His Majesty's Government on their part

---

* No. 55 in Dominions No. 88. † No. 56 in Dominions No. 88.

equally consider the Agreement prolonged for the same period, and the present exchange of notes between Your Excellency and myself is accordingly regarded as placing on record the understanding arrived at between our respective Governments in the matter.

I have, &c.,
J. RAMSAY MACDONALD.

His Excellency
Monsieur Alfonso Merry del Val, G.C.V.O.,
&c., &c., &c.

---

(5) United States.

(Treaty Series 1924, No. 8.)

512

No. 39.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
Dominions No. 7.)

[MY LORD,] [SIR,] Downing Street, 9th January, 1924.

WITH reference to my despatch [Dominions No. 345 of the 13th of September.*] [No. 549 of the 13th of September,*] I have the honour to request [Your Excellency] [you] to inform your Ministers that a telegram has been received from His Majesty's Chargé d'Affaires at Washington reporting that ratifications of the Agreement for the renewal for five years from the 4th of June, 1923, of the Arbitration Convention with the United States of America of the 4th of April, 1908, were exchanged on the 29th of December.

I have, &c.,
DEVONSHIRE.

ARMAMENTS, LIMITATION OF:

(1) Proposed agreement relating to Naval Disarmament.

23104

No. 40.

ADMIRALTY to FOREIGN OFFICE.

(Received in Colonial Office, 15th May, 1924.)

[Answered by No. 41.]

(Secret.)

SIR, Admiralty, 30th April, 1924.

I AM commanded by My Lords Commissioners of the Admiralty to advert to the fact that at its meeting on Friday, 11th April, the Cabinet Committee on the replacement of Fleet Units other than capital ships agreed:—

"That the First Lord of the Admiralty should send a Memorandum to the Secretary of State for Foreign Affairs informing him that, after a preliminary discussion of the Naval Programme of construction, the Committee considered that it would be desirable to have the political aspect further explored. In particular the Committee found that the British programme of construction was influenced to a very considerable extent by the Japanese programme. He should suggest that the Secretary of State for

* No. 69 in Dominions No. 88.

Foreign Affairs should consider whether a suitable time had now arrived to sound the Japanese Government as to the possibility of some further arrangement for the limitation of armament. This arrangement might be either bilateral, or if considered desirable, possibly tripartite between Japan, the United States of America and Great Britain."

This conclusion is somewhat indefinite in form, but My Lords believe it to be akin to the policy announced by His Majesty's Government in relation to the development of the Naval Base at Singapore, viz., that the matter had to be considered in a wider relationship, namely, that of general foreign policy.

My Lords are impressed with the urgent necessity, from the point of view of their responsibilities, of early steps being taken in the direction of clarifying the international position. They need hardly point out that time is passing, and with time the efficiency of the Fleet upon which the safety of the Empire depends.

My Lords, therefore, bring to the notice of the Secretary of State the decision of His Majesty's Government in relation to the development of the Naval Base at Singapore, and the conclusion of the Committee of 11th April above recited, in the hope that he will take the steps indicated in that conclusion.

I am to append, for the information of the Secretary of State, a Note* compiled by the Naval Staff outlining the main features of the present Naval situation.

I am, &c.,
O. MURRAY.

22771

No. 41.

FOREIGN OFFICE to ADMIRALTY.

(Received in Colonial Office, 13th May, 1924.)

THE Under-Secretary of State for Foreign Affairs presents his compliments to the Secretary of the Admiralty, and, by direction of the Secretary of State, transmits herewith the draft of a telegram which it is proposed, subject to the concurrence of the Lords Commissioners, to address to His Majesty's Ambassador at Tokyo on the subject of the political aspect of the British naval programme of construction.

Foreign Office,
10th May, 1924.

Reference to previous correspondence: Admiralty letter of 30th April.†

Enclosure in No. 41.

DRAFT TELEGRAM FROM FOREIGN OFFICE to SIR C. ELIOT, TOKYO.

(Secret.)

ADMIRALTY consider that as result of abandonment of development of Singapore base it is urgently necessary to come to a further international arrangement for limitation of naval armament.

Please sound Japanese Government in purely preliminary and non-committal way in order to ascertain their views as to an early agreement (either bilateral between the British Empire and Japan, or tripartite between the British Empire, Japan and the United States of America, or general between all maritime States) for (*a*) further limitation in respect of capital ships, (*b*) limitation in respect of units other than capital ships, (*c*) limitation in respect of all types:

23104

No. 42.

COLONIAL OFFICE to FOREIGN OFFICE.

[Answered by No. 43.]

(Secret and Immediate.)

SIR, Downing Street, 17th May, 1924.

I AM directed by Mr. Secretary Thomas to acknowledge the receipt of your letters of the 10th and 14th of May,‡ regarding a proposal to approach the Japanese Government with a view to a further international arrangement for limitation of naval armaments.

* Not printed; it dealt with the general Naval situation. † No. 40. ‡ 22771/24 and 23104/24: LFF enclosing copies of Nos. 40 and 41.

2. It is noted that the draft telegram* enclosed in your letter refers to the possibility of an agreement with other Powers in the name of the "British Empire." Having regard to the present constitutional position and the discussions at the Imperial Conference of 1921, which led up to the Washington Conference, the Secretary of State feels it essential that the Governments of the self-Governing Dominions should be made acquainted with the intentions of His Majesty's Government before an approach is made to a foreign Government, even on the lines indicated in the draft telegram, with a view to the conclusion of such an agreement. He hopes that Mr. Ramsay MacDonald will concur in this view, in which case he will be prepared to communicate with the Dominion Governments as soon as the terms of the proposed telegram are so far settled as to render such communication possible.

3. A copy of this letter is being sent to the Admiralty.

I am, &c.,
C. T. DAVIS.

25585

No. 43.

FOREIGN OFFICE to COLONIAL OFFICE.

(Received 28th May, 1924.)

[*Answered by No.* 44.]

SIR, Foreign Office, S.W.1, 27th May, 1924.

WITH reference to your letter (Secret and Immediate) of the 17th May,† regarding the proposal to approach the Japanese Government with a view to a further international arrangement for the limitation of naval armaments, I am directed by Mr. Secretary Ramsay MacDonald to inform you that he does not agree that it is necessary at this stage to consult the Governments of the Dominions on this subject. It is only contemplated that the Japanese Government should be sounded in a non-committal manner, when the Admiralty have formulated a basis for such action, which does not at present exist. I am to transmit to you herewith a copy of a letter which has been addressed to the Lords Commissioners on the subject.

2. In Mr. Ramsay MacDonald's view, the proper moment for consulting with the Dominions would be at a later stage, when, as a result of this tentative inquiry, there might be practical ground for discussion. He could not concur in the view that His Majesty's Government should be debarred from preliminary action in a matter of foreign relations without first seeking the views of all the Dominions.

I am, &c.,
ROBERT VANSITTART.

Enclosure in No. 43.

(Secret and Immediate.)

SIR, Foreign Office, S.W.1, 27th May, 1924.

I AM directed by Mr. Secretary Ramsay MacDonald to refer to the letter from this department of 10th May,‡ enclosing the draft of a telegram instructing His Majesty's Ambassador at Tokyo to ascertain the views of the Japanese Government as to an early agreement for a further limitation of naval armament.

2. The draft telegram was prepared on the secret letter from the Admiralty of the 30th April,§ and was submitted to the Admiralty for concurrence in order to ascertain whether it correctly interpreted the wishes of the Lords Commissioners of the Admiralty as put forward in their letter, with regard to which, however, the Secretary of State has not gathered a precise impression. It is, for instance, suggested in the letter from the Admiralty, above referred to, that the Japanese Government should be asked whether they would be willing to enter into negotiations with His Majesty's Government (and possibly the United States Government) for the further limitation of armaments—presumably naval only—but, in the notes by the Naval Staff, it is declared that negotiations with Japan alone would be useless, and that an agreement must cover all countries.

3. Whilst Mr. Ramsay MacDonald considers that it would be useful to ascertain the views of the Japanese Government as to the feasibility of a further

* Enclosure in No. 41. † No. 42. ‡ No. 41. § No. 40.

agreement on disarmament, as a preliminary to any further action, he sees great objection to any new disarmament conference unless and until His Majesty's Government are prepared with a plan they can present with some prospect of its being really workable. It is not clear from the Admiralty letter whether such a plan in fact exists. In the absence of such a basis Mr. Ramsay MacDonald considers that it would be inexpedient to call or suggest a conference. I am, therefore, to inquire, before the draft telegram to Tokyo could usefully be despatched, whether the Lords Commissioners are in a position to define the course that they have in mind.

I am, &c.,
ROBERT VANSITTART.

The Secretary
of the Admiralty.

25585

No. 44.

COLONIAL OFFICE to FOREIGN OFFICE.

(Secret.)

SIR, Downing Street, 10th June, 1924.

IN reply to your letter of the 27th of May* regarding the proposal to approach the Japanese Government with a view to a further international arrangement for the limitation of naval armament, I am directed by Mr. Secretary Thomas to request you to inform Mr. Secretary Ramsay MacDonald that the reason which led him to suggest communication with the Dominion Governments before the proposed telegram to His Majesty's Ambassador at Tokyo was sent, was that the telegram as prepared referred to the possibility of an arrangement with Foreign Powers in the name of the British Empire.

2. The matter was not, therefore, one in which it could be assumed that the Dominion Governments would have no immediate concern, and consequently one on which His Majesty's Government could take such action as they deemed expedient without reference to the Dominions. On the contrary, it was one in which, having regard to the naval forces of the Dominions which might be affected by any further agreement for the limitation of armaments, certain of the Dominion Governments would have a very special interest.

3. In the circumstances Mr. Thomas would suggest that it would be well for the matter to be discussed at the Committee of Imperial Defence as soon as the Lords Commissioners of the Admiralty have further formulated the scheme which they have in mind, but before a decision is taken as to any communication to the Japanese Government.

4. Copies of this letter and of your letter under reply are being sent to the Admiralty, and a copy of the correspondence is being sent to the Committee of Imperial Defence.

I am, &c.,
C. T. DAVIS.

Note.—No further developments occurred in this connexion.

---

* No. 43.

AUSTRIA.

(1) Commercial Treaty, 1924.

(Treaty Series 1925, No. 21.)

5565

No. 45.

SOUTHERN RHODESIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 4th February, 1924.)

[*Answered by No.* 46.]

(No. 14.) Governor's Office, Salisbury, Rhodesia,

MY LORD DUKE, 11th January, 1924.

I HAVE the honour to refer to Your Grace's despatch No. 49 of the 14th November last* on the subject of a draft Treaty with the Austrian Government which has been prepared by His Majesty's Government.

2. I am informed by my Ministers that, so far as this Colony is concerned, they see no objection to the adoption of the Treaty as drafted.

3. As regards the legislation in force in Southern Rhodesia imposing restrictions upon nationals of ex-enemy States, my Ministers state that, should the Treaty be adopted, they propose that the High Commissioner's Proclamation No. 16 of 1919, as amended from time to time, which prohibits the entry into the Colony, except under special permit, of all former enemy aliens, including the subjects of Austria, should be allowed to lapse automatically, which it will do on the 3rd September, 1924, unless it is renewed by further legislation.

4. My Ministers, however, desire to preserve the restrictions contained in High Commissioner's Proclamation No. 1 of 1920, which gives the Governor power generally to order the removal of any alien, whether an enemy or not, from the Colony at any time. They therefore respectfully request Your Grace to prepare and sign the necessary reservation to this effect on behalf of the Government of the Colony of Southern Rhodesia in the event of the Treaty being adopted.

5. I enclose, for convenience of reference, a copy of Proclamation No. 16 of 1919, together with various amendments, also a copy of Proclamation No. 1 of 1920.†

I have, &c.,
J. R. CHANCELLOR,
Governor.

5565

No. 46.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

[*Answered by No.* 48.]

(No. 90.)

SIR, Downing Street, 12th March, 1924.

I HAVE the honour to acknowledge the receipt of your despatch No. 14 of the 11th of January,‡ relative to the draft Anglo-Austrian Commercial Treaty, and to request you to inform your Ministers that the Treaty, if signed, would not be applicable to Southern Rhodesia unless notice of accession were given under Article 23. Should the Treaty be concluded and notice of accession on behalf of Southern Rhodesia be given while the special legislation as to the entry of former enemy aliens is in force, it would be necessary to make a reservation in respect of the entry into Southern Rhodesia of Austrians, as former enemy aliens, and in that event steps would be taken accordingly.

* No. 76 in Dominions No. 88. † Not printed here. ‡ No. 45.

2. As regards paragraph 4 of your despatch, I would observe that Treaties of Commerce and Navigation of this nature are not regarded as conflicting with local legislation as to the deportation of aliens generally; further, it is now proposed to add at the end of Article 1 of the draft Treaty the following additional paragraph:

> "It is understood, however, that the preceding stipulations in no wise affect the laws, decrees, and special regulations regarding commerce, industry and police, in force in the territories of each party and generally applicable to all foreigners."

3. In these circumstances, no reservation in the sense suggested by your Ministers would appear to be necessary in the event of notice of accession being given on behalf of Southern Rhodesia.

I have, &c.,
J. H. THOMAS.

26193

No. 47.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2nd June, 1924.)

(No. 79.)

SIR, Governor-General's Office, Melbourne, 12th April, 1924.

WITH reference to your predecessor's despatch dated 28th April, 1923, Dominions No. 147,* covering a copy of a draft Treaty which His Majesty's Government proposes to negotiate with the Austrian Government, I have the honour to inform you that I am advised by my Prime Minister that the Commonwealth Government does not desire, at present, to become a party to the Treaty in question.

I have, &c.,
FORSTER,
Governor-General.

26431

No. 48.

SOUTHERN RHODESIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 2nd June, 1924.)

[*Answered by No.* 50.]

(No. 121.)

SIR, Governor's Office, Salisbury (Rhodesia), 8th May, 1924.

WITH reference to your despatch No. 90 of the 12th March,† on the subject of the draft Anglo-Austrian Commercial Treaty, I have the honour to inform you that my Ministers desire to give notice of accession on behalf of Southern Rhodesia under Article 23 of the Treaty.

I have, &c.,
J. R. CHANCELLOR,
Governor.

---

* No. 70 in Dominions No. 88. † No. 46.

26040

No. 49.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 196.) } Dominions No. 255.)

[MY LORD,] [SIR,] Downing Street, 6th June, 1924.

[*Not to Irish Free State and Southern Rhodesia:* With reference to my predecessor's despatch Dominions No. 406 of the 7th of November, 1923,*] [*To Irish Free State:* My predecessor's despatch No. 642 of the 8th of November, 1923,*] [*To Southern Rhodesia:* My despatch No. 90 of the 12th of March,†] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of the Commercial Treaty‡ between Great Britain and Austria as signed on the 22nd of May.

[*To Union of South Africa:* 2. I enclose a copy of a note of the 17th of March from the Austrian Minister regarding the position of the Union of South Africa in regard to the Treaty, together with a copy of the note sent in reply.]

I have, &c.,
J. H. THOMAS.

[15825]

Enclosure 1 in No. 49 (*to Union of South Africa only*).

(No. 503.)

SIR, London, 17th March, 1924.

IN the interest of the development of the commercial relations between Austria and the British Dominions, and in order to obtain the removal of dumping duties on Austrian goods, I approached last autumn the Prime Ministers of these Territories who were in London to attend the sittings of the Imperial Conference. I also put before them the request of the Austrian Government that the Dominions should become parties to the Commercial Treaty about to be concluded between Austria and Great Britain.

I have been informed that Lieutenant-General the Right Honourable J. C. Smuts has had the matter looked into but that, before he can give any definite answer, he thinks it necessary for the Government of the Union of South Africa to see the text of the said proposed Commercial Treaty. Until its provisions have been examined by the departments concerned, it is impossible for the Government of South Africa to say whether the Union will become a party to it.

Since this draft offers the possibility of the Dominions becoming parties to the Treaty, I trust that there will be no objection on the part of His Majesty's Government to this draft being brought to the knowledge of the Prime Minister of South Africa.

I should be very grateful if the British Government would express their consent and let me have a copy of the Treaty in its present form.

I have, &c.,
G. FRANKENSTEIN,
Austrian Minister.

The Right Honourable
James Ramsay MacDonald, M.P.,
His Majesty's Secretary of State for Foreign Affairs,
Foreign Office, Downing Street, S.W.

---

* No. 75 in Dominions No. 88. † No. 46. ‡ See Treaty Series 1925, No. 21, for the text.

Enclosure 2 in No. 49 (*to Union of South Africa only*).

(No. C 7479/3/3.)

SIR, Foreign Office, S.W.1, 29th May, 1924.

WITH reference to your note No. 503 of 17th March last, I have the honour to inform you that a copy of the draft of the Commercial Treaty between Great Britain and Austria was communicated by His Majesty's Government to the Government of the Union of South Africa in April last, and that copies of the Treaty, as signed, will now be transmitted to that Government.

I have, &c.,
(for the Secretary of State),
C. HOWARD SMITH.

Monsieur George Frankenstein,
&c., &c., &c.

30410

No. 50.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

[*Answered by No.* 51.]

(No. 236.)

SIR, Downing Street, 3rd July, 1924.

I HAVE the honour to acknowledge the receipt of your despatch No. 121 of the 8th of May,* regarding the accession of Southern Rhodesia to the Anglo-Austrian Commercial Treaty, and to request you to inform your Ministers that, as the Treaty does not come into force until ratified, it would be necessary to postpone notice of accession until after the exchange of ratifications has taken place; if, moreover, the Treaty should come into force and notice of accession on behalf of Southern Rhodesia should be given before the 3rd of September, when it is contemplated that the special restrictions on the entry of former enemy aliens into Southern Rhodesia will lapse, it would be necessary to make a special declaration dealing with the application to Austrian nationals of those restrictions so long as they continue.

2. Accordingly, if the exchange of ratifications takes place before the 3rd of September, it is proposed, unless Ministers see any objection, to defer notice of accession until after that date.

I have, &c.,
J. H. THOMAS.

44947

No. 51.

SOUTHERN RHODESIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 22nd September, 1924.)

(No. 276.)

SIR, Governor's Office, Salisbury (Rhodesia), 1st September, 1924.

I HAVE the honour to refer to your despatch No. 236 of the 3rd July† on the subject of the accession of Southern Rhodesia to the Anglo-Austrian Commercial Treaty.

2. In view of the remarks contained in your despatch, my Ministers suggest that the accession of Southern Rhodesia to the above Treaty be deferred until after the 3rd September, 1924.

I have, &c.,
J. R. CHANCELLOR,
Governor.

Note.—Exchange of ratifications of the Treaty had not taken place at the end of 1924.

---

* No. 48. † No. 50.

(2) Agreement respecting the Customs Clearance of Commercial Travellers' Samples.

(*Treaty Series* 1923, *No.* 9, *and* 1925, *No.* 27.)

24708

No. 52.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

[*Answered by Nos.* 53, 54, 55, 56, 57 *and* 58.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 193.) — Dominions No. 252.)

[MY LORD,] [SIR,] Downing Street, 5th June, 1924.

[*Not to Irish Free State and Southern Rhodesia:* With reference to my predecessor's despatch Dominions No. 214 of the 14th of June, 1923,*] I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, the accompanying copy of a note from the Austrian Minister regarding the extension to the Dominions, Colonies and Protectorates of the Agreement between the British and Austrian Governments of the 28th of March, 1923, respecting the Customs Clearance of Commercial Travellers' Samples.

2. I should be glad to learn whether your Ministers would wish arrangements to be made for the extension of the Agreement to [Canada,] [the Commonwealth of Australia,] [New Zealand,] [the Union of South Africa,] [the Irish Free State,] [Newfoundland,] [Southern Rhodesia.] In this connexion I would invite reference to the correspondence as to the similar Agreement with Czechoslovakia, ending with my despatch [Dominions No. 140] [No. 105] of the 26th of March.†

[*To Irish Free State and Southern Rhodesia only:* 3. Copies of Treaty Series Paper No. 9 of 1923 [Cmd. 1877], containing the Agreement are enclosed.]

I have, &c.,
J. H. THOMAS.

Enclosure in No. 52.

(Z1. 782.)

SIR, London, 12th May, 1924.

I HAVE been instructed by the Austrian Government to approach you with regard to an exchange of notes which appears to have taken place between Great Britain and Czechoslovakia on 19th December, 1923, and 2nd January, 1924, extending the Agreement between the two countries relative to Commercial Travellers' Samples, signed in London, 31st January, 1923, to certain of His Majesty's Dominions, Colonies and Possessions, including the Dominion of New Zealand, the Union of South Africa, the Irish Free State, Newfoundland, Malta and India.

The Anglo-Czechoslovakian Agreement of 31st January corresponds in the main with the Agreement between Great Britain and Austria concluded by exchange of notes on 28th March, 1923.

The Austrian Government would appreciate it very much if this latter Agreement could also be extended to those of His Majesty's Dominions, Colonies and Possessions which have acceded to the Czechoslovakian Agreement.

I should therefore be grateful if I could kindly be informed whether an exchange of notes similar to the one between Great Britain and Czechoslovakia referred to above could also be arranged to take place between Great Britain and Austria.

I have, &c.,
Austrian Minister.

The Right Honourable
James Ramsay MacDonald, M.P.,
His Majesty's Secretary of State for Foreign Affairs,
Foreign Office, S.W.1.

* 28890/23: not printed; it enclosed copies of Treaty Series No. 9 of 1923 [Cmd. 1877.] † No. 102.

33149

42

No. 53.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 14th July, 1924.)

(No. 288.)

SIR, Government House, Ottawa, 30th June, 1924.

WITH reference to your despatch Dominions No. 252 of the 5th June,* on the subject of the Agreement between the British and Austrian Governments respecting Commercial Travellers' Samples and the extension thereof to the Dominions, Colonies and Protectorates of Great Britain, I have the honour to inform you that the Canadian Government does not consider it necessary or advisable to make any change in the present procedure of this Government in regard to commercial travellers' samples.

I have, &c.,
BYNG OF VIMY.

36961

No. 54.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5th August, 1924.)

(No. 340.)

SIR, Governor-General's Office, Pretoria, 16th July, 1924.

I HAVE the honour to transmit to you, herewith, with reference to your despatch Dominions No. 252 of the 5th June, 1924,* copy of Ministers' Minute on the subject of the extension to the Union of South Africa of the Agreement between the British and Austrian Governments of the 28th March, 1923, respecting the Customs Clearance of Commercial Travellers' Samples.

I have, &c.,
ATHLONE,
Governor-General.

Enclosure in No. 54.

Prime Minister's Office, 15th July, 1924.

MINUTE No. 535.

MINISTERS have the honour to refer to His Excellency the Governor-General's Minute No. 21/361 of the 26th ultimo, on the subject of the extension to the Union of South Africa of the Agreement between the British and Austrian Governments of the 28th March, 1923, respecting the Customs Clearance of Commercial Travellers' Samples, and would suggest that His Majesty's Government be informed that the Union Government is willing to become a party to the Agreement, provided it is understood that the amount of any duty payable on samples must be deposited in cash with the Customs authorities, and cannot be refunded until these samples have actually been exported, which must take place within one year of the date of importation, since under the law it is not permissible to allow a refund of duty on their being placed in bond.

J. B. M. HERTZOG.

* No. 52.

37507

No. 55.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 7th August, 1924.)

(No. 76.)

Government House, St. John's, 21st July, 1924.

SIR,

I HAVE the honour to acknowledge the receipt of your despatch Dominions No. 252 of the 5th ultimo* on the subject of the Agreement between the British and Austrian Governments respecting the Customs Clearance of Commercial Travellers' Samples, and to inform you that, as my Ministers have agreed to the principle adopted at the Imperial Customs Conference, they will be glad if arrangements are made for the extension of the Agreement to Newfoundland.

I have, &c.,

W. L. ALLARDYCE.

39720

No. 56.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 20th August, 1924.)

(No. 327.)

Vice Regal Lodge, Dublin, 19th August, 1924.

SIR,

IN reference to your despatch No. 252 of the 5th June last,* transmitting a copy of a Note from the Austrian Minister regarding the extension to the Dominions of the Agreement between the British and Austrian Governments, dated the 28th March, 1923, respecting the Customs Clearance of Commercial Travellers' Samples, I have the honour to state that my Ministers see no objection to the extension to the Saorstat, on condition of reciprocity, of the said Agreement as set out in the Command Paper (Treaty Series No. 9/1923).

I have, &c.,

T. M. HEALY.

41573

No. 57.

SOUTHERN RHODESIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 1st September, 1924.)

(No. 246.)

Governor's Office, Salisbury (Rhodesia),

SIR,

8th August, 1924.

I HAVE the honour to refer to your despatch No. 193 of the 5th June* transmitting a copy of a Note from the Austrian Minister regarding the extension to the Dominions, Colonies and Protectorates of the Agreement between the British and Austrian Governments of the 28th March, 1923, respecting the Customs Clearance of Commercial Travellers' Samples.

2. I am informed by my Ministers that, as statutory provision exists whereby, on compliance with certain formalities required by the Customs authorities, a rebate of Customs Duty on Commercial Travellers' Samples is allowed when the necessary entries are passed in connexion with the export of such samples from Southern Rhodesia, they have no objection to the extension to Southern Rhodesia of the terms of the Agreement between the British and Austrian Governments of the 28th March, 1923, respecting the Customs Clearance of Commercial Travellers' Samples.

I have, &c.,

J. R. CHANCELLOR,

Governor.

---

*No. 52.

42064

43

No. 58.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4th September, 1924.)

(No. 147.)

Government House, Wellington, 28th July, 1924.

SIR,

WITH reference to your despatch Dominions No. 252, of the 5th June,* I have the honour to inform you that my Ministers would be glad if arrangements could be made for the extension to New Zealand of the Agreement between the British and Austrian Governments respecting the Customs Clearance of Commercial Travellers' Samples.

I have, &c.,

JELLICOE,

Governor-General.

BELGIUM.

(1) Commercial Convention with Canada.

(Treaty Series 1925, No. 7.)

18800

No. 59.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 21st April, 1924.)

[*Answered by No. 61.*]

(No. 143.)

Government House, Ottawa, 7th April, 1924.

SIR,

I HAVE the honour to transmit herewith copies of an Approved Minute of the Privy Council for Canada appointing the Honourable James A. Robb, M.P., Acting Minister of Finance, and the Honourable H. S. Béland, M.D., M.P., Minister of Soldiers' Civil Re-Establishment, to negotiate on behalf of Canada a Treaty of Trade and Commerce between Canada and Belgium.

My Government request that the necessary Full Powers be given to the Honourable J. A. Robb and the Honourable H. S. Béland aforesaid to negotiate and conclude a Treaty of Trade and Commerce with Belgium, and to sign such Treaty when concluded.

I have, &c.,

BYNG OF VIMY.

Enclosure in No. 59.

CERTIFIED COPY OF A MINUTE OF A MEETING OF THE COMMITTEE OF THE PRIVY COUNCIL, APPROVED BY HIS EXCELLENCY THE GOVERNOR-GENERAL ON THE 31ST MARCH, 1924.

(P.C. 464.)

THE Committee of the Privy Council have had before them a Report, dated 18th March, 1924, from the Acting Minister of Finance, submitting that it is desirable to enter into negotiations for the making of a Treaty of Trade and Commerce between Canada and Belgium, such negotiations to be conducted on behalf of Canada by the Honourable James A. Robb, Acting Minister of Finance, and the Honourable H. S. Béland, Minister of Soldiers' Civil Re-Establishment.

The Committee, therefore, advise that Your Excellency may be pleased to cause a despatch to be sent to the Right Honourable the Secretary of State for the Colonies requesting the issue of authority by His Majesty to the Honourable James

---

*No. 52.

Alexander Robb, Member of the Parliament of Canada, Member of His Majesty's Privy Council for Canada, Acting Minister of Finance of Canada, and the Honourable Henri Severin Béland, Member of the Parliament of Canada, Member of His Majesty's Privy Council for Canada, Minister of the Department of Soldiers' Civil Re-Establishment of Canada, to negotiate and conclude a Treaty of Trade and Commerce with Belgium and to sign such Treaty when concluded.

All of which is respectfully submitted for Your Excellency's approval.

E. J. LEMAIRE,
Clerk of the Privy Council.

25712

No. 60.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.55 p.m., 28th May, 1924.)

TELEGRAM

[*Answered by No.* 61.]

28TH MAY. My despatches of 7th April, Nos. 142 and 143.* Treaties of Trade and Commerce between Canada and Netherlands and Canada and Belgium. It is desired, if possible, to conclude these Treaties so that any necessary legislation in connexion with them might be passed before close of present session of Parliament. My Ministers inquire if Full Powers asked for may soon be expected.—BYNG.

25712

No. 61.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 11.35 a.m., 30th May, 1924.)

TELEGRAM.

[*Answered by No.* 62.]

30TH MAY. Your telegram 28th May.† Treaties with Belgium and Netherlands. Full Powers being prepared and will be sent as soon as possible. Secretary of State for Foreign Affairs inquires whether it is contemplated that negotiations should be completed in countries named or in Canada, and in former event whether it is desired that any formal communication should be made by him to Belgian and Dutch Governments.—SECRETARY OF STATE FOR THE COLONIES.

26120

No. 62.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.55 a.m., 31st May, 1924.)

TELEGRAM.

30TH MAY. Your telegram of the 30th May.‡ Treaties with Belgium and Netherlands. My Ministers desire to express their thanks for your intimation that Full Powers are being prepared and will be sent as soon as possible, and to state that it is intended negotiations in connexion with both Treaties should be completed in Canada.—BYNG.

---

* Nos. 442 and 50. † No. 60. ‡ No. 61.

28034

No. 63.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2.10 a.m., 13th June, 1924.)

TELEGRAM.

[*Answered by Nos.* 64, *and* 443 (*in Part II*).

12TH JUNE. My telegram of 30th May.* Treaties with Belgium and the Netherlands. Canadian Parliament is now nearing the close of its Session, and my advisers are most anxious to conclude the treaties referred to in time to have them approved by Parliament before prorogation. My Ministers would greatly appreciate expedition of the Full Powers required and inquire when these documents may be expected.—BYNG.

28200

No. 64.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 4.15 p.m., 13th June, 1924.)

TELEGRAM.

13TH JUNE. Your telegram 12th June.† Full Powers in respect of Treaty with Netherlands sent to-day. Hope to send Full Powers in respect of Belgium early next week.—SECRETARY OF STATE FOR THE COLONIES.

28763

No. 65.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 3 p.m., 17th June, 1924.)

TELEGRAM.

17TH JUNE. My telegram 13th June.‡ Full Powers in respect of Treaty with Belgium sent to-day.—SECRETARY OF STATE FOR THE COLONIES.

28763

No. 66.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 254.)

MY LORD, Downing Street, 17th June, 1924.

WITH reference to my despatch No. 252 of the 13th June§ and previous correspondence, I have the honour to transmit to Your Excellency, to be laid before your Ministers, Full Powers‖ authorizing the Honourable J. A. Robb and the Honourable H. S. Beland to negotiate and conclude a Treaty of Trade and Commerce between Canada and Belgium.

I have, &c.,
J. H. THOMAS.

---

* No. 62. † No. 63. ‡ No. 64. § No. 443. ‖ Not printed: they were in the same form as enclosure to No. 443.

40360

No. 67.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 25th August, 1924.)

[*Answered by No.* 69.]

(No. 357.)

Government House, Ottawa, 14th August, 1924.

SIR,

I HAVE the honour to enclose herewith a certified copy of the Convention* concluded at Ottawa on the third day of July, 1924, between His Majesty and His Majesty the King of the Belgians, acting both in his own name and in the name of Her Royal Highness the Grand Duchess of Luxembourg, with the object of improving and extending the commercial relations between Canada and the Economic Union of Belgium and Luxembourg, together with certified copy of the Act† of the Canadian Parliament approving such Convention, and copy of a communication from the Belgian Consul-General notifying, by direction of his Government, that on the 23rd July last the Belgian House of Representatives voted the Bill concerning the ratification of this Convention, that on the 31st July the Belgian Senate voted the same Bill and that the instrument effecting the ratification of the Belgian Government is being forwarded to Ottawa.

My Government will be grateful if His Majesty may be humbly moved to ratify the Convention, and if the instrument of ratification may be forwarded to me to be exchanged here against the ratification of His Majesty the King of the Belgians.

I have, &c.,

BYNG OF VIMY.

Enclosure in No. 67.

Consulat Général de Belgique,

Ottawa, 1st August, 1924.

SIR,

ACTING upon telegraphic instructions of my Government, I have the honour to inform you that on 23rd July last the House of Representatives have voted the Bill concerning the ratification of the Commerical Convention between Canada and the Economic Union of Belgium and Luxembourg, signed at Ottawa on the 3rd July, that on the 31st July the Belgian Senate have also voted the same bill, and that the instrument bearing the ratification of His Majesty's Government is being forwarded to Ottawa.

As soon as I shall have received that document I shall not fail to inform you immediately.

I have, &c.,

F. DESELYS.

The Right Honourable
W. L. Mackenzie King,
Prime Minister of Canada,
&c., &c., &c.
Ottawa.

42973

No. 68.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.45 p.m., 8th September, 1924.)

TELEGRAM.

[*Answered by No.* 69.]

8TH SEPTEMBER. My despatch of 14th August, No. 357.‡ Convention between Canada and the Economic Union of Belgium and Luxembourg. Prime

* See Treaty Series 1925, No. 7, for the text. † 14 and 15 Geo. V, chap. 9. ‡ No. 67.

Minister is anxious that exchange of ratifications may be effected at the earliest possible moment. My Ministers ask that everything possible may be done to expedite transmission of the instrument of ratification.—BYNG.

46643

No. 69.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 1.5 p.m., 2nd October, 1924.)

TELEGRAM.

2ND OCTOBER. Your telegram 8th September.* Convention between Canada and Belgium. His Majesty's ratification being sent by mail to-day.—THOMAS.

46643

No. 70.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 71.]

(No. 426.)

Downing Street, 2nd October, 1924.

MY LORD,

WITH reference to Your Excellency's telegram of the 8th of September,* I have the honour to transmit to you, to be laid before your Ministers, the King's Ratification† of the Commercial Convention between Canada and the Economic Union of Belgium and Luxembourg, which was signed at Ottawa on the 3rd of July, 1924.

2. I enclose also a draft form‡ of a certificate which, it is suggested, might be used for the purpose of recording the Exchange of Ratifications.

I have, &c.,

J. H. THOMAS.

52455

No. 71.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8th November, 1924.)

[*Answered by No.* 72.]

(No. 450.)

Government House, Ottawa, 27th October, 1924.

SIR,

WITH reference to your despatch No. 426 of the 2nd instant,§ transmitting the King's Ratification of the Commercial Convention between Canada and the Economic Union of Belgium and Luxembourg, which was signed at Ottawa on the 3rd July, 1924, I have the honour to inform you that at the office of the Secretary of State for External Affairs here on the 22nd instant the Ratifications of this Convention were duly exchanged by the Honourable J. A. Robb, Acting Minister of Finance, on behalf of Canada, and Mr. John Van Rickstal, Consul of Belgium at Montreal, on behalf of the Economic Union of Belgium and Luxembourg.

I enclose an authenticated copy of the Certificate recording the exchange of Ratifications for transmission to the Secretary of State for Foreign Affairs.

I have, &c.,

BYNG OF VIMY.

Enclosure in No. 71.

CERTIFICATE OF EXCHANGE OF RATIFICATIONS.

THE undersigned having met together for the purpose of exchanging the Ratifications of the Commercial Convention between His Majesty the King of the

* No. 68. † Not printed: it was in the usual form. ‡ Not printed; see enclosure in No. 71 for certificate as signed. § No. 70.

United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, on behalf of Canada, and His Majesty the King of the Belgians on behalf of the Economic Union of Belgium and Luxembourg, signed at Ottawa on the third day of July, nineteen hundred and twenty-four; and the respective Ratifications of the said Convention having been carefully compared, and found to be exactly conformable to each other, the said exchange took place this day in the usual form.

In witness whereof they have signed the present Certificate and have affixed thereto the seal of their arms.

Done at Ottawa, in duplicate, the 22nd day of October, nineteen hundred and twenty-four.

(L.S.) JAMES A. ROBB.
(L.S.) JOHN VAN RICKSTAL.

Certified a true copy of the original.
W. H. WALKER,
Acting Under-Secretary of State for External Affairs.

58037

No. 72.

CANADA.

THE SECRETARY OF STATE to the GOVERNOR-GENERAL.

(No. 547.)

MY LORD, Downing Street, 16th December, 1924.

I HAVE the honour to acknowledge the receipt of Your Excellency's despatch No. 450 of the 27th October* and to inquire whether your Ministers would wish His Majesty's Government to include the Commercial Convention between Canada and the Economic Union of Belgium and Luxembourg amongst those which they themselves communicate to the League of Nations for registration under Article 18 of the Covenant.

2. In this connexion I would refer to my predecessor's despatch No. 108 of the 7th March† and to your despatch No. 168 of the 17th April.‡

I have, &c.,
L. S. AMERY.

---

(2) Convention relating to Legal Procedure in Civil and Commercial matters.

(*Treaty Series* 1924, *No.* 13.)

9649

No. 73.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL AND GOVERNORS.

[*Answered by Nos.* 75, 76, 77, 78 *and* 81.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 112.) } Dominions No. 149.)

[MY LORD,] [SIR,] Downing Street, 31st March, 1924.

I HAVE the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, copies of a Treaty Series paper, No. 13 of 1924 (Cmd. 2069), containing a Convention between the United Kingdom and Belgium respecting Legal Proceedings in Civil and Commercial Matters, signed at London on the 21st of June, 1922.

* No. 71. † No. 271. ‡ No. 272.

2. Ratifications of this Convention were exchanged at London on the 22nd of February, 1924, and, in accordance with the terms of its fourteenth Article, the Convention will come into effect on the 22nd of May.

3. It will be observed that under Article 14 (b), provision is made for the extension of the Convention to any of the Dominions, Colonies, Possessions or Protectorates of the High Contracting Parties after formal notification, and I should be glad to learn whether it is desired that the Convention should be extended to [Canada,] [the Commonwealth of Australia, Papua and Norfolk Island,] [New Zealand,] [the Union of South Africa,] [the Irish Free State,] [Newfoundland,] [Southern Rhodesia.]

[*To Australia, New Zealand and Union of South Africa only:* 4. I should also be glad to be informed whether it would be desired, in the event of it being possible to make arrangements for the extension of the Convention to mandated territories, that it should be extended to [the territory of New Guinea,] [Western Samoa,] [South-West Africa.]]

[*Not to New Zealand and Irish Free State:* [4.] [5.] Further copies of the Convention are being sent in Library despatch.]

I have, &c.,
J. H. THOMAS.

9649

No. 74.

IRISH FREE STATE.

THE SECRETARY OF STATE to the GOVERNOR-GENERAL.

(No. 201.)

SIR, Downing Street, 31st March, 1924.

WITH reference to my despatch Dominions No. 149 of to-day's date* regarding the Anglo-Belgium Civil Procedure Convention, I have the honour to request Your Excellency to invite the attention of your Ministers to the wording of Article 14, which, as they will see, is not altogether appropriate to the present status of the Irish Free State.

2. They will, of course, realize that this wording is due to the fact that the Convention was signed on the 21st June, 1922, before the establishment of the Irish Free State. In the case of other similar Conventions now under negotiation the wording has been altered, as, for example, in the draft Convention with Italy—of which a copy was enclosed in my predecessor's despatch No. 50 of the 22nd January.†

I have, &c.,
J. H. THOMAS.

22705

No. 75.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 13th May, 1924.)

(No. 179.)

SIR, Vice Regal Lodge, Dublin, 12th May, 1924.

I HAVE the honour to acknowledge receipt of your despatch No. 149 of the 31st March,‡ enclosing copies of a Treaty Series paper No. 13 of 1924 (Cmd. 2069) containing the text of a Convention between the United Kingdom and Belgium respecting Legal Proceedings in Civil and Commercial matters signed at London on the 21st June, 1922.

2. My Ministers desire me to inform you that a notification will be sent to His Majesty's Government if, after consideration, it is desired that the Convention should be extended to the Irish Free State.

I have, &c.,
T. M. HEALY.

* No. 73. † No. 275. ‡ No. 73.

24228

No. 76.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 21st May, 1924.)

[*Answered by No.* 79.]

(No. 55.)

Government House, St. John's, 6th May, 1924.

SIR,

I HAVE the honour to acknowledge the receipt of your despatch Dominions No. 149 of the 31st March* on the subject of a Convention between the United Kingdom and Belgium respecting Legal Proceedings in Civil and Commercial matters, and to inform you that my Ministers desire that this Convention may be extended to Newfoundland. The competent authority in Newfoundland, under Article 9 of the Convention, will be the Registrar of the Supreme Court.

I have, &c.,
W. L. ALLARDYCE.

28426

No. 77.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2nd June, 1924.)

(No. 248.)

Governor-General's Office, Pretoria, 14th May, 1924.

SIR,

I HAVE the honour to transmit to you herewith, with reference to your despatch Dominions No. 149 of the 31st March, 1924,* Ministers' Minute No. 352, on the subject of the extension to the Union of South Africa and to South-West Africa of the Convention between the United Kingdom and Belgium respecting legal proceedings in Civil and Commercial matters signed in London on the 21st June, 1922.

2. A copy of Ministers' Minute No. 572 of the 10th August, 1923, referred to in the enclosure was transmitted under cover of South Africa despatch No. 427 of the 14th idem.†

I have, &c.,
ATHLONE,
Governor-General.

Enclosure in No. 77.

Prime Minister's Office, 13th May, 1924.

MINUTE No. 352.

MINISTERS have the honour to refer to His Excellency the Governor-General's Minute No. 48/1465 of the 28th April, 1924, on the subject of the extension to the Union of South Africa and to South-West Africa of the Convention between the United Kingdom and Belgium respecting Legal Proceedings in Civil and Commercial matters signed in London on the 21st June, 1922.

2. Ministers are of opinion that no necessity exists for the extension to the Union of the Convention referred to since it is considered that the existing rules and existing reciprocity are sufficient for all purposes, the position being the same as in the case of France to which Ministers' Minute No. 572 of 10th August last referred.

J. C. SMUTS.

---

* No. 73. † No. 143 in Dominions No. 88.

33400

No. 78.

SOUTHERN RHODESIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 14th July, 1924.)

[*Answered by No.* 80.]

(No. 173.)

Governor's Office, Salisbury (Rhodesia)

SIR,

20th June, 1924.

I HAVE the honour to refer to your despatch No. 112 of the 31st March* transmitting copies of a Treaty containing a Convention between the United Kingdom and Belgium respecting Legal Proceedings in Civil and Commercial matters, signed at London on the 21st of June, 1922.

2. My Ministers request me to inform you that it is desired that the Convention should be extended to Southern Rhodesia.

I have, &c.,
J. R. CHANCELLOR,
Governor.

33511

No. 79.

NEWFOUNDLAND.

THE SECRETARY OF STATE to THE GOVERNOR.

(No. 103.)

Downing Street, 21st July, 1924.

SIR,

I HAVE the honour to acknowledge the receipt of your despatch No. 55 of the 6th of May,† and to transmit to you, for the information of your Ministers, the accompanying copy of a note addressed to the Belgian Ambassador regarding the extension to Newfoundland of the Anglo-Belgian Civil Procedure Convention.

I have, &c.,
J. H. THOMAS.

Enclosure in No. 79.

Foreign Office, S.W.1, 11th July, 1924.

YOUR EXCELLENCY,

IN pursuance of Article 14 (*b*) of the Anglo-Belgian Civil Procedure Convention of 21st June, 1922, I have the honour to inform Your Excellency that the Government of Newfoundland are desirous that the Convention should be extended to that Island.

2. The Registrar of the Supreme Court of Newfoundland will act, in the same way as the Senior Master of the Supreme Court of Judicature in England, as the authority to whom applications for the service of process or for the taking of evidence should be addressed. It is suggested that communications and documents from the Belgian Courts to be dealt with in Newfoundland under the terms of the Convention should be accompanied by translations in English.

3. His Majesty's Government are further desirous of notifying the accession of Palestine to the Convention. The President of the District Court is the official in Palestine who will act as the authority to whom requests for the service of process or the taking of evidence should be addressed. The official languages of the Court are English, Arabic and Hebrew, and it is suggested that documents sent to it from the Belgian Courts should be accompanied by translations in English.

4. In requesting that you will be so good as to acknowledge this communication on behalf of your Government, I have the honour to suggest that the exchange of notes thus constituted should be regarded as placing the matter on formal record, and that the extension of the terms of the Convention to Newfoundland and Palestine should be considered as coming into force one month after the date of your reply.

I have, &c.,
J. RAMSAY MACDONALD.

His Excellency
Baron Moncheur, G.C.V.O.,
&c., &c., &c.

---

* No. 73. † No. 76.

36121

No. 80.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

[*Answered by No.* 82.]

(No. 319.)

Downing Street, 7th August, 1924.

SIR,

I HAVE the honour to acknowledge the receipt of your despatch No. 173 of the 20th of June* regarding the extension to Southern Rhodesia of the Anglo-Belgian Civil Procedure Convention of the 21st of June, 1922, and to request you to inform your Ministers that the Secretary of State for Foreign Affairs, before communicating with the Belgian Government on the subject, would be glad to learn who is the official in Southern Rhodesia who will act, in the same way as the Senior Master of the Supreme Court of Judicature in England, as the authority to whom applications for the service of process or for the taking of evidence should be addressed.

I have, &c.,
J. H. THOMAS.

42061

No. 81.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4th September, 1924.)

(No. 143.)

Government House, Wellington, 24th July, 1924.

SIR,

WITH reference to your despatch Dominions No. 149 of the 31st March,† I have the honour to inform you that my Ministers advise me that the New Zealand Government does not desire that the Convention between Great Britain and Belgium respecting Legal Proceedings in Civil and Commercial matters should be extended to New Zealand or to Western Samoa.

I have, &c.,
JELLICOE,
Governor-General.

15561

No. 82.

SOUTHERN RHODESIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 3rd November, 1924.)

[*Answered by No.* 84.]

(No. 318.)

Governor's Office, Salisbury (Rhodesia), 4th October, 1924.

SIR,

I HAVE the honour to refer to your despatch No. 319 of the 7th August‡ regarding the extension to Southern Rhodesia of the Anglo-Belgian Civil Procedure Convention of the 21st June, 1922.

2. My Ministers inform me that the Registrar of the High Court of Southern Rhodesia at Salisbury is the official to whom applications for service of process or for the taking of evidence should be addressed.

I have, &c.,
J. R. CHANCELLOR,
Governor.

---

* No. 78. † No. 73. ‡ No. 80.

47916

48

No. 83.

NEWFOUNDLAND.

THE SECRETARY OF STATE to THE GOVERNOR.

(No. 171.)

Downing Street, 6th November, 1924.

SIR,

WITH reference to my despatch No. 103 of the 21st of July* relative to the Anglo-Belgian Civil Procedure Convention, I have the honour to transmit to you, to be laid before your Ministers, a copy of a Note from the Belgian Ambassador expressing the willingness of the Belgian Government to agree to the accession of Newfoundland to the Convention subject to certain specified reservations relative to the obligation to supply English translations of certain documents.

2. I shall be glad to learn whether your Ministers are prepared to accept the reservations contained in the Note, and desire that the Belgian Ambassador shall be informed in reply that it is agreed that the arrangements shall take effect one month from the date of such notification.

I have, &c.,
J. H. THOMAS.

Enclosure in No. 83.

(No. 15/2330.)

Ambassade de Belgique,
Londres, le 26 septembre, 1924.

MONSIEUR LE PREMIER MINISTRE,

En réponse à la lettre que Votre Excellence a bien voulu m'adresser en date du 11 juillet dernier, No. T 5462/579/391, j'ai l'honneur de l'informer de ce que sous les réserves formulées ci-après, le Gouvernement du Roi acquiesce volontiers à la demande du Gouvernement de Sa Majesté Britannique d'étendre à la Colonie de Terre-Neuve et à la Palestine l'application de la convention anglo-belge du 21 juin, 1922, concernant la transmission des actes judiciaires et extrajudiciaires et l'établissement des preuves.

Le Consul Général de Belgique à Ottawa et le Consul le Belgique à Jérusalem seront chargés d'assurer la transmission des exploits et des commissions rogatoires respectivement au "Registrar" de la Cour Suprême de Terre-Neuve et au Président de la Cour de District en Palestine.

Dans Sa communication précitée Votre Excellence exprime le désir que les communications et documents provenant des autorités judiciaires belges et destinés à être envoyés aux magistrats désignés ci-dessus, soient accompagnés d'une traduction anglaise.

Le Gouvernement belge comprends cette demande en ce qui concerne les commissions rogatoires et il y sera satisfait dans la mesure du possible. Toutefois il y a lieu de remarquer que, conformément à l'article 9b de la convention en question, la commission rogatoire peut ne pas être accompagnée d'une traduction dans la langue de l'autorité requise; cette traduction est alors établie par les soins de l'Etat requis.

Quant aux actes judiciaires et extrajudiciaires, mon Gouvernement regrette de ne pouvoir satisfaire au désir exprimé par Votre Excellence. Il n'est pas possible, en effet, de charger les agents consulaires belges d'en effectuer une traduction anglaise. Il n'est tout d'abord pas certain que ces agents connaîtront toujours suffisament la langue anglaise pour traduire des documents de cette espèce. Ensuite, cela constituerait un travail non rémunéré fait dans l'intérêt, surtout, des personnes assignées, lesquelles, souvent, seront de nationalité étrangère. Il n'est pas non plus possible de recourir à cet effet, à un traducteur juré; ce serait imposer à la partie requérante des débours dont elle désire évidemment se dispenser.

D'autre part, la convention du 21 juin 1922 ne contient aucune disposition qui exige cette traduction. L'article 14 (b) 2e paragraphe dit bien "que la notification (d'extension aux Dominions, Colonies, etc.) indiquera . . . la langue dans laquelle les communications et traductions doivent être faites," mais cela n'implique pas que les actes judiciaires doivent toujours être accompagnés d'une traduction puisque, conformément à l'art. 3b, seule la demande de notification adressée à l'autorité

* No. 79.

requise désignée doit être rédigée dans la langue de cette autorité, l'acte lui-même ne devant être traduit que dans le cas de l'art. 3e, c'est à dire quand l'autorité requérante exprime, dans sa demande, le désir que l'exploit soit signifié dans la forme prescrite par la législation intérieure de l'Etat requis pour la signification de documents analogues, ou dans une forme spéciale.

Il y a lieu de noter à ce propos que le "Senior Master of the Supreme Court of Judicature in England" avait réclamé au Consul Général de Belgique à Londres une traduction anglaise des actes judiciaires qui lui avaient été transmis aux fins de notification; sur les observations que M. Pollet lui a présentées en se basant sur les dispositions citées ci-dessus, ce haut magistrat britannique y a renoncé.

Je serais très reconnaissant à Votre Excellence de bien vouloir me faire part de l'avis du Gouvernement de Sa Majesté Britannique au sujet des considérations qui précèdent.

Etant donné le retard que cet échange de correspondance va occasionner, j'ai été chargé de suggérer à Votre Excellence que l'application à l'Ile de Terre-Neuve et à la Palestine de la convention dont il s'agit n'ait lieu qu'un mois après la date de la réponse que Votre Excellence voudra bien me faire parvenir et à condition toutefois, cela va de soi, que celle-ci soit conforme à la manière de voir du Gouvernement belge.

Je saisis, &c.,

BARON MONCHEUR.

Son Excellence
The Right Honourable J. Ramsay MacDonald, M.P.,
Premier Ministre,
Secrétaire d'Etat Principal pour les
Affaires Etrangères.

56802

No. 84.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

(No. 507.)

SIR, Downing Street, 9th December, 1924.

I HAVE the honour to acknowledge the receipt of your despatch No. 318 of the 4th of October,* and to transmit to you, for the information of your Ministers, the accompanying copy of a note to the Belgian Ambassador regarding the extension of the Anglo-Belgian Civil Procedure Convention of the 21st of June, 1922, to Southern Rhodesia.

I have, &c.,

L. S. AMERY.

Enclosure in No. 84.

YOUR EXCELLENCY, Foreign Office, S.W.1, 2nd December, 1924.

IN pursuance of Article 14 (a) of the Anglo-Belgian Civil Procedure Convention of 21st June, 1922, I have the honour to inform Your Excellency that the Government of Southern Rhodesia are desirous that the Convention should be extended to that Colony.

2. The Registrar of the High Court of Southern Rhodesia at Salisbury will act, in the same way as the Senior Master of the Supreme Court of Judicature in England, as the authority to whom applications for the service of process or for the taking of evidence should be addressed. It is suggested that communications and documents from the Belgian Courts to be dealt with in Southern Rhodesia under the terms of the Convention should be accompanied by translations in English.

3. In requesting that you will be so good as to acknowledge this communication on behalf of your Government, I have the honour to suggest that the exchange of notes thus constituted should be regarded as placing the matter on formal record, and that the extension of the terms of the Convention to Southern Rhodesia should be considered as coming into force one month after the date of your reply.

I have, &c.,

AUSTEN CHAMBERLAIN.

His Excellency
Baron Moncheur, G.C.V.O.,
&c., &c., &c.

---

*No. 82.

International Convention for the Publication of:

1286

No. 85.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 48.)

SIR, Downing Street, 22nd January, 1924.

I HAVE the honour to acknowledge the receipt of Your Excellency's despatch No. 355 of the 17th December* and to transmit to you, for the information of your Ministers, a copy of a Note addressed by His Majesty's Ambassador at Brussels to the Belgian Minister for Foreign Affairs regarding the decision of the Free State Government not to adhere to the International Convention for the Publication of Customs Tariffs.

2. In view of this decision the Board of Trade propose to discontinue the provisional arrangement referred to in my despatch No. 343 of the 7th June,† under which copies of the Bulletins issued by the International Customs Tariffs Bureau were supplied to the Free State Government.

I have, &c.,

DEVONSHIRE.

Enclosure in No. 85.

MONSIEUR LE MINISTRE, Brussels, 4th January, 1924.

WITH reference to Your Excellency's Note (Direction P.B., Section B.T., No. 3312) of 2nd October last and previous correspondence on the subject of the proposed accession of the Irish Free State to the International Convention for Publication of Customs Tariffs, I have the honour to inform you that the Governor-General of the Irish Free State has now notified His Majesty's Government that his Ministers do not at present propose to adhere to the Convention in question.

I avail, &c.,

GEORGE GRAHAME.

His Excellency
Monsieur Henri Jaspar,
Minister for Foreign Affairs.

39836

No. 86.

COMMONWEALTH OF AUSTRALIA.

OFFICE OF THE HIGH COMMISSIONER to COLONIAL OFFICE.

(Received 21st August, 1924.)

[*Answered by No.* 87.]

SIR, Australia House, Strand, London, W.C.2, 16th August, 1924.

WITH reference to the contribution of the Commonwealth to the International Customs Tariff Bureau, Brussels, I have to inform you of the receipt of instructions from Melbourne for discontinuance of subscription after 31st March, 1926.

The necessary notification has been conveyed to the President of the Bureau in reply to which a communication has been received from the Ministry of Foreign Affairs, Brussels, in the terms of the attached copy.

A copy of the communication referred to has been forwarded to the Prime Minister's Department, with the request that instructions be conveyed to this Office in the event of a reconsideration of the present position.

---

*No. 90 in Dominions No. 88. † No. 86 in Dominions No. 88.

I shall be obliged if the necessary advice may be conveyed to the Belgian Ministère des Affaires Etrangères.

I am, &c.,
G. H. CAMPBELL,
for Official Secretary.

Enclosure in No. 86.

(Translation.)

Ministry of Foreign Affairs.
Brussels, 4th August, 1924.

To the Secretary,

By your letter of 3rd July you have acquainted the International Bureau of Tariffs of the intention of the Australian Commonwealth to retire as from 31st March, 1926, from the Union established by the Convention of 5th July, 1890.

In acknowledging the receipt of this communication I beg leave to express the hope that in the interval between the present time and the moment when the notice provided for by Article 15 of the said Convention should be sent to the Belgian Government, the Commonwealth Government would kindly reconsider this question in view of the fact that the work of the Brussels Bureau cannot be satisfactorily conducted unless its establishment includes the most important States in the world as regards commerce.

The development of the commerce of the Commonwealth gives us a very particular interest in having the collaboration of the Australian Federation.

I reserve the opportunity of returning later on to these matters, the time provided by the Convention of 5th July, 1890, for actual withdrawals not expiring until 31st March, 1925.

With compliments, etc.,

39836

No. 87.

COMMONWEALTH OF AUSTRALIA.

COLONIAL OFFICE to OFFICE OF THE HIGH COMMISSIONER.

[*Answered by No.* 90.]

Sir, Downing Street, 26th August, 1924.

I am directed by the Secretary of State for the Colonies to acknowledge the receipt of your letter of the 16th August* regarding the contribution of the Commonwealth of Australia to the International Customs Tariff Bureau, and to request you to inform the High Commissioner that the Secretary of State for Foreign Affairs is being requested to arrange for a communication to be addressed to the Belgian Government in the sense of paragraph 3 of your letter.

2. It is presumed that, if the Commonwealth Government adhere to their intention to withdraw from the Union established by the Convention of 1890, notice will be given to His Majesty's Government in sufficient time to enable formal notification of the withdrawal to be made to the Belgian Government, in accordance with the terms of the Convention, before the 31st of March, 1925.

I am, &c.,
C. T. DAVIS.

48586

No. 88.

NEW ZEALAND.

The GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 15th October, 1924.)

[*Answered by No.* 89.]

(No. 185.)

Sir, Government House, Wellington, 5th September, 1924.

With respect to the International Convention for the Publication of Customs Tariffs, which was signed at Brussels on the 5th July, 1890, I have the honour to

* No. 86.

inform you that my Ministers state that, as very little use is made in New Zealand of the publications of the Bureau, they do not consider that the benefits received by this Dominion warrant the expenditure incurred in connexion therewith.

2. For these reasons the New Zealand Government does not feel justified in continuing the expenditure, and has decided, with regret, to withdraw from the International Union for the Publication of Customs Tariffs as from the 31st March, 1926.

3. Under Article XV of the Convention, it is required that withdrawal ("denunciation") should be notified to the Belgian Government before 31st March, 1925, and my Government would be grateful if His Majesty's Government would transmit the necessary notification to the Belgian Government.

I have, &c.,
JELLICOE,
Governor-General.

50057

No. 89.

NEW ZEALAND.

The SECRETARY OF STATE to the GOVERNOR-GENERAL.

(No. 202.)

My Lord, Downing Street, 29th October, 1924.

I have the honour to acknowledge the receipt of Your Excellency's despatch No. 185 of the 5th of September,* and to transmit to you, for the information of your Ministers, the accompanying copy of a despatch to the Belgian Ambassador regarding the withdrawal of New Zealand from the International Customs Tariff Bureau as from the 31st of March, 1926.

I have, &c.,
J. H. THOMAS.

Enclosure in No. 89.

Your Excellency, Foreign Office, S.W.1, 23rd October, 1924.

I have the honour to inform Your Excellency that the Government of New Zealand have decided that as little use is made in New Zealand of the publications of the International Customs Tariff Bureau, the benefits derived by New Zealand from membership do not warrant the expenditure incurred. For this reason the Government of New Zealand desire to notify that they will withdraw from the International Union for the Publication of Customs Tariffs, as from the 31st March, 1926.

I have, &c.,
(for the Secretary of State),
R. H. CAMPBELL.

His Excellency Baron Moncheur, G.C.V.O., &c., &c., &c.

55436

No. 90.

COMMONWEALTH OF AUSTRALIA.

OFFICE OF THE HIGH COMMISSIONER to COLONIAL OFFICE.

(Received 26th November, 1924.)

[*Answered by No.* 91.]

Sir, Australia House, Strand, London, W.C.2, 21st November, 1924.

With reference to your letter of the 26th August† concerning the contribution of the Commonwealth to the International Customs Tariff Bureau, I have to inform you of the receipt of intimation from Melbourne to the effect that after careful consideration of the communication from the Minister of Foreign Affairs, Brussels, the Commonwealth Government sees no reason to alter its decision to cancel the subscription as from 31st March, 1926.

* No. 88. † No. 87.

I shall, accordingly, be obliged if the necessary advice may, in due course, be conveyed to the Belgian Ministère des Affaires Etrangères.

I am, &c.,
GEORGE J. HOGBEN,
Acting Official Secretary.

55436

No. 91.

COMMONWEALTH OF AUSTRALIA.

COLONIAL OFFICE to OFFICE OF HIGH COMMISSIONER.

Downing Street, 10th December, 1924.

SIR,

I AM directed by Mr. Secretary Amery to acknowledge the receipt of your letter of the 21st of November* and to request you to inform the High Commissioner that the Secretary of State for Foreign Affairs is being requested to take the necessary steps for notifying the Belgian Government of the withdrawal of the Commonwealth of Australia from the International Union for the Publication of Customs Tariffs as from the 31st of March, 1926.

I am, &c.,
E. J. HARDING.

58312

No. 92.

NEW ZEALAND.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 244.)

Downing Street, 29th December, 1924.

SIR,

WITH reference to my predecessor's despatch No. 202 of the 29th of October,† I have the honour to transmit to Your Excellency, to be laid before your Ministers, the accompanying copy of a note from the Belgian Ambassador expressing the hope of the Government of Belgium that the Government of New Zealand will reconsider their decision to withdraw from the International Customs Tariff Bureau.

2. I should be glad to receive a reply by telegram to this despatch.

I have, &c.,
L. S. AMERY.

Enclosure in No. 92.

Ambassade de Belgique, Londres,
le 8 décembre 1924.

MONSIEUR LE SECRÉTAIRE D'ETAT,

Par Sa lettre en date du 23 octobre dernier, No. W 9180/106/4, Votre Excellence a bien voulu me faire connaître que le Gouvernement de la Nouvelle-Zélande avait l'intention de se retirer de l'Union Internationale pour la Publication des Tarifs Douaniers à partir du 31 mars 1926.

Cette notification a péniblement surpris le Gouvernement du Roi.

La Nouvelle-Zélande est au nombre des pays, signataires de la Convention du 5 juillet 1890, qui ont constitué l'Union Internationale dont il s'agit.

Ces pays ont voulu que, par la diffusion des tarifs douaniers de tous les Etats, publiés dans les langues commerciales les plus usitées, le commerce international soit dûment éclairé quant aux conditions dans lesquelles peut se faire l'importation des marchandises sur tous les points du globe. Ce résultat ne peut être atteint, dans la pratique, que par la coopération de la presque totalité des Etats, la tâche à accomplir par le Bureau des Tarifs restant la même quel que soit le nombre des Etats associés. Cette coopération à peu près mondiale est heureusement acquise grâce notamment à l'adhésion obtenue des nouveaux Etats créés depuis la guerre. Il serait profondément regrettable que le retrait de la Nouvelle-Zélande vint priver l'Institution d'une collaboration qui lui est très précieuse.

* No. 90. † No. 89.

Sans doute les années qui ont suivi la guerre ont-elles mis le Bureau International de Bruxelles en présence de difficultés de tous ordres qui ont pu nuire à la régularité de son fonctionnement. L'augmentation des prix de toutes choses, exprimés en monnaie belge, a réduit, au début, ses moyens d'ordre financier. Les modifications fréquentes introduites au lendemain de la conclusion de la Paix dans les tarifs douaniers de nombreux pays l'ont mis, d'autre part, devant une tâche dont l'ampleur ne s'accordait guère avec les limites de personnel imposées par son Budget.

Mais la situation s'est sensiblement améliorée dans ces derniers temps et l'Institution pourra désormais on peut l'espérer, fonctionner dans des conditions normales si les Etats associés s'acquittent ponctuellement de l'obligation, que leur impose la Convention du 5 juillet 1890, d'envoyer immédiatement au Bureau de Bruxelles toutes les dispositions relatives à leur régime douanier.

La stipulation insérée à l'article 6 de la Convention du 3 novembre 1923 sur les formalités douanières et similaires ne peut manquer d'avoir, à cet égard, les plus heureux effets.

En rappelant, par le dit article, la mission confiée au Bureau International de Bruxelles quant à la traduction et à la publication des tarifs douaniers, la Conférence de Genève est venue consacrer en quelque sorte l'Institution issue de la Convention du 5 juillet 1890. Je constaterai, à ce propos, que la Nouvelle-Zélande figure au nombre des premiers pays qui ont ratifié la Convention de Genève. Cette circonstance viendrait aviver encore les regrets que causerait sa sortie de l'Union Internationale.

Pour donner au Gouvernement Néo-Zélandais une preuve des conditions de célérité dans lesquelles le Bureau de Bruxelles s'acquitte de sa tâche lorsqu'il est documenté en temps utile par les Gouvernements contractants, j'ai l'honneur de transmettre à Votre Excellence deux exemplaires de l'édition anglaise du nouveau tarif douanier de la Belgique, édition qui a paru peu de jours après la publication de ce tarif dans le journal officiel belge.

Le Gouvernement du Roi veut espérer que le Gouvernement de la Nouvelle-Zélande voudra bien soumettre la question à un nouvel examen. Le délai pour les notifications officielles de dénonciation n'arrivant à échéance que le 31 mars 1925, une décision définitive prise dès à présent serait en quelque sorte prématurée.

Je saisis, &c.,
B. MONCHEUR.

Son Excellence
The Right Honourable Austen Chamberlain,
Secrétaire d'Etat Principal pour les Affaires Etrangères,
Foreign Office, S.W.1.

CZECHOSLOVAKIA.

(1) Commercial Treaty.

(*Treaty Series* 1924, *No.* 35.)

5561

No. 93.

SOUTHERN RHODESIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 4th February, 1924.)

(No. 9.)

Governor's Office, Salisbury (Rhodesia),
11th January, 1924.

MY LORD DUKE,

I HAVE the honour to refer to Your Grace's despatch No. 55 of the 19th November last,* forwarding certain documents dealing with a Treaty of Commerce between the United Kingdom and Czechoslovakia signed in London on the 14th of July, 1923.

* No. 95 in Dominions No. 88.

2. I am informed by my Ministers that, as regards customs duties, Southern Rhodesia extends to Czechoslovakian goods treatment as favourable as that accorded to goods produced or manufactured in any other foreign country.

I have, &c.,
J. R. CHANCELLOR.
Governor.

5590

No. 94.

UNION OF SOUTH AFRICA.

THE ACTING GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4th February, 1924.)

(No. 16.)

Governor-General's Office, Pretoria,
17th January, 1924.

MY LORD DUKE,

I HAVE the honour to transmit to Your Grace herewith, with reference to your despatch Dominions No. 427 of the 19th November, 1923,* minutes from Ministers on the subject of the treatment accorded to Czechoslovak goods.

I have, &c.,
J. ROSE INNES,
Acting Governor-General.

Enclosure 1 in No. 94.

MINUTE No. 5.

Prime Minister's Office, 4th January, 1924.

MINISTERS have the honour to acknowledge Minute No. 74/22 of the 13th ultimo from His Excellency the Officer Administering the Government, regarding an inquiry from the Czechoslovak Minister as to the Dominions, Colonies and Protectorates which accord to Czechoslovak goods treatment as favourable as that accorded to goods produced or manufactured in any other foreign country, and to inform His Excellency that the Union accords similar treatment to Czechoslovak goods as to goods the growth, produce or manufacture of any other foreign country on importation into the Union.

J. C. SMUTS.

Enclosure 2 in No. 94.

MINUTE No. 19.

Prime Minister's Office, 14th January, 1924.

MINISTERS have the honour to refer to their Minute No. 5 of the 4th instant, relative to the Dominions, Colonies and Protectorates which accord to Czechoslovak goods treatment as favourable as that accorded to goods produced or manufactured in any other foreign country, and to inform His Excellency the Officer Administering the Government that the conditions obtaining in the Union in this respect apply equally to South West Africa.

J. C. SMUTS.

15047

No. 95.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 29th March, 1924.)

[*Answered by No. 97.*]

(No. 30.)

Government House, St. John's, 10th March, 1924.

SIR,

I HAVE the honour to acknowledge the receipt of your despatch Dominions No. 427 of the 19th November last.* on the subject of the Treaty of Commerce

* No. 96 in Dominions No. 88.

between the United Kingdom and Czechoslovakia, and to inform you that goods imported into Newfoundland from Czechoslovakia receive the same treatment as that accorded to goods produced or manufactured in any other foreign country.

I have, &c.,
W. L. ALLARDYCE.

16253

No. 96.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5th April, 1924.)

(No. 28.)

Government House, Wellington, 14th February, 1924.

SIR,

WITH reference to the Duke of Devonshire's despatch Dominions No. 427 of the 19th November, 1923,* relative to the Treaty of Commerce between the United Kingdom and Czechoslovakia, I have the honour to inform you that my Ministers advise me that:—

(*a*) New Zealand at present accords to Czechoslovak goods treatment as favourable as that accorded to goods produced or manufactured in any other foreign country, subject to the following reservation:—

On certain specified classes of goods, which may be varied from time to time, special rates of Customs duty are levied in pursuance of legislation of general application enabling the imposition of such duties on articles produced or manufactured in any country whose currency is depreciated more than ten per cent. in relation to sterling.

These special duties apply to all foreign countries except when their imposition would be contrary to existing treaties. The rate of such special duty in respect of any country is governed by the extent of the depreciation of that country's currency. No special discrimination is made in respect of Czechoslovakia, and the practice in New Zealand may, therefore, be considered to be in conformity with the principle embodied in Article III of the Treaty of Commerce between the United Kingdom and that country.

(*b*) So far as Western Samoa is concerned, Czechoslovakian goods will be accorded by the Samoan Administration treatment as favourable as that accorded to goods produced or manufactured in any other foreign country, subject to the following reservation:—

On certain specified classes of goods, which may be varied from time to time, special rates of Customs duty are levied in pursuance of legislation of general application enabling the imposition of such duties on articles produced or manufactured in any country whose currency is depreciated more than ten per cent. in relation to sterling.

I have, &c.,
JELLICOE.
Governor-General.

17581

No. 97.

NEWFOUNDLAND.

THE SECRETARY OF STATE to THE GOVERNOR.

(No. 67.)

Downing Street, 7th May, 1924.

SIR,

WITH reference to your despatch No. 30 of the 10th of March,† I have the honour to transmit to you, for the information of your Ministers, a copy of a note to the Czechoslovak Minister on the subject of the Customs treatment accorded to goods imported into Newfoundland from Czechoslovakia.

* No. 96 in Dominions No. 88. † No. 95.

2. It is presumed that the most-favoured-nation treatment granted in Newfoundland to Czechoslovak goods would include, should occasion arise, the privileges accorded to certain Spanish articles by the Products of Spain Act, 1923 (14 Geo. 5 Cap. 12).

I have, &c.,
J. H. THOMAS.

[17684]

Enclosure in No. 97.

Foreign Office, S.W.1, 9th April, 1924.

SIR,

WITH reference to your note of 31st October last requesting certain information as to the treatment in other parts of the British Empire of goods produced or manufactured in Czechoslovakia, I have the honour to inform you that goods imported into Newfoundland from Czechoslovakia receive the same treatment as that accorded to goods produced or manufactured in any other foreign country.

I have, &c.,
MILES W. LAMPSON.

Dr. Vojtech Mastny, K.B.E.,
&c., &c., &c.

30679

No. 98.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 30th June, 1924.)

(No. 117.)

Governor-General's Office, Melbourne, 13th May, 1924.

SIR,

WITH reference to your despatch dated 5th March, 1924, Dominions No. 93,* and previous correspondence† relative to the desire of the Czechoslovak Government to obtain information and literature respecting customs duties, import and export regulations, etc., I have the honour, at the instance of my Prime Minister, to forward herewith copies of the undermentioned documents‡ :—

Commonwealth of Australia—
Customs Tariff, 1921-1923.
Customs Act, 1901-1923.
Customs Regulations, 1922, with amendments.
Commerce (Trade Descriptions) Act, 1905.
Regulations under the Commerce (Trade Descriptions) Act, 1905.
Customs Tariff (Industries Preservation) Act, 1901-1922.

Papua—
Customs Ordinance, 1909.
Customs Ordinance, 1913.
Customs Ordinance, 1916.
Customs Tariff, 1915.
Customs Tariff, 1922.
Customs (Export) Tariff, 1920.
Customs (Export) Tariff (No. 2), 1923.

Norfolk Island—
Customs Law, 1913.

New Guinea—
Customs Ordinance, 1921.
Customs Tariff Ordinance, 1922.

With regard to Papua, Norfolk Island and New Guinea, it may be mentioned that Czechoslovakian goods are accorded treatment in these territories as favourable as that accorded goods produced or manufactured in any other foreign country.

I have, &c.,
FORSTER,
Governor-General.

---

* 10839/24: not printed; it dealt with a request from the Czechoslovak Minister for certain information and documents regarding the Customs regime in the various parts of the British Empire. † See No. 96 in Dominions No. 88. ‡ Not reprinted.

42891

No. 99.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 394.)
} Dominions No. 453.)

[MY LORD,] [SIR,]

Downing Street, 12th September, 1924.

WITH reference to my predecessor's despatch [*Not to Irish Free State and Southern Rhodesia:* Dominions No. 427 of the 19th of November, 1923,*] [*To Irish Free State:* No. 672 of the 20th of November, 1923,*] [*To Southern Rhodesia:* No. 55 of the 19th of November, 1923,†] and connected correspondence, I have the honour to request [Your Excellency,] [you,] to inform your Ministers that ratifications of the Treaty of Commerce between the United Kingdom and the Czechoslovak Republic, signed at London on the 14th of July, 1923, were exchanged on the 4th of September with the Czechoslovak Chargé d'Affaires in London.

2. Steps are being taken to publish the Treaty in the Treaty Series of Parliamentary Papers.

I have, &c.,
(for the Secretary of State),
ARNOLD.

---

(2) Agreement on Commercial Travellers' Samples.

(*Treaty Series* 1923, *No.* 19, *and* 1924, *No.* 14.)

2216

No. 100.

SOUTHERN RHODESIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 14th January, 1924.)

(No. 59.)

MY LORD DUKE,

Governor's Office, Salisbury (Rhodesia), 18th December, 1923.

I HAVE the honour to refer to Your Grace's despatch No. 16 of the 13th October,‡ transmitting a copy of an Agreement between Great Britain and the Czechoslovak Republic respecting Commercial Travellers' Samples, signed at London on the 31st of January, 1923.

2. My Ministers inform me that it is considered unnecessary to extend the Agreement to this Colony, as statutory provision exists whereby, on compliance with certain formalities required by the Customs Authorities, a rebate of Customs Duty on travellers' samples is allowed when the necessary entries are passed in connexion with the export of such samples from the Colony.

I have, &c.,
J. R. CHANCELLOR,
Governor.

---

* No. 96 in Dominions No. 88. † No. 95 in Dominions No. 88. ‡ No. 107 in Dominions No. 88.

1565

No. 101.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(New Zealand. No. 19.)
(Union of South Africa. No. 21.)
(Irish Free State. No. 31.)
(Newfoundland. No. 7.)

[MY LORD,] [SIR,] Downing Street, 16th January, 1924.

WITH reference to [Your Excellency's despatch No. 171 of the 27th of June, 1923,*] [my despatch No. 305 of the 20th of November,†] [Your Excellency's despatch No. 169 of the 13th of June, 1923,‡] [your despatch No. 71 of the 13th of August, 1923,§] I have the honour to transmit to [you,] [Your Excellency,] for the information of your Ministers, copies of correspondence with the Czechoslovak Minister regarding the accession of certain of the Dominions to the Agreement of the 31st of January, 1923, between Great Britain and the Czechoslovak Republic relative to Commercial Travellers' Samples.

I have, &c.,
DEVONSHIRE.

[61899]

Enclosure 1 in No. 101.

SIR, Foreign Office, S.W.1, 19th December, 1923.

I HAVE the honour to refer to the Agreement between Great Britain and the Czechoslovak Republic relative to Commercial Travellers' Samples which was signed at London on 31st January, 1923, and of which the ratifications were exchanged at Prague on the 7th September last.

2. Certain of the Governments of His Majesty's Dominions, Colonies and Possessions have expressed their willingness to accede to that Agreement, and I understand that the Czechoslovak Government are agreeable that such accession may be effected by means of a formal exchange of notes recording the accession. It would be understood that the Agreement applies reciprocally to the acceding British Dominions, Colonies and Possessions in the same manner and on the same conditions as it applies to Great Britain.

3. I have the honour, therefore, to notify that the Dominion of New Zealand, the Union of South Africa, the Irish Free State, Newfoundland and Malta accede to the above-mentioned agreement, together with India. In the case of the Union of South Africa, it is nevertheless understood that the amount of duty must be deposited in money, and that the sum paid cannot be refunded until the actual export of the samples within one year, because no facilities exist locally for a refund of duty on their being placed in bond.

4. In the event of any other of His Majesty's Dominions, Colonies and Possessions desiring to accede to the agreement in future, His Majesty's Government hereby agree that a similar formal notification of their accession to the Czechoslovak Government and the acceptance of such accession by the latter will suffice for the purpose.

5. If the above course meets with the approval of the Czechoslovak Government, I would suggest that the present note and your reply thereto should be regarded as placing on record the understanding arrived at in the matter.

I have, &c.,
CURZON OF KEDLESTON.

Monsieur Vojtech Mastny, E.S.E.,
&c., &c., &c.

Enclosure 2 in No. 101.

Republique Tchécoslovaque, Legation a Londres,
MY LORD MARQUESS, 8-9, Grosvenor Place, S.W.1, 2nd January, 1924.

I HAVE the honour to acknowledge receipt of Your Lordship's Note of the 19th December, 1923, and, having the authority of the Czechoslovak Government,

* No. 104 in Dominions No. 88. † No. 108 in Dominions No. 88. ‡ No. 102 in Dominions No. 88.
§ No. 105 in Dominions No. 88.

I hereby note with pleasure that the Dominion of New Zealand, the Union of South Africa, the Irish Free State, Newfoundland and Malta, together with India, accede to the Agreement between Great Britain and the Czechoslovak Republic relative to Commercial Travellers' Samples signed at London on 31st January, 1923.

In the case of the Union of South Africa, it is understood that the amount of duty must be deposited in money, and that the sum paid cannot be refunded until the actual export of the samples within one year, but otherwise it is understood that the Agreement applies reciprocally to the acceding British Dominions, Colonies and Possessions in the same manner and on the same conditions as it applies to Great Britain.

In the event of any other of His Majesty's Dominions, Colonies or Possessions desiring to accede to the Agreement in future, the Czechoslovak Government hereby agree that a similar formal notification of their accession, communicated to the Czechoslovak Government in writing, and the acceptance of such accession, will suffice for the purpose.

I have, &c.,
V. MASTNY.

The Most Honourable
The Marquess Curzon of Kedleston, K.G., G.C.S.I., etc.,
Foreign Office, S.W.1.

12215

No. 102.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

[*Answered by No.* 103.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. } Dominions No. 140.)
(Southern Rhodesia. No. 105.)

[MY LORD,] [SIR,] Downing Street, 26th March, 1924.

WITH reference to my predecessor's despatch [*To Canada and Australia:* Dominions No. 384 of the 13th of October, 1923,*] [*To New Zealand, Union of South Africa, Irish Free State, Newfoundland:* No. [19] [21] [31] [7] of the 16th of January,†] [*To Southern Rhodesia:* No. 16 of the 13th of October, 1923,‡] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of Treaty Series paper No. 14 of 1924 [Cmd. 2074], containing notes exchanged on the subject of the accession of certain British Dominions and India to the Agreement between Great Britain and the Czechoslovak Republic of 31st January, 1923, relative to Commercial Travellers' Samples.

[*Not to New Zealand or Irish Free State:* 2. Further copies are being sent in Library despatch.]

I have, &c.,
J. H. THOMAS.

26275

No. 103.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2nd June, 1924.)

(No. 213.)

SIR, Government House, Ottawa, 16th May, 1924.

WITH reference to your despatch Dominions No. 140 of the 26th March,§ on the subject of the accession of certain British Dominions and India to the Agreement

* 49281/24: not printed. † No. 101. ‡ No. 107 in Dominions No. 88. § No. 102.

between Great Britain and the Czechoslovak Republic of 31st January, 1923, regarding Commercial Travellers' Samples, I have the honour to transmit, herewith, a copy of a letter from the Department of the Secretary of State for External Affairs setting forth the views of my Government.

I have, &c.,
BYNG OF VIMY.

Enclosure in No. 103.

DEPARTMENT OF EXTERNAL AFFAIRS TO GOVERNOR-GENERAL'S SECRETARY.

SIR, Ottawa, 14th May, 1924.

WITH reference to a despatch from the Secretary of State for the Colonies to the Governor-General, dated 26th March, 1924, on the subject of the accession of certain British Dominions and India to the Agreement between Great Britain and the Czechoslovak Republic of 31st January, 1923, relative to Commercial Travellers' Samples, I have the honour to represent that the practice of the Canadian Government, as applied to the United Kingdom, all British Colonies and Possessions, and also to the following countries accorded most-favoured-nation treatment in tariff matters with Canada, viz.:

Argentine Republic,
Colombia,
Denmark,
Japan,
Norway,
Russia,
Sweden,
Switzerland,
Venezuela,

is as contained in Memorandum 1729-B,* a copy of which is hereto attached. Commercial travellers' samples from all other countries are dutiable in ordinary course on importation.

This same question was raised when it was suggested that Canada should join in the ratification of the International Convention relating to simplification of Customs formalities and the protocol to the International Convention and the final act of the Conference, the official instruments approved by the International Conference on Customs and other similar formalities, which met at Geneva from 15th October to 3rd November, 1923, which among other things dealt with commercial travellers' samples, and the recommendation was that there should not be ratification on behalf of Canada, the reason, so far as commercial travellers' samples are concerned, being that it was unadvisable to extend such favoured treatment to all countries, some of which would be able to benefit therefrom to an extent out of all proportion to reciprocal benefit to Canada.

The practice as set out in Memorandum 1729-B referred to, is very similar to the practice under the agreement between Great Britain and Czechoslovakia, except that no provision is made in our practice for identification of samples by officially attested lists, and all samples are subject to inspection and appraisal on importation.

If Canada were to give adherence to the treaty between Great Britain and Czechoslovakia, it will be seen that Czechoslovakia would thereby obtain somewhat further freedom of treatment of commercial travellers' samples than is now accorded even to the United Kingdom, and in any event the result would no doubt be, that if one country outside the favoured nation countries, such as Czechoslovakia, were to obtain this concession, similar requests would be put forward by various other countries.

I am to request that His Excellency may be humbly moved to cause the Secretary of State for the Colonies to be informed in the above sense.

I have, &c.,
J. POPE,
Under-Secretary of State
for External Affairs.

---

* Not reprinted.

(3) Convention relating to Legal Procedure in Civil and Commercial matters.

54513

No. 104.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 489.) — Dominions No. 550.)

[MY LORD,] [SIR,] Downing Street, 27th November, 1924.

[*Not to Southern Rhodesia:* With reference to paragraph 2 of the Duke of Devonshire's despatch Dominions No. 24 of the 22nd of January,*] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a Convention† with Czechoslovakia relative to legal proceedings in civil and commercial matters, signed on the 11th of November.

2. This Convention, which is subject to ratification, makes provision in Article 14 for its subsequent extension, if desired, by means of formal notification, to Scotland and Northern Ireland, and also to any of the self-governing Dominions, Colonies, Protectorates and Mandated Territories.

I have, &c.,
L. S. AMERY.

EGYPT AND THE SUDAN.

19642

No. 105.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 12.30 p.m., 17th May, 1924.)

TELEGRAM.

[*Answered by No.* 106.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

17TH MAY. Secret. Following for your Prime Minister from the Prime Minister:—

Begins: On 28th February, 1922,‡ British Government in a Declaration which was subsequently approved by Parliament declared Egypt to be an independent Sovereign State subject to the reservation for settlement by negotiation at a later date of certain questions which had up till then proved incapable of solution.

These were:—

(1) The Security of Imperial communications in Egypt.
(2) Defence of Egypt against possible foreign aggression.
(3) Protection of foreign interests and of minorities.
(4) Sudan.

These four questions reduce themselves in practice to two main issues, viz.:—

(*a*) Location of the British garrison and the rights which it will have to enjoy on Egyptian territory, and (*b*) recognition of the existing

---

* No. 273. † Not printed here. ‡ See No. 56 in Dominions No. 87.

arrangements under which the British Government control administration of, and policy followed in, the Sudan.

Now that Egypt enjoys fully constitutional Government responsible to freely elected Parliament, time is ripe for attempt to complete policy traced in the above Declaration.

In the congratulatory telegram, which I addressed to Zaghlul Pasha on the occasion of the opening of the Egyptian Parliament 15th March last, I stated that His Majesty's Government were at all times ready to negotiate with the Egyptian Government in order to establish relationship between Egypt and Great Britain upon a lasting basis, satisfactory to both countries.

On the 10th April I followed up this statement with a personal letter inviting Zaghlul to visit London towards the end of June or the beginning of July in order to discuss with me personally principal questions at issue, when, if a satisfactory agreement was reached, settlement of details could be left to the British and Egyptian experts.

On receipt of this letter Zaghlul is reported to have said that the end of June would be convenient time for his visit to London, but no written reply has yet been received from him, nor any actual date fixed for his arrival. In the course of conversation with member of Lord Allenby's staff Zaghlul stated that he could guarantee that the Egyptian Parliament would endorse terms of any settlement which he himself had accepted. He would, however, find it very difficult to induce them to agree to anything short of complete withdrawal of the British garrison from Egyptian territory, and in this matter his own view was in agreement with that of the Parliament. He further stated that he would have no choice but to demand complete independence of the Sudan, which was the wish of the Sudanese just as much as of the Egyptians who could not feel safe as long as a foreign Power remained in occupation of the Sudan. In his view British interests in the Sudan were for the most part political, but he was quite willing, once he had been satisfied that Great Britain had financial and commercial interests, to examine any scheme for protecting them, and he would subscribe to any guarantee that might be necessary for this purpose. Zaghlul scouted, as being in contradiction with all the information in his possession, suggestion that the Sudanese would dislike idea of the administration of their country being entrusted to the Egyptians.

It is quite evident that it will be extremely difficult to reconcile demand for the complete withdrawal of the British garrison from Egypt with the strategic necessity of having on the spot and immediately available an adequate British covering force for the protection of the Suez Canal and Imperial communications generally, nor will it be any easier to reconcile Egyptian ambitions with the necessity of maintaining, in the interests of the inhabitants as well as of our own, present British predominance in the Sudan which alone ensures peace and prosperity of that country.

It is, however, believed that Zaghlul, although he appears deliberately to be ignoring difficulties in the way of an agreement, is sincerely anxious to negotiate settlement. At the present time he undoubtedly possesses personal hold over Egyptian public opinion and over the great majority of Parliament, which no other Egyptian leader possesses or is likely to acquire in the future. Difficult, therefore, though it may be to reach agreement with Zaghlul, negotiations with him have at least merit that any agreement which may be reached is likely to be accepted as binding in Egypt.

In these circumstances, should Zaghlul adhere to his present intention of coming to England at the end of June, I propose to endeavour to induce him to adopt more reasonable and accommodating attitude in regard to the two vital questions of the British force in Egypt and the British administration of the Sudan. Failure to reach agreement on either or both of these questions would render further negotiations useless. Success, on the other hand, should bring permanent settlement of the Egyptian question within our grasp.

I have made arrangements to have at my disposal in the course of these discussions with Zaghlul services of a War Office adviser so that no strategical considerations may be overlooked. Ramsay MacDonald. *Ends.*

—Secretary of State for the Colonies.

28987

No. 106.

COMMONWEALTH OF AUSTRALIA.

The GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 11.4 a.m., 17th June, 1924.)

Telegram.

17th June. Secret. Following for Prime Minister from my Prime Minister:—

Begins: I have now had an opportunity of considering fully the situation as set out in your telegram of 17th May.* I agree with you as to the desirability of doing everything possible to permit a successful conclusion being arrived at in the negotiations with Zaghlul Pasha. I agree with you that the four points reserved for discussion in the Declaration of February, 1922, can be reduced to A. and B. as set out in your telegram.

With regard to A., as I stated at the Imperial Conference, Australia feels that her vital interests are concerned in safe-guarding communication through the Suez Canal, and could not under any circumstances agree to a withdrawal of the garrisons or a removal of location of such garrisons in a way which would weaken the protection afforded to those communications. Subject, however, to our being satisfied that garrisons could be withdrawn from Cairo and Alexandria in order to meet the views of the Egyptian people without weakening defence or imperilling this artery of communication, my Government would be prepared to acquiesce in an arrangement of such a character. On this subject I will repeat what I said at the Imperial Conference and would emphasize to you the fact that the Australian people regard the safety of the Suez Canal as of paramount importance to their vital interests.

With regard to the Sudan, Australia feels that it is imperative in order to ensure peace and prosperity in that country that the present British predominance should be maintained, but we would be quite prepared to acquiesce in any action you may take which will tend to facilitate a permanent settlement provided the Sudan is not handed over to Egypt and British authority completely removed. In other words, provided the reality of British influence is maintained, we are not concerned as to the exact form in which it is ensured. Bruce. *Ends.*

—Forster.

46928

No. 107.

The SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNOR.

(Sent 7 p.m., 2nd October, 1924.)

Telegram.

[*Answered by No.* 108.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

2nd October. Secret. Following from Prime Minister for your Prime Minister:—

Begins: I have had two conversations with Zaghlul Pasha. The first, on 25th September, lasted for two and a-half hours, and was chiefly devoted to an attempt on his part to whitewash the Egyptian Government for issuing misleading communiqué referred to in telegram from Secretary of State for the Colonies, 13th September.†

---

* No. 105. † 43675/24: not printed.

In the course of our conversation I took occasion to state emphatically that His Majesty's Government had undertaken obligations to the inhabitants of the Sudan which they had no intention of failing to discharge. In writing to Zaghlul after our first conversation to fix a date for the second meeting and to request him to formulate his proposals in regard to the Sudan, I again emphasized this point, and said that disappointment and misunderstandings would be avoided if he would bear it in mind.

In his reply Zaghlul said that my letter constituted a restriction imposed upon his freedom to negotiate, and was contrary to the whole terms on which he had consented to enter into these conversations.

In reply to him I said that I did not think his point was well founded on what I had written in my letter, and that I assumed that he was ready to continue our conversations, which we accordingly resumed 29th September. When asked by me to formulate his proposals in regard to the Sudan, Zaghlul displayed great reluctance to do so and argued that we should begin by tackling the problem of Egypt. He was unable to explain this preference except by saying that in the natural order of things Egypt came before the Sudan. This pretext was so inadequate that I am inclined to think that his real motive was a desire to ascertain the extent of the concessions which he could hope for in regard to Egypt now that it was evident that in the Sudan His Majesty's Government were determined to uphold their position at all costs.

As there was nothing to be gained by insisting on discussing the Sudan issue at this stage, I invited him to indicate point by point the various changes which he desired to see introduced in the *status quo* in Egypt. These he enumerated as follows:—

(1) Withdrawal of the British forces from Egyptian territory.
(2) Withdrawal of the financial and judicial advisers.
(3) Disappearance of all British Control over the Egyptian Government, notably in connexion with foreign relations which Zaghlul claimed were hampered by the notification of His Majesty's Government to foreign Powers on 15th March, 1922, that they would regard as an unfriendly act any attempt at interference in the affairs of Egypt by another Power.
(4) Abandonment by His Majesty's Government of their claim to protect foreigners and minorities in Egypt.
(5) Abandonment by His Majesty's Government of their claim to protect the Suez Canal.

I asked Zaghlul whether the fulfilment of this last requirement was essential in order to satisfy Egyptian claim to independence, and on his replying in the affirmative I told him that I could only regret it. I asked him whether he was prepared to agree that Egypt and Great Britain should be united by some special tie of friendship such as a treaty of close alliance, and he expressed his willingness and anxiety to conclude such a treaty.

A further meeting has been arranged to take place to-morrow, and in the meantime Committee of Imperial Defence are being consulted as to the extent to which the present military dispositions for the security of our imperial communications could be modified if a satisfactory treaty of alliance could be concluded with Egypt. *Ends.*

—THOMAS.

47358

No. 108.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 11.22 a.m., 6th October, 1924.)

TELEGRAM.

6TH OCTOBER. Secret. Following for Prime Minister from my Prime Minister:—

Begins: Your telegram of 2nd October.* With reference to conversation Zaghlul Pasha my Government notes the various changes which Zaghlul

* No. 107.

Pasha proposes should be introduced in the *status quo* in Egypt. So far as we are concerned all these proposals are entirely governed by proposal No. 5, viz., that His Majesty's Government should abandon its claim to protect the Suez Canal. You already know my Government's views on this question and under no circumstances can Australia agree to the withdrawal of British protection from a highway which is vital to us and essential to the maintenance of the Empire in peace and war. Apart from the very important economic and strategic considerations my Government is firmly convinced that, should control of the Canal pass from Britain, the effect on the unity of the Empire would be profound.

The determination to control the Canal should be plainly conveyed to the Egyptian Government as the fixed policy of the British Empire. This will of course govern the extent to which British forces can be withdrawn from Egyptian territory and British control be relaxed in connexion with foreign relations. On the question of the withdrawal of financial and judicial advisers and the abandonment of His Majesty's Government's claim to protect foreigners and minorities in Egypt it is difficult for us to express an opinion, but nothing should be done in any direction which lowers our prestige in the East or militates against the absolutely effective control of the Canal.

So far as Australia is concerned, no treaty with the Egyptian Government can take the place of actual British occupation. The continued evasion, misrepresentation and openly expressed hostility which have characterized the relations of Egypt under the new regime with British make it impossible for us even to imagine that a treaty can be concluded which will render material safeguards unnecessary.

If any such treaty is contemplated or any modifications of the present policy towards Egypt proposed, my Government regards matter so seriously that it asks that nothing should be done until we are fully apprised and have had ample opportunity to express our views. *Ends.*

—GOVERNOR-GENERAL.

47509

No. 109.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 7.30 p.m., 6th October, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

6TH OCTOBER. Secret. My telegram of 2nd October.* Prime Minister at final interview with Zaghlul October 3rd strongly urged him to agree to British co-operation in the defence of the Suez Canal. Zaghlul refused to agree to anything which would involve presence of a single British soldier anywhere on Egyptian territory, nor would he consider possibility of leasing to the British Government any site in which a British force could be stationed. He denied right of the British Government to protect the Canal at all.

Prime Minister said that no British Government could possibly surrender their right to ensure at all times the security of the Canal on which whole defensive strategy of the Empire rested.

Prime Minister then drew attention of Zaghlul to the consequence to Egyptian credit of the threatened default on the service of the tribute loans, and to the hostile attitude shown by some departments of the Egyptian Government to foreign officials in their employment. Zaghlul was obdurate on both points. He was, however, quite friendly throughout and said he intended to return to Egypt in about a week. The form in which the results of the conversations will have to be made public is under consideration.

Please inform your Prime Minister.—THOMAS.

---

* No. 107.

54732

No. 110.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 1.30 p.m., 21st November, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

MOST SECRET. Following from Prime Minister for your Prime Minister:—

Begins: In the course of conversation which took place when at my invitation the High Commissioners met me last Friday, Secretary of State for Foreign Affairs indicated the gravity of the situation arising in Egypt owing to the Egyptian Government's open refusal to recognize the conditions accompanying the grant of independence to Egypt, and called attention to Mr. Ramsay MacDonald's solemn warning contained in his despatch to Lord Allenby dated the 7th October.* At the time no immediate action was in contemplation, but it was clear that at any moment action might be forced upon His Majesty's Government.

Such necessity is created by the brutal attempt to murder Sir Lee Stack and His Majesty's Government are now considering the exact form which their action should take. You will be kept fully informed. Meanwhile the following is a summary of Lord Allenby's recommendations for your confidential information:—

(1) Apology by the Egyptian Government.
(2) Assailants to be apprehended and punished.
(3) Monetary compensation to be paid.
(4) Egyptian Government to acquiesce in the creation of a Sudan Defence Force which will be in the pay of and at the orders of the Sudan Government, and will take the place of the Egyptian garrison in the Sudan which will be withdrawn immediately.
(5) All rules and conditions governing service, discipline and retirement of foreign officials still employed by the Egyptian Government, and financial conditions governing pensions of foreign officials who have left the service to be revised in accordance with the wishes of His Majesty's Government.
(6) Egyptian Government to acquiesce in maintenance and preservation of powers and privileges of posts of financial and judicial advisers.

I need not dwell on the vital importance to the Empire of our position in Egypt and the Sudan, which cannot be preserved unless the hostile campaign by speech and in the press resulting in attempted murder is met by effective action. *Ends.*

—AMERY.

Note.—The Dominion Governments were informed of the terms of the note presented to the Egyptian Government by Lord Allenby, following on the death of Sir Lee Stack, and subsequent developments. In all, 15 telegrams were sent to the Dominions during 1924 as to events in Egypt and the Sudan, in addition to those printed here. The following telegrams deal with the attitude of the Dominions as regards the policy of His Majesty's Government and the amount and nature of the information supplied.

55511

No. 111.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6.33 a.m., 26th November, 1924.)

TELEGRAM.

(Paraphrase.)

26TH NOVEMBER. Secret. Last night I saw Mr. Bruce about Egypt. I found that while he was in general agreement with the British action he was doubtful of the wisdom of raising at such a time the question of irrigation of areas. I pointed out that we must trust the man on the spot in such matters and he seemed satisfied with that.—GOVERNOR-GENERAL.

* See Cmd. 2260.

55685

No. 112.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.40 a.m., 26th November, 1924.)

TELEGRAM.

26TH NOVEMBER. Following from my Prime Minister:—

Begins: Desire to acknowledge with thanks your various cables *re* Egypt.

My Government very deeply deplores incident which led up to the present acute situation, and notes measures taken in connexion therewith.

As the views of the Commonwealth Government with regard to the vital importance of maintaining control of the Suez Canal in the interests of the Empire generally and Australia particularly have already been fully set forth at the last Imperial Conference and in subsequent communications further comment at this stage is unnecessary. We feel confident that nothing will be done which does not harmonize with those views and that we shall be fully consulted should any drastic action be contemplated. *Ends.*

—GOVERNOR-GENERAL.

55568

No. 113.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2.45 p.m., 26th November, 1924.)

TELEGRAM.

26TH NOVEMBER. Following from the President to you:—

Begins: Secret. Refer to your Secret telegram of 23rd November* my Ministers have not assented or concurred in the ultimatum nor have they been consulted with regard to its terms. They therefore wish to make it clear that they cannot be regarded as participating therein or as being in any way responsible therefor. *Ends.*

—HEALY.

56038

No. 114.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 2.40 p.m., 29th November, 1924.)

TELEGRAM.

[*Answered by Nos.* 115, 116, 117 *and* 118.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)

29TH NOVEMBER. Secret. Please give [*Not to Irish Free State:* your Prime Minister] [*To Irish Free State:* President of Executive Council] following personal message:—

Begins: Egypt. We are endeavouring to keep you informed as fully and rapidly as possible of situation which inevitably develops almost from hour to hour. We should be glad to know if information sent (which has

* Not printed: it referred to the circumstances in which Lord Allenby's note to the Egyptian Government of the 22nd November was presented.

been designed as far as possible to supplement Press messages) is from your point of view sufficient or if there are any respects in which you would wish it amplified. As regards general purpose underlying all our action, policy of His Majesty's Government is :—

(1) In the Sudan to put an end to Egyptian anti-British propaganda denounced by late Prime Minister in his published despatch of 7th October to Lord Allenby, and to secure full authority in that country where our responsibilities are direct. Here our policy follows lines foreshadowed by Ramsay MacDonald.

(2) In Egypt to do no more than is necessary to secure fulfilment by Egyptian Government of its obligations and our power to fulfil our own and to protect Canal.

(3) In each case to base ourselves on declaration of 28th February, 1922.*

Ends.

Despatch of 7th October published in Cmd. 2269 and declaration of 28th February, 1922, published in Cmd. 1592.—AMERY.

56446

No. 115.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4.22 p.m., 1st December, 1924.)

TELEGRAM.

[*Answered by No.* 119.]

1ST DECEMBER. Secret. Following from my Prime Minister :—

Begins: Your personal message of 29th November,† I appreciate your endeavour to keep me informed as fully as possible with regard to the situation in Egypt and the Sudan. Can understand also that circumstances are changing and developing continuously making it extremely difficult for you to give full effect to the principle of consultation agreed between Britain and the Dominions without grave risk of stultifying action which to be effective must very frequently be prompt. With a proper regard, however, for the responsibilities and difficulties of your position I feel that some greater effort can and should be made to keep us more promptly advised. In almost every instance since the Egyptian crisis arose official cables have arrived long after press messages. On last Saturday full account of mutiny of Sudanese Regiment appeared in local papers but up to the present we have received no official information. In ordinary circumstances this might not be of vital importance but should the situation suddenly take a critical turn it would be most embarrassing indeed for my Government, and might seriously affect public temper if it became known that, as in the case of Chanak incident, information was known to the world before being officially conveyed to us. While it is true that the graver the issue the more difficult is your position in this regard it must not be forgotten that it is only in these circumstances that the public excitement is aroused and the right of the Dominions to the fullest consultation most rigorously insisted on. There would appear to be no reason why telegraph line should not be entirely cleared for prior transmission of such important messages and the knowledge that your Government and the Dominion Governments were working as far as possible in concert would do much to improve the spirit in which any obligations subsequently imposed on us by circumstances were carried out. With regard to the general purpose underlying actions of your Government it is very gratifying to learn that the British Government is adhering to the policy laid down in the Declaration* of 28th February, 1922, and despatch of 7th October, 1924.‡ Views of my Government have been clearly expressed in telegrams of 17th June, 1924,§ and 6th October, 1924,‖ and we take your present telegram as a full endorsement of our views, and as a fresh assurance that there will be no departure from them. *Ends.*

—GOVERNOR-GENERAL.

---

* See No. 56 in Dominions No. 87. † No. 114. ‡ See Cmd. 2269. § No. 100. ‖ No. 108.

56523

No. 116.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 6.0 p.m., 1st December, 1924.)

TELEGRAM.

1ST DECEMBER. In reply to your telgram of 29th November, Secret,* I have conferred with my Prime Minister with respect to the information sent relative to the Egyptian situation and Mr. Monroe is satisfied that the particulars supplied are both ample and sufficient.—ALLARDYCE.

56555

No. 117.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.25 a.m., 2nd December, 1924.)

TELEGRAM.

SECRET. 1st December. Following from my Prime Minister :—

Begins: Replying to your personal message of 29th November* received yesterday regarding Egypt, information received from day to day has been much appreciated and from our point of view gives a sufficiently clear outline of the course taken by the British Government. With regard to your statement of the policy of the British Government to protect the Suez Canal we believe that all countries as well as the British Empire are interested in the preservation of the freedom of this route and we assume that the rights of all nations will be fully recognized. *Ends.*

—BYNG.

56702

No. 118.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.50 p.m., 2nd December, 1924.)

TELEGRAM.

SECRET. 2nd December. Your Secret telegram of 29th November.* Following for you from my Prime Minister :—

Begins: We desire to thank His Majesty's British Government for inquiring from us whether the information so far sent to us in regard to Egypt is sufficient or whether we would wish it amplified in any respect.

Feeling that the Union is not directly concerned in the dispute between Great Britain and Egypt we have so far not felt any necessity for information except such as the British Government may from time to time think fit to be placed at our disposal.

Under these conditions we have no reason not to look upon the information so far supplied to us as sufficient and have no suggestions to make as to its amplification in any respect.

In conclusion we desire to express our appreciation to the British Government for the favour shown us by intimating what its policy is in respect of the Sudan and Egypt, and while disclaiming any intention of interfering, much less of participating in the dispute with which the Union has no concern, we cannot but express very earnestly the hope that everything will be done to obviate further strife and bloodshed. *Ends.*

—ATHLONE.

---

* No. 114.

56446

No. 119.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 12.30 p.m., 4th December, 1924.)

TELEGRAM.

SECRET and Personal. Please give following message to your Prime Minister:—

Begins: Your message of 1st December.* I am most anxious to meet your wishes but I do not think you have allowed enough for the difference between conditions as regards press and official communications which makes competition in point of time practically impossible as regards actual events in Egypt and Sudan. Correspondents telegraph at once *en clair* the moment they see or hear something has happened. Official information has to go through senior responsible official on the spot through Cairo Residency to London and then to you and has to be coded and decoded more than once in the process. British Government is after all in this respect in much the same position as yourself. For instance the news of the occupation of the Customs at Alexandria got to the London Press before it reached the Secretary of State for Foreign Affairs, and he had to telegraph to Lord Allenby for confirmation. Similarly first news which reached Foreign Office of Mutiny of Sudanese regiment to which you refer was from London evening papers. In the circumstances we thought that you and other Prime Ministers would prefer us to concentrate so far as possible on the instructions sent to Lord Allenby and aspects of the situation which were not in Press and instructions were given accordingly. We greatly appreciate your support of the general policy which is being followed. *Ends.*

—AMERY.

ESTHONIA.

Proposed Commercial Treaty.

55601

No. 120.

FOREIGN OFFICE to COLONIAL OFFICE.

Foreign Office, S.W.1, 25th November, 1924.

SIR,

WITH reference to Foreign Office letter of the 26th January,† I am directed by Mr. Secretary Chamberlain to transmit to you herewith the final draft‡ of the proposed treaty of commerce and navigation between this country and Esthonia.

2. Under the Esthonian constitution the treaty-making power is not vested in the head of the State but in the government as a whole, and in these circumstances it has been found necessary to cast the proposed instrument in the form of a convention between the respective governments and to make certain amendments in the various articles so as to correspond with the altered form of the instrument. It is now proposed to forward this text to His Majesty's Minister for the Baltic States with instructions to sign it so soon as the Esthonian Government are prepared to do so, and I am therefore to ask that Mr. Secretary Amery will be good enough to state at his early convenience whether he concurs in its terms.

3. Similar letters are being sent to the Board of Trade and India Office.

I am, &c.,

J. D. GREGORY.

---

* No. 115. † 4080/24; not printed; it enclosed a despatch from Revel as to the progress of negotiations. ‡ Not printed.

EXPLORATION OF THE SEA, INTERNATIONAL COUNCIL FOR THE:
Admission of Irish Free State.

60

8060

No. 121.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 124.)

Downing Street, 26th February, 1924.

SIR,

I HAVE the honour to transmit to Your Excellency, for the information of your Ministers, the accompanying copy of a Note from the Danish Minister, forwarding correspondence with the High Commissioner in London regarding the application of the Irish Free State Government for admission to membership of the International Council for the Exploration of the Sea.

I have, &c.,

J. H. THOMAS.

Enclosure in No. 121.

Danish Legation, London, 14th February, 1924.

SIR,

I HEREWITH have the honour to enclose copy of a letter of the 22nd of January last, received from the Office of the High Commissioner for the Irish Free State, by which the High Commissioner asks for the admission of the Irish Free State Ministry of Fisheries to membership of the "International Council for the Exploration of the Sea."

In accordance with verbal arrangement with the Foreign Office, which has been informed regarding the desire of the Irish Free State, I have the honour furthermore to enclose my reply of the 14th instant to the High Commissioner's Office, by which it appears that the application has been forwarded by me to the King's Government for consideration.

I have, &c.,

T. AHLEFELDT-LAURVIG.

The Right Honourable
J. Ramsay MacDonald,
Secretary of State for Foreign Affairs.

Office of the High Commissioner, York House,
15, Regent Street, London, S.W.1, 22nd January, 1924.

SIR,

I AM directed by the High Commissioner to inform you that the Free State Ministry of Fisheries is anxious to become a member of the "International Council for the Exploration of the Sea."

I am accordingly to make herewith formal application (which you will, no doubt, be good enough to have transmitted to your Government at your early convenience) requesting the admission of the Free State to membership of the International Council.

I am, &c.,

ELIASOFF,
Secretary.

The Secretary,
Danish Legation,
29, Pont Street, W.C.

Danish Legation, London, 14th February, 1924.

DEAR SIR,

I HEREWITH beg to acknowledge receipt of your letter of the 22nd of January and to inform you that the request of the Free State Ministry of Fisheries to become

a member of the "International Council for the Exploration of the Sea" has been forwarded to the Danish Government.

As soon as I receive a reply I shall have the honour to transmit same to you.

I beg, &c.,
T. Ahlefeldt-Laurvig,
Danish Minister.

The Secretary,
Office of the High Commissioner.
York House,
15, Regent Street, S.W.1.

39675

No. 122.

IRISH FREE STATE.

The SECRETARY OF STATE to the GOVERNOR-GENERAL.

[*Answered by No.* 123.]

(No. 510.)

Sir, Downing Street, 25th August, 1924.

With reference to my despatch No. 403 of the 30th June* regarding the International Council for the Exploration of the Sea, I have the honour to transmit to Your Excellency, to be laid before your Ministers, a copy of a Note from the Danish Minister notifying His Majesty's Government, as one of the Governments participating in the Council, of the application of the Government of the Irish Free State for admission to the Council.

2. While His Majesty's Government are fully prepared to welcome the admission of the Irish Free State to the Council, they feel reluctant to assent to the proposal that such admission should be on the provisional basis of an annual contribution of 5,000 Danish Kroner, in view of the fact that a reduction from the normal annual contribution of 10,000 Danish kroner has hitherto been agreed to only in the case of countries of which the currency is severely depreciated.

3. Your Ministers are, no doubt, aware that the financial year of the Council terminates on 21st July, and that precedents exist for the payment of contributions in two instalments.

4. Before replying to the Danish Government in the sense indicated in paragraph 2 above, His Majesty's Government will be glad to receive any observations on the position which your Ministers may care to offer.

(For the Secretary of State).
HENRY LAMBERT.

[30408]

Enclosure in No. 122.

Danish Legation, London, 23rd June, 1924.

Sir,

Referring to my Note of 14th February† last I have the honour, in conformity with my instructions, to inform you that the Secretary-General of the International Council for the Exploration of the Sea has intimated to the King's Government that the Government of the Irish Free State has applied to the Council for admission to that body, and has suggested that its annual contribution to the Council's expenses should provisionally be limited to 5,000 Danish kroner.

The King's Government having no objection to accede to the Irish Free State Government's request on the financial terms referred to above, I am directed to ascertain whether His Britannic Majesty's Government, as a member of the Council, is likewise disposed to give its assent to the proposal in question.

I have, &c.,
P. Ahlefeldt-Laurvig.

The Right Honourable
James Ramsay MacDonald,
Secretary of State for Foreign Affairs.

---

* 29659/24; not printed; it dealt with the date of the next meeting of the Council and the participation of Germany in its deliberations.

† Enclosure in No. 121.

43129

No. 123.

IRISH FREE STATE.

The GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 10th September, 1924.)

[*Answered by No.* 124.]

(No. 360.)

Sir, Vice Regal Lodge, Dublin, 9th September, 1924.

With reference to your despatch No. 510 of the 25th ultimo,* relative to the application of the Irish Free State for representation on the International Council for the Exploration of the Sea, I have the honour to inform you that when the proposal was before my Ministers for consideration it was not understood that admission on the provisional basis of an annual contribution of 5,000 Danish kroner had been agreed to only in the case of countries of which the currency is severely depreciated.

2. As it appears from the enclosure to your despatch that the Danish Government has signified its assent to the admission of the Irish Free State to membership of the Council at the provisional reduced contribution, and as the Governments of some of the other countries may likewise have signified their assent, my Government feel that it would be difficult at this stage to make any change in their proposed contribution in respect of the present year. They would, however, be prepared to consider in future years whether, having regard to the populations of the countries represented on the Council, and the respective importance of their fishing industries as affected by the activities of the Council, the normal annual contribution of 10,000 kroner should be made.

3. In the circumstances it is assumed that His Majesty's Government will not see any reason to withhold their assent to the admission of the Irish Free State to membership of the Council on the basis already put forward.

I have, &c.,
T. M. HEALY.

44115

No. 124.

IRISH FREE STATE.

The SECRETARY OF STATE to the GOVERNOR-GENERAL.

(No. 685.)

Sir, Downing Street, 6th December, 1924.

I have the honour to acknowledge the receipt of Your Excellency's despatch No. 360 of the 9th of September† relative to the admission of the Irish Free State to representation on the International Council for the Exploration of the Sea.

2. The Rules laid down by the Council contemplate, in the case of smaller States, such as Norway, Sweden and Denmark, an annual contribution of 10,000 kroner and in the case of the larger States, 25,000 kroner per annum. As was explained in my despatch No. 510 of the 25th of August* exception to these rates has hitherto been agreed to only in certain special cases, and then merely as a temporary measure pending the restoration of the currency of the country concerned. It will be seen, therefore, that, though the fishing interests and populations of the twelve countries at present represented on the Council differ widely, these differences have not hitherto been accepted as a criterion of the contribution to be made by the various members.

3. Since the foundation of the Council in 1902 His Majesty's Government have consistently opposed any proposal to introduce a third rate of contribution (except in the special case referred to above) and consequently your Ministers will appreciate that His Majesty's Government would find it difficult to record their vote for the admission of the Irish Free State to the Council on any other basis than

* No. 122. † No. 123.

that the Irish Free State would be prepared to pay the usual subscription of 10,000 kroner; similarly His Majesty's Government would find it difficult to support the Free State, after admission, in any proposals designed to alter the rates of contribution, otherwise than by way of such *pro rata* reduction or augmentation of the two existing rates as the financial circumstances of the Council may seem to warrant.

4. In the circumstances His Majesty's Government hope that your Ministers will not press the suggestion made in your despatch under acknowledgment, and that they will be able to agree to enter the International Council on the basis of the usual payment of 10,000 kroner per annum.

5. I may add that it is understood that the next meeting of the Council will not take place until September, 1925: the next financial year commences on 21st July, 1925.

I have, &c.,
L. S. AMERY.

EXTRADITION TREATIES.

(1) Albania.

2463

No. 125.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada. (Commonwealth of Australia. (New Zealand. (Union of South Africa. (Irish Free State. (Newfoundland.	Dominions No. 47.

[My Lord,] [Sir,] Downing Street, 6th February, 1924.

I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, a copy of a despatch to the British Minister at Durazzo regarding a proposed treaty with Albania for the mutual surrender of fugitive criminals.

I have, &c.,
J. H. THOMAS

Enclosure in No. 125.

(No. 5.)

Sir, Foreign Office, S.W.1, 12th January, 1924.

With reference to Mr. Parr's despatch No. 77 of the 31st October last calling attention to the absence of any treaty arrangement between this country and Albania for the mutual surrender of fugitive criminals, I have now to request that you will approach the Albanian Government and propose the conclusion of a treaty for this purpose. You should at the same time submit to them the accompanying draft Treaty,* which is based upon the model of a large number of extradition treaties concluded in the past between Great Britain and other countries, and add that His Majesty's Government will be happy to proceed to the signature of a treaty on these lines should it meet with their approval.

I am, &c.,
(For the Secretary of State)
George Mounsey.

H. C. A. Eyres, Esq.,
&c., &c., &c.

---

* Not printed: it followed the model draft.

(2) Belgium.

(*Treaty Series* 1924, *No.* 1.)

20420

No. 126.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 127.]

(No. 206.)

My Lord, Downing Street, 26th June, 1924.

With reference to Your Excellency's despatch No. 110 of the 18th March* relative to the extradition of L. M. Blumenthal, a fugitive offender, from the Union of South Africa to the Belgian Congo, I have the honour to transmit to you, to be laid before your Ministers, a copy of a note received from the Belgian Ambassador at this Court.

2. As regards the point raised in paragraph 3 of Baron Moncheur's note, His Majesty's Government are advised that now that the extradition arrangements with Belgium apply to the Belgian Congo and to the territories intervening between the Union and the Belgian Congo, the exemption of the Belgian Government from financial liability under Article 13 of the Treaty of the 29th October, 1901, extends, in the case of an extradition by the land route from the Union to the Belgian Congo, to the whole journey between the Union and the Belgian Congo. This result follows from the fact that the words "its frontier" in Article 13 must, it would seem, as between "each of the High Contracting Parties" mean the last point at which the person extradited leaves "the territories" of the extraditing State, and in view of the extension of the Treaty to Protectorates "territories" cannot be confined to those which are part of His Majesty's Dominions, but must include territories under His Majesty's protection to which the treaty has been extended. A similar position would have obtained if Blumenthal, at the time when his extradition was applied for, had been in Basutoland, Swaziland, the Bechuanaland Protectorate or Southern Rhodesia.

3. There are a number of other Extradition Treaties which have also been applied to the South African Protectorates and which similarly provide that the Contracting Powers bear all extradition expenses within their respective territories; so that in effect under such Treaties the whole of South Africa, that is to say, the Union, Southern Rhodesia, Northern Rhodesia and the three High Commission Territories, must be regarded for this purpose as a single geographical unit.

4. In the circumstances it appears most desirable that there should be a general understanding between the Government of the Union and the other South African Administrations to cover such cases as that of Blumenthal in which the foreign Government is relieved of the expenses until the person extradited leaves His Majesty's territories; and it has been suggested that the simplest and most practical solution of the difficulty would be for the Government of the country from which the extradition is made to pay all such expenses. I hope that it may be found possible to arrive at an understanding of this nature.

5. With reference to paragraph 2 of the note, I am advised that a person extradited to the Belgian Congo from the Union of South Africa will under the Extradition Act, 1870, be in legal custody in Southern Rhodesia, but that a surrender warrant issued under that Act does not run in a Protectorate. Similarly, a surrender warrant issued in a Protectorate under its local legislation does not run in any other Protectorate or in a British Possession. The same point arose in 1911 when arrangements were being made for the return to Zanzibar from the Uganda Protectorate and the East Africa Protectorate of Zanzibar subjects (who did not then come under the usual fugitive offenders procedure), and provision was made by Order in Council that a Zanzibari in legal custody for return under an Order of the Court in Uganda should be deemed to continue in legal custody whilst in transit through the East Africa Protectorate. A copy of the Order in Council† is enclosed for reference.

6. It seems desirable that steps should be taken to rectify the present position in South Africa, and I am advised that the most convenient procedure to effect this would be to introduce legislation in the Union, Southern Rhodesia, Northern Rhodesia, Basutoland, the Bechuanaland Protectorate, and Swaziland on the lines

* 10845/24: not printed; it dealt with the particular case referred to. † Not reprinted.

of Article 4 (2) of the East African Protectorates (Zanzibar Fugitive Offenders) Order in Council, 1911.

7. I shall be glad to receive the observations of your Ministers on the points raised in this despatch: but as several independent Administrations are directly concerned, it may be considered convenient to arrange in the first instance for discussion with the other Administrations, and should your Ministers agree that this is desirable, they will no doubt take the necessary action to this end.

8. A copy of this despatch is being sent to the Governors of Southern and Northern Rhodesia and to the High Commissioner for South Africa.

I have, &c.,
J. H. THOMAS.

[17562]

Enclosure in No. 126.

(No. 916.)

Ambassade de Belgique,
Londres, le 10 avril, 1924.

MONSIEUR LE PREMIER MINISTRE,

Le Consul Général de Belgique dans l'Afrique Australe a été chargé, en février dernier, par M. le Gouverneur du Katanga, de réclamer l'extradition d'un Sieur Blumenthal, L., inculpé à Elizabethville de faillite frauduleuse et qui s'était réfugié à Prétoria.

L'extradition du prénommé a été accordée par l'Autorité compétente du Transvaal. Mais les Autorités de la Rhodésie du Nord, de la Rhodésie du Sud et du Protectorat du Bechuanaland, n'ont accordé le passage sur leur territoire que sous réserve du droit, pour le prisonnier, de faire appel aux tribunaux de chacun des pays traversés, ce en vertu de l' "habeas corpus."

D'autre part, le Gouvernement de l'Union Sud-Africaine aurait déclaré que les frais de transport du Sieur Blumenthal, L., et de son escorte sont à charge des Autorités Belges. Il y aurait donc eu en réalité une extradition qui a donné lieu à trois transits.

Mon Gouvernement a quelque peine à croire que cette façon de procéder rencontre l'adhésion du Gouvernement Britannique.

La Convention du 8 août, 1923, étendant au Congo Belge et à certains protectorats Britanniques, le traité d'extradition du 29 octobre, 1901, et les conventions additionnelles au dit traité des 5 mars, 1907, et 3 mars, 1911, a été conclue entre Sa Majesté le Roi de Grande-Bretagne et d'Irlande et Sa Majesté le Roi des Belges.

Lorsqu'un fugitif est livré à la Belgique par l'Autorité compétente du Transvaal sa remise est censée faite entre les Hautes Parties contractantes.

Il ne semble donc pas qu'après une première instance d'extradition suivie à Prétoria, une autre instance doive être engagée dans chacun des pays par lequel le fugitif doit passer. Celui-ci serait alors livré à la Belgique quatre fois par Sa Majesté Britannique, dans une même affaire et en vertu du même traité. Qu'arriverait-il, dans ces conditions, si l'un de ces pays refusait le passage à travers son territoire de l'individu extradé?

Mon Gouvernement estime qu'il ne peut y avoir dans le cas dont j'ai l'honneur d'entretenir Votre Excellence qu'une seule extradition qui commence au Transvaal et finit au moment où l'extradé est remis entre les mains des Autorités de la Colonie Belge. D'autre part, en vertu de l'article 13 de la Convention du 29 octobre, 1901, les frais de détention et de transport de l'inculpé sont à charge de l'Etat qui accorde l'extradition, et non à charge de celui qui la réclame.

D'après les instructions de mon Gouvernement, j'ai l'honneur de soumettre au bienveillant examen de Votre Excellence ces considérations en La priant de bien vouloir, le cas échéant, donner des instructions en conséquence aux Autorités que la chose concerne.

Je me permets d'attirer la bienveillante attention de Votre Excellence sur la caractère d'urgence que présente cette affaire.

Je saisis, &c.,
B. MONCHEUR.

Son Excellence,
The Right Honourable J. Ramsay MacDonald, M.P.,
Premier Ministre,
Secrétaire d'Etat Principal pour les Affaires Etrangères,
Foreign Office, S.W.1.

43768

No. 127.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 15th September, 1924.)

[*Answered by No.* 129.]

(No. 429.)

SIR,

Governor-General's Office, Cape Town, 27th August, 1924.

WITH reference to your despatch No. 206 of the 26th June,* regarding the extradition arrangements in force in the Union and the other British Possessions and Protectorates in South Africa, I have the honour to transmit herewith a copy of a Minute from my Ministers on the subject. My Minute No. 55/578 of the 31st July referred to by Ministers covered a copy of my High Commissioner despatch Bechuanaland Protectorate Confidential (2) of the 4th July, 1924.† Copies of Ministers' Minute are also being sent to the Governors of Northern and Southern Rhodesia and to the High Commissioner for South Africa.

I have, &c.,
ATHLONE.
Governor-General.

Enclosure in No. 127.

Prime Minister's Office, 15th August, 1924.

MINUTE No. 626.

MINISTERS have the honour to refer to the Minutes from His Excellency the Governor-General No. 55/576 of the 17th July and No. 55/578 of the 31st July, 1924, on the subject of extradition arrangements between the Belgian Congo and the Union, and the transit of fugitive offenders through other British possessions and through Protectorates.

With the first-mentioned Minute was included a copy of a despatch (No. 206) dated 26th June, 1924, from the Secretary of State for the Colonies which dealt *inter alia* with the extent to which the extraditing party is liable under Article 13 of the Extradition Treaty with Belgium of 29th October, 1901.

2. Ministers are prepared to accept the interpretation which His Majesty's Government is advised must be placed upon that Article, that when extradition of a fugitive criminal is granted from or to any of those possessions or protectorates the expense incurred in connexion with such extradition up to its frontier is payable by the extraditing State, and that this arises from the fact that the high contracting party to the Treaty is the sovereign whose dominion or protection extends in law throughout contiguous possessions or protectorates.

3. It would seem, however, to Ministers that it must follow from this that for the purposes of the Treaty, neither the Government of the Union nor any of the British South African Administrations of the territories through which the fugitive criminal will pass is the Government of an extraditing State or such an independent administration as is referred to in paragraph 7 of the Secretary of State's despatch: that the extraditing authority is His Majesty and that his representatives in the Union and the other British South African territories are merely acting on his instructions. If that is so it would be the duty of each such representative to facilitate the passage of the fugitive criminal and his escort through the territory in which he is His Majesty's representative by bearing that expense of the journey which is incurred in the passage through that territory, and by ensuring that such laws shall be in force therein as will secure an uninterrupted passage.

4. If that view cannot be accepted by His Majesty's Government, then Ministers would suggest that a modification of the Treaty with Belgium might be obtained whereby the Government which seeks extradition should undertake to pay to the extraditing Government the whole cost of conveyance to his destination of the person surrendered.

J. B. M. HERTZOG.

---

* No. 126. † 31009/24: not printed.

54119

No. 128.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 18th November, 1924.)

[*Answered by No.* 129.]

(No. 575.)

SIR, Governor-General's Office, Pretoria, 24th October, 1924.

WITH reference to my despatch No. 429 of the 27th August,* regarding extradition arrangements and the transit of fugitive offenders through the different British South African territories, I have the honour to transmit herewith a copy of a further Minute from my Ministers on the subject. I may add that, although the terms of paragraph 4 of the enclosure would appear to indicate the contrary, advantage was taken of the recent presence in Pretoria of the representatives of Southern and Northern Rhodesia and the High Commission Territories to discuss the legislative measures which will be necessary for the purpose of placing the matter on a proper footing.

I have, &c.,

ATHLONE,
Governor-General.

Enclosure in No. 128.

Prime Minister's Office, Pretoria, 18th October, 1924.

MINUTE No. 840.

MINISTERS have the honour again to address His Excellency the Governor-General on the matters dealt with by His Excellency's Minutes No. 55/576-8 of the 17th and 31st July last and Ministers' Minute No. 626 of the 5th August last in reply thereto, viz., the extradition of fugitive offenders from the Union to the Belgian Congo and the transit of such offenders through High Commission territories.

2. Ministers have given further consideration to the contention put forward by them in paragraph 3 of their Minute No. 626 of 5th August, the effect of which was that each British territory or Protectorate outside the Union should bear the cost of the passage of the extradited fugitive through such territory or Protectorate, the Government thereof being the representative of His Majesty who is the extraditing authority under the Belgian Extradition Treaty.

Ministers are now prepared to regard the Government of the Union as the sole representative of His Majesty in respect of the extradition, and therefore to give instructions that the whole cost of the journey of the extradited fugitive and his escort up to the borders of the Congo be borne by Union funds and that no claim be made in respect thereof against the Government of any British territory or Protectorate through which the fugitive passes.

3. With His Excellency's Minute of 17th July above referred to was transmitted *inter alia* a copy of a despatch No. 206 of the 26th June† from the Secretary of State for the Colonies. In paragraphs 5 and 6 of that despatch was discussed the question whether the extradited fugitive would be in lawful custody while passing through Southern Rhodesia or any Protectorate. His Excellency's Minutes of 6th September and 30th September with enclosures thereto refer to the same matters. To remove all doubts on this matter so far as the Union is concerned, Ministers are now prepared to introduce into Parliament at its next Session legislation in terms similar to those of Section 4 (2) of the Eastern African Protectorates (Zanzibar Fugitive Offenders) Order in Council, 1911. This would ensure that a fugitive under a judicial order issued in any country and extradited to any territory or Protectorate in Africa for trial therein would, while passing through the Union, be in lawful custody. Ministers would ask that His Excellency address the several British administrations and Protectorates with a view to similar legislation being passed therein providing for the lawful custody of fugitive offenders who are under judicial order issued in any country being extradited to the Union for trial therein.

4. Ministers in view of the terms of this Minute suggest that there is no longer any necessity that the matters dealt with therein be discussed at the conference with the Rhodesian delegates.

J. B. M. HERTZOG.

---

* No. 127. † No. 126.

64

54252

No. 129.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 388.)

MY LORD, Downing Street, 29th December, 1924.

I HAVE the honour to acknowledge the receipt of Your Excellency's despatches No. 429 of the 27th August* and No. 575 of the 24th October† regarding extradition arrangements between the Belgian Congo and the Union of South Africa.

2. His Majesty's Government note that your Ministers do not propose to pursue the suggestion in paragraph 3 of the Minute of the 15th August that the Government of the Union and the other British Administrations in South Africa should each bear the expenses of the transit through its territory of persons extradited to Belgian territory in accordance with the Anglo-Belgian Extradition Treaties.

3. As regards the alternative suggestion in paragraph 4 of Ministers' Minute that the Extradition Treaties with Belgium might be modified so that the Government seeking extradition would pay the whole cost of conveyance of the extradited person to his destination, it would seem difficult to confine such a modification to cases of extradition only between certain specified territories to which the Treaties apply and, if it were intended that the modification should apply generally to all cases of extradition under these Treaties, it would be necessary to consult the Governments of the other self-governing Dominions before the proposal could be submitted to the Belgian Government. His Majesty's Government would be ready to communicate with the other Dominion Governments if this were the desire of your Ministers, but they feel very doubtful whether the proposed modification would be accepted by the Belgian Government. Whether the modifications were confined to extradition as between territories in Africa or applied generally, the practical effect would be that, where the extradition took place from Belgian territory, the Belgian Government would be relieved only of the portion of the expenses incurred within such territory, while in the converse case they would be called upon to pay, in addition to their existing liability, the expenses incurred until the person concerned had passed the frontier of "His Majesty's territories." So long as it is necessary for extradited persons to pass through several territories under His Majesty's sovereignty or protection, the ultimate result, having regard to the number and extent of those territories, would in all probability be unfavourable to Belgium. In the circumstances your Ministers may not think it necessary to pursue this proposal.

4. I am sending a copy of this despatch to the Governor of Southern Rhodesia, the Governor of Northern Rhodesia and the High Commissioner for South Africa.

I have, &c.,

L. S. AMERY.

---

(3) Brazil.

31397

No. 130.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

[*Answered by Nos.* 131, 132, 133, 134 and 135.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.

} Dominions No. 351. Confidential.)

[MY LORD,] [SIR,] Downing Street, 30th July, 1924.

[*Not to Irish Free State:* I have the honour to refer to my predecessor's Confidential despatch Dominions No. 341 of the 8th September, 1922,‡] [*To Irish*

---

* No. 127. † No. 128 ‡ No. 59 in Dominions No. 87.

Free State: I have the honour to transmit to Your Excellency the accompanying copy of a Confidential despatch of the 8th September, 1922,* to the other self-governing Dominions, covering a copy of a despatch addressed to His Majesty's Representative at Rio de Janeiro, and the draft Extradition Treaty referred to therein,] and to request [Your Excellency,] [you,] to inform your Ministers that the Brazilian Government have now submitted a counter-draft containing a number of modifications of the draft Treaty submitted to them. The most important of these modifications are the substitution of the enclosed new articles for Articles 2 and 3 of the draft Treaty, the omission of the last sentence of Article 10 and the addition of the enclosed two paragraphs to Article 11.

2. A copy of a memorandum drawn up for the guidance of His Majesty's Ambassador at Rio de Janeiro on the points raised by these modifications is also enclosed. His Majesty's Government are disposed to think that it is not necessary to insist on the third point referred to in this memorandum, regarding the surrender of nationals, and consequently would not wish to press the objection to a provision whereby nationals should be dealt with in the same way as others; it may be noted that no special provision in favour of nationals exists in the present extradition Treaty with the United States of America. They would, however, be glad to be informed, having regard to the terms of Article XVII of the draft Treaty, should your Ministers desire to express any special views on this point.

3. In the meantime, His Majesty's Ambassador has been instructed to continue the negotiations with the Brazilian Government, but not to accept any modified draft Treaty which may result therefrom without further instructions.

I have, &c.,
J. H. THOMAS.

[7610]

Enclosure 1 in No. 130.

(Extracts.)

BRAZILIAN COUNTER-DRAFT OF EXTRADITION TREATY.

* * * * * *

Article 2.

EXTRADITION shall be reciprocally granted for those crimes, including participation, attempted crime and complicity, the penalty for which, in accordance with the law of Brazil or the United Kingdom, is imprisonment for more than one year.

Sole Paragraph. When the penalty to which the person to be extradited is liable is death or corporal punishment, extradition shall only be granted after a formal declaration that such penalty shall be commuted to one of imprisonment.

Article 3.

The High Contracting Parties engage to deliver up their nationals in accordance with the provisions of this Treaty.

* * * * * *

Article 11.

* * * * * *

Sole Paragraph. Persons accused or convicted of crimes committed on the high seas on board any merchant vessel flying the flag of either of the High Contracting Parties shall, in Brazilian and British ports, be kept in custody on board ship, provided that the fact is communicated by the respective consul to the local authorities; such persons shall be considered as being merely in transit, and may be transferred, subject to previous notification, to any other ship which may be bound for the country where they are to be brought to trial or to fulfil their sentence.

This rule shall also be applied to those persons who, having been delivered up by a third Power, shall enter Brazilian or British ports in a vessel of whatsoever nationality.

* * * * * *

---

* No. 59 in Dominions No. 87.

[14382]

Enclosure 2 in No. 130.

MEMORANDUM.

PROPOSED EXTRADITION TREATY BETWEEN GREAT BRITAIN AND BRAZIL.

(1) *Extraditable Offences.*

THE British Extradition law allows of the surrender to foreign States of persons accused of certain crimes only, and the British Government has no power to surrender persons accused of other crimes. It is, therefore, usual for the crimes in respect of which extradition can be granted to be enumerated in any Treaty, and the draft, which has been submitted to the Brazilian Government, accordingly contains a list of the crimes for which it is suggested that extradition should take place.

Though it may be difficult to find exact equivalents in Brazilian law of the crimes enumerated in the draft, this difficulty is not insuperable, since equivalent expressions have been found in treaties concluded with other States, and it is possible that the treaties with Portugal and certain South American States may be of assistance to the Brazilian Government in this matter.

All the crimes enumerated in the British draft are punishable with imprisonment for a year or more. No objection will, however, be raised to an express provision being inserted that the crime shall be punishable by the laws of both States by imprisonment for a year or some greater punishment.

(2) *Capital or Corporal Punishment.*

The difficulty arising from the Brazilian Extradition law as regards crimes which are punishable by Capital or Corporal Punishment can best be overcome as in the treaties between this country on the one hand and Peru and Roumania on the other hand by the insertion of a provision that "the Government of Brazil (or either State) may in its absolute discretion refuse to surrender a person accused of a crime punishable with death or corporal punishment."

The British Government are unable to assent to a general provision in an Extradition Treaty that extradition for a crime for which the person accused is liable to be sentenced to death or corporal punishment shall not be granted unless a formal declaration has been given that such punishment shall not be carried out, though it may be willing in a particular case to give such an assurance before the accused is surrendered as a condition of his surrender.

(3) *Extradition of Nationals.*

The British Government desire the insertion of a provision in the Treaty that each Government should have power to decline to surrender their own subjects. Though the British Government very rarely declines to surrender a British subject on this ground, it considers that it is important that it should possess such power.

(4) *Crimes on Ships, etc.*

The British Government has no power to prevent a British subject from entering this country or to tranship him. If, having committed a crime upon a Brazilian ship on the high seas he enters this country, extradition proceedings would be necessary for his surrender to Brazil in the same way as if the crime had been committed in Brazil.

The British Government cannot, therefore, accept the two paragraphs which have been added to Article 11, though it has no objection to the omission of the last sentence of Article 10 in the British draft.

49428

No. 131.

NEWFOUNDLAND.

THE ACTING GOVERNOR to THE SECRETARY OF STATE.

(Received 20th October, 1924.)

(Confidential (2).)

SIR, Government House, St. John's, 20th September, 1924.

I HAVE the honour to acknowledge the receipt of your despatch Dominions No. 351, Confidential, of the 30th July,* referring to certain modifications in the

---

* No. 130.

Extradition Treaty with Brazil, and to inform you that Ministers have no objection to offer to these modifications but do not wish to express any special views on the matter.

I have, &c.,
W. H. HORWOOD.

55122

No. 132.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 25th November, 1924.)

(Confidential.)

SIR, Governor-General's Office, Pretoria, 5th November, 1924.

I HAVE the honour to transmit to you, herewith, with reference to your despatch, Confidential, Dominions No. 351, of the 30th July, 1924,* copy of Minute from Ministers regarding modifications of the draft Extradition Treaty with Brazil.

I have, &c.,
ATHLONE,
Governor-General.

Enclosure in No. 132.

Prime Minister's Office, Pretoria, 31st October, 1924.

MINUTE No. 887.

MINISTERS have the honour to refer to His Excellency the Governor-General's Confidential Minute No. 55/584 of the 20th August, 1924, regarding modifications of the draft Extradition Treaty with Brazil, and to state that the proposal of the Brazilian Government that Article 2 of the draft Treaty should be amended so as to provide that when the penalty to which the person to be extradited is liable is death or corporal punishment extradition shall only be granted after a formal declaration that such penalty shall be commuted to one of imprisonment, is unacceptable to the Union Government.

2. Most of the extradition crimes enumerated in Article 2 are, under the wide discretion allowed to Union Courts, liable to be visited by corporal punishment, and though such punishment may be remitted under His Excellency's prerogative it cannot be commuted to any other punishment.

3. Further, while capital punishment may be commuted, Ministers are unable to recommend that His Excellency should give an undertaking in advance fettering his discretion under the Royal Instructions.

4. Ministers further desire to state that the proposal of the Brazilian Government with reference to Article 3 of the draft Treaty to make it compulsory for either party to surrender its own nationals does not commend itself to the Union Government, which would prefer the retention of the provision that each party reserves the right to refuse or grant the surrender of its own nationals. As, however, under Article 17 adhesion to the Treaty by the Union is optional, Ministers do not desire unduly to press their view on this point.

Ministers have no observations to make in regard to the other proposals of the Brazilian Government.

T. J. ROOS.

55246

No. 133.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 25th November, 1924.)

(Confidential.)

SIR, Vice Regal Lodge, Dublin, 24th November, 1924.

I HAVE the honour to acknowledge the receipt of Mr. Thomas's despatch, Dominions No. 351, Confidential, of the 30th July,* transmitting a copy of a

* No. 130.

despatch to His Majesty's Representative at Rio de Janeiro together with a draft Extradition Treaty.

2. With reference to paragraph 3 of the Memorandum enclosed with the despatch under reply regarding the Extradition of Nationals, my Ministers desire me to inform you that they do not wish to express any special views thereon.

I have, &c.,
T. M. HEALY.

55781

No. 134.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 27th November, 1924.)

(Confidential.)

SIR, Government House, Wellington, 20th October, 1924.

WITH reference to your Confidential despatch, Dominions No. 351 of the 30th July,* relative to the Extradition Treaty with Brazil, I have the honour to inform you that my Ministers advise me that, if His Majesty's Government decide to agree to the surrender of British nationals who have committed extradition crimes in Brazil, the New Zealand Government see no objection to New Zealanders who have committed such crimes in Brazil being surrendered.

I have, &c.,
JELLICOE,
Governor-General.

57995

No. 135.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.50 a.m., 11th December, 1924.)

TELEGRAM.

11TH DECEMBER. Your despatch 30th July, Dominions 351, Confidential.* Draft Extradition Treaty with Brazil. Commonwealth Government do not desire to express any special views on Article III regarding the surrender of nationals.—GOVERNOR-GENERAL.

---

(4) Czechoslovakia.

54279

No. 136.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 510.) } Dominions No. 568.)

[MY LORD,] [SIR,] Downing Street, 10th December, 1924.

I HAVE the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of an extradition Treaty† with Czechoslovakia, signed on the 11th of November.

I have, &c.,
L. S. AMERY.

---

* No. 130. † Not reprinted; it was in the usual form.

(5) Finland.

(Treaty Series 1925, No. 22.)

26504

No. 137.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada. (Commonwealth of Australia. (New Zealand. (Union of South Africa. (Irish Free State. (Newfoundland. } Dominions No. 261.)

[My Lord,] [Sir,] Downing Street, 11th June, 1924.

I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of the text of the Extradition Treaty* with Finland, which was signed on the 30th of May.

2. Steps are being taken to lay the Treaty before Parliament with a view to its early ratification.

I have, &c.,
J. H. THOMAS.

26504

No. 138.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada. (Commonwealth of Australia. (New Zealand. (Union of South Africa. (Newfoundland. } Confidential.)

[My Lord,] [Sir,] Downing Street, 11th June, 1924.

With reference to my despatch Dominions No. 261 of the 11th of June† forwarding a copy of the text of the Extradition Treaty with Finland, I have the honour to invite reference to Mr. Churchill's Confidential despatch Dominions No. 341 of the 8th of September, 1922,‡ and previous correspondence.

I have, &c.,
J. H. THOMAS.

34249

No. 139.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada. (Commonwealth of Australia. (New Zealand. (Union of South Africa. (Irish Free State. (Newfoundland. } Dominions No. 336.)

[My Lord,] [Sir,] Downing Street, 24th July, 1924.

With reference to my despatch Dominions No. 261 of the 11th of June,† I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copies of a Parliamentary Paper (Cmd. 2183), containing the text of the Extradition Treaty between the United Kingdom and the Republic of Finland signed at London on the 30th of May.

I have, &c.,
J. H. THOMAS.

* Not reprinted: *see* Treaty Series 1925, No. 22. † No. 137. ‡ No. 59 in Dominions No. 87.

52081

No. 140.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada. (Commonwealth of Australia. (New Zealand. (Union of South Africa. (Irish Free State. (Newfoundland. } Dominions No. 569.)

[My Lord,] [Sir.] Downing Street, 10th December, 1924.

With reference to my predecessor's despatch Dominions No. 336 of the 24th of July,* I have the honour to request [Your Excellency,] [you,] to inform your Ministers that ratifications of the Extradition Treaty with Finland were exchanged with the Finnish Minister on the 30th of October.

2. I shall be glad to learn whether your Ministers wish notice of accession to be given under Article 17 of the Treaty in respect of [Canada,] [the Commonwealth of Australia, including Papua and Norfolk Island.] [New Zealand.] [the Union of South Africa.] [the Irish Free State.] [Newfoundland.]

I have, &c.,
L. S. AMERY.

52081

No. 141.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 429.)

My Lord, Downing Street, 10th December, 1924.

With reference to my despatch Dominions No. 569 of the 10th of December† relative to the Extradition Treaty with Finland, I have the honour to invite reference to Lord Stradbroke's despatch No. 268 of the 24th of September,‡ in view of which it is presumed that Your Excellency's Ministers would wish arrangements to be made under the second paragraph of Article 19 for the extension of the Treaty to New Guinea.

2. If notice of accession is given under Article 17 in respect of the Commonwealth of Australia, this would include accession in respect of Papua and Norfolk Island.

I have, &c.,
L. S. AMERY.

52081

No. 142.

NEW ZEALAND.

THE SECRETARY OF STATE to THE ACTING GOVERNOR-GENERAL.

(No. 226.)

Sir, Downing Street, 10th December, 1924.

With reference to my despatch Dominions No. 569 of the 10th of December† relative to the Extradition Treaty with Finland, I have the honour to request you to inform your Ministers that, in view of Viscount Jellicoe's telegram of the 30th of October,§ and previous correspondence, it is presumed that they would wish arrangements to be made under the second paragraph of Article 19 for the extension of the Treaty to Western Samoa.

I have, &c.,
L. S. AMERY.

* No. 139. † No. 140. ‡ No. 405. § No. 404.

52081

No. 143.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 376.)

Downing Street, 10th December, 1924.

MY LORD,

WITH reference to my despatch Dominions No. 569 of the 10th of December* relative to the Extradition Treaty with Finland, I have the honour to request Your Excellency to inform your Ministers that I should be glad to learn whether they wish arrangements to be made under the second paragraph of Article 19 for the extension of the Treaty to South West Africa.

I have, &c.,
L. S. AMERY.

52081

No. 144.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

(No. 511.)

Downing Street, 10th December, 1924.

SIR,

I HAVE the honour to transmit to you, for the information of your Ministers, copies of a Parliamentary Paper, Cmd. 2183, containing the text of an Extradition Treaty between the United Kingdom and the Republic of Finland, signed at London on the 30th of May, 1924. Ratifications of this Treaty were exchanged with the Finnish Minister on the 30th of October.

2. An Order in Council for the purpose of applying the Extradition Acts, 1870 to 1906, in the case of Finland under and in accordance with the Treaty, is being prepared, and the date when it will come into effect will be communicated to you in due course by telegraph.

I have, &c.,
L. S. AMERY.

---

(6) Latvia.

(*Treaty Series* 1925, *No.* 44.)

4938

No. 145.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
} Dominions No. 56.)

Downing Street, 12th February, 1924.

[MY LORD,] [SIR,]

I HAVE the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, a copy of a despatch to the British Minister at Riga requesting him to approach the Latvian Government with a view to the conclusion of a treaty for the mutual surrender of fugitive criminals between the United Kingdom and Latvia.

2. The draft Treaty therein followed generally the lines of that forwarded in my despatch Dominions No. 47 of the 6th of February.†

I have, &c.,
J. H. THOMAS.

---

* No. 140. † No. 125.

Enclosure in No. 145.

(No. 41.)

Foreign Office, S.W.1, 29th January, 1924.

SIR,

WITH reference to your despatch No. 336 of the 22nd ultimo relative to the extradition treaty recently concluded between Latvia and the United States, I shall be glad if you will approach the Latvian Government and say that His Majesty's Government will be happy to conclude a treaty with them for the mutual surrender of fugitive criminals between the United Kingdom and Latvia. You should at the same time submit to them the accompanying draft Treaty, which is based on the model of a great number of extradition treaties which have been concluded in the past by this country, and add that, should it meet with their approval, you will be authorized to proceed with the negotiation and signature of such a Treaty.

I am, &c.,
(For the Secretary of State)
F. ADAM.

J. C. T. Vaughan, Esq., C.M.G., M.V.O.,
&c., &c., &c.

36326

No. 146.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 321.)
} Dominions No. 379.)

Downing Street, 13th August, 1924.

[MY LORD,] [SIR,]

[*Not to Southern Rhodesia:* With reference to my despatch Dominions No. 56 of the 12th February,*] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, a copy of [*Not to Southern Rhodesia:* the] [*To Southern Rhodesia:* an] Extradition Treaty† with Latvia which was signed at Riga on the 16th July.

2. Steps are being taken to lay the Treaty before Parliament with a view to its early ratification.

I have, &c.,
(for the Secretary of State),
ARNOLD.

---

(7) United States.

13484

No. 147.

FOREIGN OFFICE to COLONIAL OFFICE.

THE Under-Secretary of State for Foreign Affairs presents his compliments to the Under-Secretary of State for the Colonies and, by direction of the Secretary of State, transmits herewith copy of a letter to the Home Office on the subject of the proposed supplemental extradition treaty between the United Kingdom and United States of America.

Foreign Office,
20th March, 1924.

[*Similar letter sent to India Office.*]

---

* No. 145. † Not printed here (see Cmd. 2238).

Enclosure in No. 147.

SIR, Foreign Office, S.W.1, 18th March, 1924.

I AM directed by Mr. Secretary Ramsay MacDonald to transmit to you herewith a copy of a note from the United States Ambassador proposing that a supplementary convention should be concluded between Great Britain and the United States adding bigamy to the list of extraditable offences which are contained in existing treaty arrangements between the two countries relative to extradition.

2. Mr. Ramsay MacDonald would be glad in the first instance to be furnished with Mr. Secretary Henderson's views on this proposal. If the suggestion were favourably entertained, it would be necessary, before commencing the negotiations for the Convention, to inform the Governments of the self-governing Dominions and of India, in accordance with the resolutions of the recent Imperial Conference, as set forth in the accompanying print,* and steps would be taken accordingly in consultation with the Colonial Office and India Office.

3. It is perhaps, however, a matter for consideration whether the opportunity might not be taken for suggesting to the United States Government the conclusion of a treaty of a wider nature to replace existing treaty arrangements providing for extradition between the United Kingdom and the United States. The latter consist of Article X of a treaty of 9th August, 1842, together with three supplementary conventions concluded in 1889, 1900 and 1905, to which the convention now proposed would be a still further addition. On the other hand a draft treaty on the model of that recently proposed to various European countries, and Brazil, might in itself embrace an extended list of offences, and would contain the usual articles providing for the accession thereto of the self-governing Dominions and India, while permitting of its application to British protectorates, protected states and mandated territories. On this point also Mr. Ramsay MacDonald would be glad of Mr. Henderson's observations.

4. In the last paragraph of His Excellency's note the conclusion of a supplementary convention having application to the United States and Canada alone is mentioned as a possible alternative to the form proposed. The supplementary convention of 15th May, 1922, in respect of "wilful desertion or wilful non-support of minor or dependent children" affords a precedent, but in view of the resolutions of the Imperial Conference a further convention of this kind would properly be one for signature by a representative of the Dominion of Canada.

5. Copies of this letter are being sent to the Colonial Office and India Office.

I am, &c.,
HUBERT MONTGOMERY.

The Under-Secretary of State,
Home Office.

(No. 69.)

SIR London, 26th February, 1924.

THE Department of State at Washington has recently been advised of two cases in which a man residing in England and a man residing in Canada, respectively, have committed bigamy in the United States and then returned to the countries of their residence. Since bigamy is not included in the list of extraditable crimes set forth in the treaties between the United States and Great Britain, it has been impracticable to take steps looking to the surrender of these individuals.

With these cases in mind, and acting under the instructions of my Government, I have the honour to suggest to you the conclusion of a supplemental extradition convention, adding bigamy to the list of extraditable offences. If this suggestion is approved by His Majesty's Government, the Government of the United States will be pleased to submit a draft convention covering this point or to give prompt consideration to any draft which His Majesty's Government may care to submit.

My Government would, of course, prefer to conclude a convention of this sort which would be applicable to the British Empire and its Dominions generally, but if for any reason His Majesty's Government is not prepared to go to this length the

* Not reprinted (see pages 13-15 of Cmd. 1987).

Government of the United States would be pleased to conclude a convention which shall be applicable as between it and Canada alone.

I have, &c.,
FRANK B. KELLOGG.

The Right Honourable
J. Ramsay MacDonald,
&c., &c., &c.

22650

No. 148.

FOREIGN OFFICE to COLONIAL OFFICE.

[*Answered by No.* 149.]

SIR, Foreign Office, S.W.1, 12th May, 1924.

WITH reference to the Foreign Office letter of the 20th March* regarding the proposal of the United States Government that a supplementary convention should be concluded between the two countries adding bigamy to the list of extraditable offences contained in existing treaty arrangements, I am directed by Mr. Secretary Ramsay MacDonald to transmit to you a copy of a letter from the Home Office.

2. In view of the preference shown by the Home Office for the alternative proposal (suggested in the Foreign Office letter of 18th March†) that a comprehensive draft extradition treaty superseding former arrangements should be submitted to the United States Government, I am to inquire whether the Secretary of State for the Colonies sees any objection to a model draft in the accompanying form‡ being communicated to the United States Ambassador with this end in view.

3. In the event of the United States Government declining this proposal I am to ask for an expression of Mr. Thomas's views on the alternative proposal that a supplementary convention should be concluded, as originally suggested in paragraph 2 of Mr. Kellogg's note of the 26th February last.§

I am, &c.,
HUBERT MONTGOMERY.

Enclosure in No. 148.

SIR, Home Office, 8th April, 1924.

IN reply to your letter of 18th ultimo I am directed by Mr. Secretary Henderson to say, for the information of Mr. Secretary MacDonald, that he has no objection to the addition of bigamy to the list of extraditable offences which are contained in existing treaty arrangements between this country and the United States of America, but he is strongly in favour of the proposal in the third paragraph of your letter and he would deprecate any supplementary convention being agreed to until that proposal has been given full consideration.

I am, &c.,

The Under-Secretary of State,
Foreign Office.

22650

No. 149.

COLONIAL OFFICE to FOREIGN OFFICE.

[*Answered by No.* 152.]

SIR, Downing Street, 13th June, 1924.

I AM directed by Mr. Secretary Thomas to acknowledge the receipt of your letter of the 12th May,‖ regarding the proposal of the United States Government that a Convention should be concluded adding bigamy to the list of extraditable offences contained in existing treaty arrangements with the United States.

2. As regards the suggestion that a comprehensive Extradition Treaty superseding former arrangements should be submitted to the United States Government,

* No. 147. † Enclosure in No. 147. ‡ Not reprinted; it was in the usual form. § Sub-enclosure in No. 147. ‖ No. 148

it will be recollected that one of the existing supplementary conventions, viz., that of the 15th May, 1922 (Treaty Series No. 18 of 1922), applies only as between the United States and Canada, and that a further convention relating to offences against the narcotic laws, which also would apply only to Canada, is at present under negotiation (*vide* your letter of the 3rd June*). It is important that the conclusion of any new comprehensive Treaty should not prejudice the maintenance of these supplementary conventions, and the Secretary of State would be glad to learn Mr. Secretary Ramsay MacDonald's views as to the best method of dealing with this point.

3. It is noted that it is recognized that the Dominions would have to be consulted before negotiations for a new General Treaty could be begun. The position would, of course, be the same if it were proposed to adopt the alternative of negotiating a supplementary convention dealing solely with bigamy.

4. A copy of a despatch† to the Governor-General of Canada is enclosed.

5. A copy of this letter is being sent to the Home Office.

I am, &c.,
C. T. DAVIS.

22650

No. 150.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 249.)

MY LORD, Downing Street, 13th June, 1924.

I HAVE the honour to request Your Excellency to inform your Ministers that a note has been received from the United States Ambassador stating that the Department of State at Washington has been advised of two cases in which men residing respectively in England and in Canada have committed bigamy in the United States and have then returned to their countries of residence. Since bigamy is not included in the list of extraditable crimes set forth in the Extradition Treaties with the United States, it has been impracticable to take steps towards the surrender of these persons.

2. With these cases in mind, the United States Government have suggested the conclusion of a supplemental Extradition Convention adding bigamy to the list of extraditable offences. If this suggestion is approved, the United States Government will be pleased to submit a draft Convention covering the point or to give prompt consideration to any draft which may be submitted to them. The United States Government would prefer to conclude a Convention which would be applicable to the British Empire generally, but the Ambassador states that should a general Convention not prove practicable they would be pleased to conclude a Convention which would be applicable as between the United States and Canada alone.

3. It has been suggested that this opportunity might be taken to propose to the United States Government the conclusion of a comprehensive Extradition Treaty superseding former arrangements on the lines of the Treaties submitted to various other foreign countries (*vide* my despatch Dominions No. 47 of the 6th February‡) This suggestion is at present receiving consideration, and a further despatch will be addressed to you in due course.

4. In this connexion it is noted that one of the existing Conventions with the United States, viz., the Supplementary Convention of the 15th May, 1922 (Treaty Series No. 18 of 1922), applies only as between the United States and Canada, and that a further Convention relating to offences against the narcotic laws, which also would apply only to Canada, is at present under negotiation (*vide* your telegram of the 28th May§).

I have, &c.,
J. H. THOMAS.

---

* 20644/24: not printed; its substance is given in No. 830. † No. 150. ‡ No. 125. § No. 827.

70

30560

No. 151.

HOME OFFICE to COLONIAL OFFICE.

[*Answered by No.* 153.]

SIR, Home Office, Whitehall, 26th June, 1924.

I AM directed by the Secretary of State to say that he has had under his careful consideration the correspondence respecting a new extradition treaty with the United States of America which was enclosed with the Colonial Office memorandum of 13th instant* and especially the third paragraph of the letter sent to the Foreign Office on that date. In view of the large number of European States with which there are no extradition treaties now in force, and also the need for amendment in many of the older treaties now in existence, Mr. Henderson is of opinion that negotiations for making new treaties or amending those now in force should not be protracted longer than is absolutely necessary by negotiations with the Dominions, who are by no means so much concerned with the subject matter of the treaty as this country is. Extradition treaties, on which the effective administration of criminal justice in certain cases may greatly depend, appear to him to stand in a class by themselves, and he will be glad if Mr. Secretary Thomas will consider the question of assenting to the negotiations in regard to such treaties—at all events so far as European States are concerned—being conducted in the first instance on behalf of the United Kingdom alone so that when the draft of any new treaty or any amendment of an existing treaty has been agreed on, it may be referred to the Dominions with a view to their Governments deciding whether it shall be extended to them or not. It appears to him very probable that the Dominions would, generally speaking, wish to be included in any such convention, but a decision on this point could most conveniently be postponed till the actual terms of the Convention had been settled between the Foreign Office and the foreign Power.

Canada, no doubt, stands on a different footing from the other Dominions in this respect, but if the proposal above made should be generally acceptable to your Department and the Foreign Office, it might be found possible also to apply it to the negotiations for a new treaty with the United States of America.

A copy of this letter is being sent to the Foreign Office.

I am, &c.,
E. BLACKWELL.

32951

No. 152.

FOREIGN OFFICE to COLONIAL OFFICE.

SIR, Foreign Office, S.W.1, 11th July, 1924.

WITH reference to your letter of the 13th ultimo and Home Office letter of the 26th ultimo,† a copy of which was forwarded to this department, relative to the proposal to negotiate with the Government of the United States of America for the conclusion of a new treaty of extradition to supersede the existing arrangements, I am directed by Mr. Secretary Ramsay MacDonald to state that he presumes that the Governments of the Dominions would have no objection to acceding to such a treaty, seeing that they are already parties to the existing arrangements, from which it will differ only as being a more complete and convenient compilation. It is important, however, that the Dominion Governments should become parties to the proposed treaty from the outset so as to avoid any unnecessary gap in the existing relations, the renewal of which only is at present under consideration.

2. I am accordingly to suggest for the consideration of the Secretary of State for the Colonies that the Governments of the Dominions should now be invited to participate in the treaty. It appears to Mr. Ramsay MacDonald that the principle advocated by the Home Office of referring the draft of a new extradition treaty or any amendment of such a treaty to the Dominions before signature is sound and in accordance with the newly-established practice. In the event of the Dominions and India agreeing to participate, it is suggested that the terms of Article 17 of the draft enclosed in Foreign Office letter of the 12th May last‡ should be amended so as to make the treaty applicable to the Dominions and India but that the clause allowing for their withdrawal should also be maintained.

---

* 22650/24 L.F., enclosing copies of No. 148, 149 and 150. † Nos. 149 and 151. ‡ No. 148.

3. The considerations advanced in paragraph 2 of your letter would be met, subject to the approval of the Canadian Government, by the addition of a new article covering in a concise form the offences extraditable only between Canada and the United States. A further additional article would provide that from the date of the coming into force of the new treaty the existing arrangements would lapse.

4. A similar letter is being addressed to the India Office as regards participation in the proposed treaty by the Government of India; and a copy of this letter is being sent to the Home Office.

I am, &c.,
HUBERT MONTGOMERY.

30560

No. 153.

COLONIAL OFFICE to HOME OFFICE.

SIR, Downing Street, 24th July, 1924.

I AM directed by Mr. Secretary Thomas to acknowledge the receipt of your letter of the 26th June,* regarding the proposed new Extradition Treaty with the United States of America, and to request you to inform Mr. Secretary Henderson that he has carefully considered the point raised in your letter as to the need for consulting the Dominion Governments before entering upon negotiations with foreign Powers on the subject of Extradition Treaties.

2. It will be recalled that in 1913,† in connexion with the negotiations for an Anglo-Japanese Extradition Treaty, it was arranged that future Extradition Treaties should contain a clause providing for the separate accession of the Dominions, similar to the clause adopted in Commercial Treaties. At the same time the Secretary of State for the Colonies (Mr.—afterwards Lord—Harcourt) expressed the view that it would be desirable that, before negotiations were entered upon with foreign Powers for the conclusion of an Extradition Treaty, the self-governing Dominions should be consulted as to whether there were any special points of interest to them which should be borne in mind in the course of the negotiations.

3. In Mr. Thomas's view there are two main classes of Extradition Treaty, which require separate consideration. The first class, comprising the older Treaties of which the existing Conventions with the United States of America form an example, apply to all parts of His Majesty's Dominions without differentiation.

4. Mr. Thomas is clear that it would not be in accordance with the principles of the Resolution as to the Negotiation, etc., of Treaties agreed to at the Imperial Conference, 1923 (see pages 13-15 of Cmd. 1987) to enter upon negotiations for the modification or replacement of such Treaties without the prior concurrence of the Dominion Governments.

5. The second class of Treaties, which includes that recently concluded with Finland and others now under negotiation with foreign Governments, follow, as a rule, a general model with which Dominion Governments are familiar and contain a clause providing for separate accession and termination in respect of the Dominions; in such cases Mr. Thomas is of opinion that, having regard to previous practice and the Conference Resolution referred to above, it is sufficient to inform the Dominions at the time of commencement of negotiations and to keep them informed of subsequent developments in order to afford them an opportunity of offering any observations on points of special interest to them. If, in the course of negotiations, it is proposed that a departure on an important point of principle should be made from the model Draft (as has recently occurred in the case of the negotiations with the Brazilian Government—see correspondence ending with Foreign Office letter of the 2nd July, 1924‡)—Mr. Thomas considers that it would be essential to bring any such point specially to the notice of the Dominion Governments before accepting it in order not to prejudice their position in regard to subsequent accession to the Treaty.

6. With regard to the particular question of the proposed negotiations with the United States of America, I am to explain that, when the Colonial Office letter of the 13th June§ was written, Mr. Thomas had contemplated the possibility of obtaining the consent of the Dominion Governments to the conclusion of a further

* No. 151. † See No. 366 in Dominions No. 45. ‡ 31397/24: not printed: see No. 130.
§ No. 149.

supplementary Convention with the United States adding bigamy to the list of extraditable offences, which would be binding upon the whole Empire, since the inclusion of the usual accession clauses in such a Convention would not appear to be very satisfactory as a matter of form. On further consideration, however, Mr. Thomas cannot but feel that this procedure might lead to difficulty over the question of the method of signature and delay in obtaining the consent to its ratification of all the Governments concerned.

7. Mr. Thomas observes that, in the view of the Home Office and Foreign Office, the conclusion of a new Treaty with the United States of America to replace the existing Conventions is regarded as the more desirable procedure. Similar considerations to those set out in paragraph 6 above, would, however, in Mr. Thomas's opinion, apply should the procedure contemplated in paragraph 2 of Foreign Office letter of the 11th July* be adopted (that is to say, alteration of the accession clause of the model Draft Treaty, in the case of the United States of America, so as to provide that the new Treaty proposed should apply to all parts of His Majesty's Dominions.)

8. In the circumstances the best course would seem to be to allow the accession clause of the proposed new Treaty to stand in its usual form, and to arrange for the present Treaty arrangements to remain in force as between the United States of America and the self-governing Dominions pending their decision whether or not to accede to the new Treaty. If this suggestion is accepted, Mr. Thomas would propose to inform the Dominion Governments of the position and to communicate to them, as soon as it is ready, the draft of a new Treaty containing provision on the lines referred to above.

9. The position of Canada would require special consideration, and Mr. Thomas would propose to invite the Canadian Government to accept one of two alternatives: (*a*) accession to the proposed new Treaty together with the insertion in it of a clause on the lines suggested in the first sentence of paragraph 3 of Foreign Office letter of the 11th July,* or (*b*) the conclusion of a separate Treaty applying as between the United States of America and Canada only, covering all the offences extraditable between Canada and the United States, the negotiations for such a Treaty to be carried on simultaneously with the negotiations for the new Treaty between the United States and this country.

11. A copy of this letter is being sent to the Foreign Office and the India Office.

I am, &c.,
C. T. DAVIS.

39546

No. 154.

INDIA OFFICE to FOREIGN OFFICE.

(Received in Colonial Office 19th August, 1924.)

SIR, India Office, 13th August, 1924.

WITH reference to the proposed Extradition Treaty with the United States of America, I am directed by the Secretary of State for India to state, for the information of the Secretary of State for Foreign Affairs, that a telegram has been received from the Government of India accepting the proposal in your letter dated the 11th July, 1924,† that they should become a party to the proposed treaty from the outset.

Lord Olivier observes, however, from paragraphs 7 and 8 of the Colonial Office letter to the Home Office dated the 24th July, 1924,‡ of which a copy has been communicated to the Foreign Office, that the Secretary of State for the Colonies is not disposed to concur in the proposed procedure, and that he suggests an alternative course on behalf of the self-governing Dominions.

Should this alternative course be adopted, I am to request that the same procedure be applied to India as to the self-governing Dominions and that the consent of the Government of India to the original course proposed by your Department be not taken as a warrant for making any distinction of treatment in the arrangements finally adopted.

* No. 152. † See No. 152. ‡ No. 153.

I am to add that Lord Olivier concurs in the views expressed in paragraphs 3-5 of the Colonial Office letter under reference regarding the two classes of Extradition Treaties and the treatment appropriate to each.

I am, &c.,
J. E. FERARD.

39827

No. 155.

FOREIGN OFFICE to HOME OFFICE.

(Received in Colonial Office 21st August, 1924.)

SIR, Foreign Office, S.W.1, 19th August, 1924.

WITH reference to your letter of the 26th June last,* and related correspondence on the subject of the proposed Extradition Treaty with the United States to replace the present treaty arrangements, I am directed by Mr. Secretary Ramsay MacDonald to say that he has received a copy of the letter addressed to your department by the Colonial Office on the 24th ultimo,† and that in view of the considerations urged therein he is disposed to concur in the procedure suggested in paragraphs 8 and 9 of that letter. If this procedure were adopted it would be necessary to extend it to India, and I am to enclose a copy of a letter‡ from the India Office expressing a wish to this effect.

2. As regards the provision referred to in paragraph 8 of the Colonial Office letter this might perhaps take the form of a final article in the draft treaty in the following terms:—

> "On the coming into force of the present treaty the provisions of Article X of the Treaty of 9th August, 1842, of the Convention of 12th July, 1889, of the Supplementary Convention of 13th December, 1900, and of the Supplementary Convention of 12th April, 1905, relative to extradition, shall cease to have effect, save that in the case of each of the self-governing Dominions and India those provisions shall continue to remain in force until such Dominion or India shall have acceded to the present Treaty in accordance with Article 17, or until replaced by other treaty arrangements."

3. I am at the same time to observe as regards Article 3 of the model draft Treaty that no provision of this nature exists in the present treaty arrangements with the United States and that it might be desirable to omit that article in the proposed Treaty. In this connexion reference may be made to the last paragraph of the note of 23rd September, 1909, from the United States Secretary of State to His Majesty's Ambassador at Washington, a copy of which is enclosed.

4. Copies of this letter are being sent to the Colonial Office and India Office.

I am, &c.,
GEORGE MOUNSEY.

Enclosure in No. 155.

Department of State, Washington,
23rd September, 1909.

EXCELLENCY, I HAVE the honour to acknowledge the receipt of your note No. 238 of the 7th instant, in which, with reference to the fact as stated, that British Protectorates are not, strictly speaking, British dominions, and that consequently the British Extradition Acts are not the municipal law of such territories, you advise the Department that the absence of the necessary legal machinery has so far precluded the surrender of fugitive criminals between British Protectorates and foreign States and their dependencies and add that, to remedy this state of affairs, special legislative enactments have now been passed in the various British Protectorates on the African continent of which a list is enclosed with your note, and that local notices have been issued that they will be applicable to the United States.

Your note explains, however, that the natives of these Protectorates are not by the mere fact of birth within their limits British subjects, and that consequently the provisions in the Treaties which His Majesty's Government has concluded, and which in some cases altogether preclude and in others leave the surrender of nationals optional, would not, in the absence of specific understanding, apply in

* See No. 151. † No. 153. ‡ No. 154.

strictness to natives. It appears, however, that His Majesty's Government contemplate assimilating the position of natives to that of British subjects for the purposes of these Treaties, and that they apprehend that the Government of the United States will readily assent to this course.

In reply, I have the honour to say that the Department has taken due note of the contents of your note and of the intimation therein contained that acknowledgment of the note is to be considered sufficient to give due effect to the understanding without any further formality.

With reference to the statements in your note regarding the surrender of native inhabitants under this arrangement, the Department avails itself of this opportunity to observe that it would appear that the Government of the United States is in no wise concerned with that feature of the proposed arrangement, since the Extradition Treaties existing between the United States and Great Britain contain no limitations with respect to the surrender of nationals of either country, and since the uniform practice followed by both the United States and Great Britain has been to surrender each to the other all persons fugitive from the justice of the one or the other found within the limits of the other.

I have, &c.,
ALVEY A. ADEE,
Acting Secretary of State.

44557

No. 156.

FOREIGN OFFICE to COLONIAL OFFICE.

[*Answered by No.* 157.]

SIR, Foreign Office, S.W.1, 18th September, 1924.

WITH reference to your letter of the 28th July last* and previous correspondence relative to the proposed new extradition treaty with the United States to replace the present treaty arrangements, I am directed by Mr. Secretary Ramsay MacDonald to transmit to you a copy of a letter from the Home Office in reply to Foreign Office letter of 19th August,† of which a copy was communicated to your department.

2. Copies of a draft treaty‡ which has in the meantime been prepared on the lines suggested are also enclosed, and Mr. Ramsay MacDonald would be glad to learn whether the Secretary of State for the Colonies concurs in the draft and will communicate it to the governments of the Dominions as proposed.

3. Copies of this letter and of the draft treaty are being sent to the Home Office and India Office.

I am, &c.,
GEORGE MOUNSEY.

Enclosure in No. 156.

SIR, Home Office, 29th August, 1924.

I AM directed by Mr. Secretary Henderson to say, for the information of Mr. Secretary Ramsay MacDonald, that he concurs in the proposals contained in your letter of the 19th instant† regarding the proposed extradition treaty with the United States of America.

I am, &c.,
E. BLACKWELL.

44557

No. 157.

COLONIAL OFFICE to FOREIGN OFFICE.

[*Answered by No.* 159.]

SIR, Downing Street, 3rd October, 1924.

I AM directed by Mr. Secretary Thomas to acknowledge the receipt of your letter of the 18th September,§ and to request you to inform Mr. Secretary Ramsay

* 30560/24, L.F., enclosing copy of No. 153. † No. 155. ‡ Not printed here: see enclosure in No. 102. § No. 156.

MacDonald that he is prepared to send to the Dominions copies of the draft Extradition Treaty with the United States of America enclosed in your letter.

2. I am to enclose drafts of despatches* which it is proposed to send to the Dominions on the subject and to inquire whether Mr. Ramsay MacDonald concurs in the terms of the drafts.

3. Copies of this letter and its enclosures are being sent to the Home Office and India Office.

I am, &c.,
(for the Under-Secretary of State),
E. J. HARDING.

44557

No. 158.

MR. E. J. HARDING (COLONIAL OFFICE) to MR. G. MOUNSEY (FOREIGN OFFICE).

[*Answered by No.* 160.]

DEAR MOUNSEY, Downing Street, 3rd October, 1924.

IN reply to your official letter of 18th September† as to the proposed extradition arrangements with the United States of America we are sending you draft despatches to the Dominions for concurrence.

But Risley has put the following note on the papers:—

> "In view of the fact that the clause providing that each Party may refuse or grant the surrender of its own nationals is not included in this draft Treaty, which consequently applies to all persons within the respective jurisdictions, I do not see the object of including the last paragraph of Article 18 which 'assimilates' natives of British Protectorates, etc., to British subjects. Surely such a provision is only necessary when the Treaty provides that the surrender of British subjects may be refused."

Would you consider this, and let us know if you would like us to alter the printed draft Treaty, or alternatively send us fresh prints.

Yours sincerely,
E. J. HARDING.

47670

No. 159.

FOREIGN OFFICE to COLONIAL OFFICE.

SIR, Foreign Office, S.W.1, 8th October, 1924.

WITH reference to your letter of the 3rd instant‡ relative to the proposed Extradition Treaty with the United States to replace the existing treaty arrangements, I am directed by Mr. Secretary Ramsay MacDonald to inform you that, while he concurs generally in the terms of the draft despatches which Mr. Secretary Thomas proposes to address to the Dominions on the subject, it appears desirable in the first instance to settle a point which has arisen concerning Article 15 of the draft treaty, and I am to transmit to you a copy of a letter which has been addressed to the Home Office regarding this article. In the meantime, the last paragraph of Article 18 of the draft treaty has been deleted in the print, since, as observed semi-officially§ by your department, this paragraph becomes unnecessary by the omission of the former Article 3. A further revise of the draft treaty will be prepared in due course, and copies sent to the departments concerned.

3. Copies of this letter are being sent to the Home Office and India Office.

I am, &c.,
GEORGE MOUNSEY.

Enclosure in No. 159.

SIR, Foreign Office, S.W.1, 8th October, 1924.

WITH reference to the Foreign Office letter of the 19th ultimo and previous correspondence relative to the proposed Extradition Treaty with the United States

* 44557/24: not printed (see Nos. 162 and 163 for despatches as sent). † No. 156. ‡ No. 157.
§ See No. 158.

to replace the existing treaty arrangements, I am directed by Mr. Secretary Ramsay MacDonald to observe that the Colonial Office point out that the omission from the printed draft treaty of Article 3 of the former (model) draft entails also the omission of the last paragraph of Article 18. This correction is accordingly being made.

2. A further point, however, arises as regards Article 15, since the existing Article (Article X of the Treaty of 1842) provides that the expense of apprehension and delivery shall be borne and defrayed by the party who makes the requisition and receives the fugitive. Mr. Ramsay MacDonald would be glad to learn whether in Mr. Secretary Henderson's view the provision of the Treaty of 1842 should be retained and the draft treaty amended accordingly. In this connexion reference may also be made to the recent observations of the Government of the Union of South Africa in the case of one Blumenthal arising under the Extradition Treaty with Belgium, which, it is understood, are at present receiving the consideration of your department.

I am, &c.,
GEORGE MOUNSEY.

The Under-Secretary of State,
Home Office.

47670

No. 160.

MR. G. MOUNSEY (FOREIGN OFFICE) to MR. E. J. HARDING (COLONIAL OFFICE).

(Received 9th October, 1924.)

DEAR HARDING, Foreign Office, S.W.1, 8th October, 1924.

WITH regard to your letter of the 3rd instant* as to the proposed extradition arrangements with the United States of America, we quite agree with Risley's view that the last paragraph of Article 18 of the printed draft is now unnecessary owing to the omission of the former Article 3, and the print will be amended accordingly.

As you will see from our reply† to your official letter of the 3rd instant‡ we are however, raising a further point with the Home Office about Article 15, and we propose to await their answer before getting a reprint made of the draft treaty, revised copies of which will be sent you in due course.

Yours, &c.,
GEORGE MOUNSEY.

54659

No. 161.

FOREIGN OFFICE to COLONIAL OFFICE.

THE Under-Secretary of State for Foreign Affairs presents his compliments to the Under-Secretary of State for the Colonies and, by direction of the Secretary of State, transmits herewith copies of correspondence with the Home Office on the subject of the proposed extradition treaty between the United Kingdom and the United States of America.

Foreign Office,
21st November, 1924.

Reference to previous correspondence: Colonial Office letter of 3rd October, 1924.‡

[*Similar letter sent to India Office.*]

Enclosure 1 in No. 161.

SIR, Home Office, Whitehall, 31st October, 1924.

IN reply to your letter of the 8th instant, I am directed by the Secretary of State to say that the alteration made in Article 18 of the draft for a treaty with the United States of America has been duly noted in this Department.

* No. 158. † No. 159. ‡ No. 157.

2. The question raised in the second paragraph of your letter requires careful consideration. Mr. Henderson has had under his notice the correspondence that took place in 1901-2 on the subject of the heavy costs incurred in obtaining extradition from America; he entirely concurs in the views expressed in the Home Office letters of 29th June, 1901, and 26th March, 1902, and is of opinion that no new treaty should be concluded with the United States Government without a serious attempt being at least made to remedy the inequitable conditions which are involved in the arrangements at present in force for obtaining extradition from the United States. He would prefer a simple stipulation as to costs such as is common in recent treaties and appears in the model treaty, but the United States might properly be invited to consider whether there are other means of meeting the contentions put forward in the two Home Office letters mentioned above. The matter is one of considerable importance in regard to the administration of justice; indeed, so far as this Department is concerned it is the only point of importance on which an amendment of the existing extradition treaty is required. If it should be found desirable that the stipulation now in force for the payment of expenses should be retained so far as Canada is concerned, it would (he presumes) be possible to effect this by an express provision in any new treaty.

I am, &c.,

H. B. SIMPSON.

The Under-Secretary of State,
Foreign Office.

Enclosure 2 in No. 161.

SIR, Foreign Office, S.W.1, 21st November, 1924.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 31st ultimo relative to Article 15 of the draft treaty which has been prepared with a view of submission to the United States Government in replacement of the existing treaty arrangements between the two countries in regard to the extradition of fugitive criminals.

2. The views expressed in paragraph 2 of that letter have been noted, and it is presumed therefore that when the Governments of the Dominions and India have been consulted, and subject to such observations as they may make thereon, the draft treaty should be submitted to the United States Government in its present form. If the United States Government thereafter raise the question of the departure in Article 15 from the provision of Article 10 of the Treaty of 1842, the matter will then be taken up in the sense suggested in your letter, and in this event a further reference will be made to your department.

3. In the meantime prints of the revised draft treaty* with the amendment in Article 18 have been prepared and are enclosed. Copies are also being sent to the Colonial Office and India Office with a copy of this correspondence.

I am, &c.,

F. E. F. ADAM.

The Under-Secretary of State,
Home Office.

54659

No. 162.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. — Confidential.)

[MY LORD,] [SIR,] Downing Street, 11th December, 1924.

I HAVE the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers a copy of a note† from the United States Ambassador suggesting the

* Articles 15, 16 and 19 only, reprinted as enclosure in No. 162. † Sub-enclosure in No. 147.

conclusion of a supplementary extradition convention, adding bigamy to the list of extraditable offences.

2 His Majesty's Government have given careful consideration to this suggestion: and it appears to them that it would be desirable to take this opportunity of suggesting to the United States Government the conclusion of a treaty of a wider nature to replace the existing treaty arrangements with the United States which provide for extradition. These arrangements consist of Article 10 of a treaty of 9th August, 1842, together with three supplementary conventions concluded in 1889, 1900 and 1905 (see Parliamentary Papers C.5972, Cd. 598 and Cd. 3344).

3. The enclosed draft treaty,* based generally on the draft extradition treaty, [*Not to Irish Free State:* of which copies were enclosed in Mr. Churchill's Confidential despatch of the 8th September, 1922, Dominions No. 341,†] [*To Irish Free State:* which has been communicated to other foreign countries (see, for example, my despatch Dominions No. 47 of the 6th of February‡] has been prepared for this purpose, and His Majesty's Government propose, subject to any observations which may be received from the Dominion Governments, to submit this draft to the United States Government for consideration. It will be observed that provision is made in Article 19 of the draft for the existing treaty arrangements referred to above to remain in force as regards the self-governing Dominions and India pending their decision as to accession to the proposed new treaty. The provision, appearing in the model draft, that the contracting parties are not bound to surrender their own nationals, has been omitted in the present case as no such provision occurs in the existing treaty arrangements with the United States. In this connexion I would invite reference to my predecessor's Confidential despatch Dominions No. 351 of the 30th July§ regarding the proposed Extradition Treaty with Brazil.

4. His Majesty's Government would be glad to learn as soon as possible whether your Government concur in the procedure proposed.

5. It will be observed that Article 15 contains the provision appearing in the model draft whereby each of the High Contracting Parties agrees to defray the expenses occasioned by the arrest within its territories, the detention and the conveyance to its frontier, of the persons whom it surrenders. This differs from the existing arrangement embodied in Article 10 of the Treaty of 1842, whereby the expenses are defrayed by the Party making the requisition. The change is considered particularly desirable in view of the heavy liabilities falling upon His Majesty's Government under the existing arrangement.

6. A similar despatch is being addressed to the Governors-General of [*To Australia:* New Zealand, the Union of South Africa, and the Irish Free State and to the Governor of Newfoundland,] [*To New Zealand:* the Commonwealth of Australia, the Union of South Africa, and the Irish Free State, and to the Governor of Newfoundland,] [*To the Union of South Africa:* the Commonwealth of Australia, New Zealand and the Irish Free State, and to the Governor of Newfoundland,] [*To Irish Free State:* the Commonwealth of Australia, New Zealand, the Union of South Africa, and to the Governor of Newfoundland,] [*To Newfoundland:* the Commonwealth of Australia, New Zealand, the Union of South Africa and the Irish Free State,] and a separate despatch‖ is being addressed to the Governor-General of Canada, in view of the existence of certain supplementary extradition conventions which apply only as between Canada and the United States of America.

I have, &c.,

L. S. AMERY.

Enclosure in No. 162.

DRAFT EXTRADITION TREATY.

(Extract.)

* * * * * * *

Article 15.

EACH of the High Contracting Parties shall defray the expenses occasioned by the arrest within its territories, the detention, and the conveyance to its frontier, of the persons whom it may have consented to surrender in pursuance of the present treaty.

* Articles 15, 16 and 19 only, reprinted. † No. 50 in Dominions No. 87. ‡ No. 125. § No. 130. ‖ No. 163.

Article 16.

The stipulations of the present treaty shall be applicable, so far as the laws permit, to all His Britannic Majesty's Dominions, except to the self-governing Dominions hereinafter named—that is to say, the Dominion of Canada, the Commonwealth of Australia (including for this purpose Papua and Norfolk Island), the Dominion of New Zealand, the Union of South Africa, the Irish Free State, and Newfoundland—and India, provided always that the said stipulations shall be applicable to any of the above-named Dominions or India in respect of which notice to that effect shall have been given on behalf of the Government of such Dominion or India by His Britannic Majesty's Representative at Washington, and provided also that it shall be competent for either of the Contracting Parties to terminate separately the application of this treaty to any of the above-named Dominions or India by a notice to that effect not exceeding one year and not less than six months.

* * * * * *

Article 19.

The present treaty shall come into force ten days after its publication, in conformity with the forms prescribed by the laws of the High Contracting Parties. It may be terminated by either of the High Contracting Parties by a notice not exceeding one year and not less than six months.

It shall be ratified, and the ratifications shall be exchanged at as soon as possible.

On the coming into force of the present treaty the provisions of Article 10 of the treaty of the 9th August, 1842, of the Convention of the 12th July, 1889, of the supplementary Convention of the 13th December, 1900, and of the supplementary Convention of the 12th April, 1905, relative to extradition, shall cease to have effect, save that in the case of each of the self-governing Dominions and India, those provisions shall remain in force until such Dominion or India shall have acceded to the present treaty in accordance with Article 16, or until replaced by other treaty arrangements.

* * * * * * *

54659

No. 163.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Confidential.)

MY LORD, Downing Street, 11th December, 1924.

WITH reference to my predecessor's despatch No. 249 of the 13th of June,* regarding the suggestion of the United States Government that a supplementary extradition convention should be concluded adding bigamy to the list of extraditable offences, I have the honour to request Your Excellency to inform your Ministers that His Majesty's Government, as a result of consideration of the suggestion alluded to in paragraph 3 of the despatch under reference, have come to the conclusion that it would be desirable to take this opportunity of suggesting to the United States Government the conclusion of a new treaty to replace the existing treaty arrangements with the United States which provide for extradition.

2. The enclosed draft treaty,† based generally on the draft extradition treaty of which copies were enclosed in Mr. Churchill's Confidential despatch of the 8th September, 1922, Dominions No. 341,‡ has been prepared for this purpose, and His Majesty's Government propose, subject to any observations which may be received from the Dominion Governments, to submit this draft to the United States Government for consideration. The provision appearing in the model draft that the Contracting Parties are not bound to surrender their own nationals, has been omitted in the present case, as no such provision occurs in the existing treaty arrangements with the United States. In this connexion I would invite reference to my predecessor's Confidential despatch Dominions No. 351 of the 30th July§ regarding the proposed Extradition Treaty with Brazil.

* No. 150. † Articles 15, 16 and 18 only, reprinted as enclosure in No. 162. ‡ No. 59 in Dominions No. 87. § No. 130.

3. It will be observed that provision is made in Article 16 of the draft treaty for the separate accession of the self-governing Dominions and India and in Article 19 for the continuance in force of the existing general treaty arrangements as regards the self-governing Dominions and India, pending their decision as to accession to the proposed new treaty. In view, however, of the circumstances mentioned in paragraph 4 of the despatch under reference, the position of Canada will require special consideration; it would seem that there are two practicable courses:

(*a*) An additional article might be inserted in the draft treaty providing that in the event of Canada acceding, certain specified offences additional to those enumerated in Article 2 would be extraditable as between Canada and the United States only; it would then be possible for Canada to accede to the new treaty, if that were the desire of your Ministers:

(*b*) Simultaneously with the negotiation of this new general extradition treaty, a separate treaty might be negotiated applying as between the United States and Canada only and covering all the offences extraditable as between Canada and the United States.

4. His Majesty's Government would be glad to receive the views of your Government on the question as soon as possible and to learn which of the two courses referred to in the previous paragraph your Ministers would prefer.

5. It will be observed that Article 15 contains the provision appearing in the model draft whereby each of the High Contracting Parties agrees to defray the expenses occasioned by the arrest within its territories, the detention and the conveyance to its frontier, of the persons whom it surrenders. This differs from the existing arrangement embodied in Article 10 of the Treaty of 1842, whereby the expenses are defrayed by the Party making the requisition. The change is considered particularly desirable in view of the heavy liabilities falling upon His Majesty's Government under the existing arrangement.

6. A copy of the draft treaty is also being communicated to the Governments of the Commonwealth of Australia, New Zealand, the Union of South Africa, the Irish Free State and Newfoundland.

I have, &c.,
L. S. AMERY.

FINLAND.

(1) Commercial Treaty.

(*Treaty Series* 1924, *No.* 34.)

2618

No. 164.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 27.) } Dominions No. 29.)

[MY LORD,] [SIR,] Downing Street, 23rd January, 1924.

I HAVE the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, a copy of a despatch* from His Majesty's Representative at Helsingfors forwarding a copy of the Treaty of Commerce and Navigation with Finland, signed on the 14th of December, 1923, and of an Agreement with Finland of the same date in regard to the disposal of the estates of deceased seamen.

2. In a despatch dated the 22nd of December, His Majesty's Representative reported that, according to a statement in the Press, the President of the Republic

* 2018/24: not printed here. (F.O. paper N.10112/483/56, 28th December, Section 1.) For the text of the Treaty and the Agreement, see Treaty Series 1924, Nos. 34 and 7 respectively.

of Finland had signed a decree bringing into force in Finland the provisions of Articles 5, 6, 7 and 15 of the Treaty of Commerce and Navigation, and a further decree bringing into force in Finland the Agreement regarding the disposal of the estates of deceased seamen.

I have, &c.,
DEVONSHIRE.

4633

No. 165.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
Dominions No: 44.)

Downing Street, 2nd February, 1924.

[My Lord,] [Sir,]

With reference to my predecessor's despatch Dominions No. 29 of the 23rd of January,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, a copy of a despatch from His Majesty's Representative at Helsingfors relative to a declaration conveyed to the Finnish Government on the part of His Majesty's Government with regard to sealing and fishing in the Arctic waters of Finland.

I have, &c.,
J. H. THOMAS.

Enclosure in No. 165.

SCANDINAVIA AND BALTIC STATES.

MR. RENNIE to the MARQUESS CURZON OF KEDLESTON.

(Received 9th January, 1924.)

(Confidential.)
(No. 236.)

Helsingfors, 21st December, 1923.

My Lord,

With reference to Your Lordship's telegram No. 21 of the 5th instant, on the subject of the declaration to be conveyed to the Finnish Government on the part of His Majesty's Government with regard to sealing and fishing in the Arctic waters of Finland, I have the honour to transmit herewith, for Your Lordship's information, copy of the Note which I handed to the Ministry for Foreign Affairs on the 17th instant, embodying the declaration in question. Dr. Vennola has sent me a formal acknowledgment of the same.

I have, &c.,
ERNEST RENNIE.

MR. RENNIE to DR. VENNOLA.

Helsingfors, 17th December, 1923.

M. le Ministre,

His Majesty's Government do not regard the Anglo-Finnish Treaty of Commerce and Navigation as extending to the fisheries of the respective parties. They do not propose to claim under this Treaty any special rights or privileges which have been conceded by the Agreement concluded in Helsingfors on the 21st October, 1922, or which may be conceded by any subsequent arrangement between Finland and Russia to Russian nationals in respect of fishing in the Arctic waters of Finland ceded by Russia to Finland under the Peace Treaty concluded between Finland and Russia on the 14th October, 1920. For this purpose His Majesty's Government regard fishing as including sealing.

The foregoing assurance is given without prejudice to any question affecting the limits of territorial waters or the rights of British vessels not engaged in fishing

* No. 164.

or sealing in Finnish waters to national treatment in Finnish ports under the provisions of the Anglo-Finnish Treaty above referred to.

I have, &c.,
ERNEST RENNIE.

19404

No. 166.

CANADA.

THE GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 24th April, 1924.)

[*Answered by No.* 167.]

(No. 159.)

Government House, Ottawa, 12th April, 1924.

Sir,

With reference to your despatch No. 95 of the 28th February,* enclosing copies of a Treaty of Commerce and Navigation between Great Britain and Finland, I have the honour to transmit, herewith, copies of an Approved Minute of the Privy Council for Canada.

I have, &c.,
BYNG OF VIMY.

Enclosure in No. 166.

(P.C. 462.)

CERTIFIED COPY OF A MINUTE OF A MEETING OF THE COMMITTEE OF THE PRIVY COUNCIL, APPROVED BY HIS EXCELLENCY THE GOVERNOR-GENERAL ON THE 8TH APRIL, 1924.

THE Committee of the Privy Council have had before them a Report, dated 18th March, 1924, from the Acting Minister of Finance, stating that a Treaty of Commerce and Navigation was concluded between the United Kingdom and Finland on the 14th December, 1923;

The Minister submits, with reference thereto, that it is undesirable to accept the Treaty as a whole on behalf of Canada but that it is desirable to accept that portion of Article 23 of the Treaty which provides that goods produced or manufactured in a self-governing Dominion shall enjoy in Finland the same treatment as would be enjoyed by similar goods if produced or manufactured in the United Kingdom so long as goods produced or manufactured in Finland are accorded in such self-governing Dominion treatment as favourable as that accorded to goods produced or manufactured in any other foreign country;

The Committee, concurring, advise that Your Excellency may be pleased to inform the Right Honourable the Secretary of State for the Colonies that the Government of Canada will introduce a resolution in the House of Commons to provide that goods produced or manufactured in Finland shall receive treatment as favourable as that accorded to goods produced or manufactured in any other foreign country provided that goods produced or manufactured in Canada shall enjoy in Finland the same treatment as would be enjoyed by similar goods if produced or manufactured in the United Kingdom.

All of which is respectfully submitted for Your Excellency's approval.

E. J. LEMAIRE,
Clerk of the Privy Council.

---

* 8893/24: not printed; it enclosed copies of the Treaty.

19876

No. 167.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

[*Answered by Nos.* 171, 172, 173, 175, 176, 178 *and* 179.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia No. 167.)
} Dominions No. 224.)

[My Lord,] [Sir,] Downing Street, 14th May, 1924.

With reference to my predecessor's despatch [Dominions No. 29] [No. 27] of the 23rd January,* I have the honour to request [Your Excellency,] [you,] to inform your Ministers that the Finnish Government have inquired what the attitude of the Dominions, Colonies and Protectorates, as well as of Mandated Territories, is with regard to the Treaty of Commerce and Navigation with Finland of the 14th of December, 1923.

2. In view of the stipulations of Article 23, paragraph 2, and Article 24 of the Treaty, the Finnish Government considers it important to know which of the Dominions, Colonies, Protectorates, and Mandated Territories treat goods produced or manufactured in Finland as favourably as goods produced or manufactured in any other foreign country, in order that goods produced or manufactured in the Dominions, etc., may be treated in Finland in the same way as similar goods produced or manufactured in the United Kingdom.

[*Not to Canada:* 3. I should be glad to learn what reply your Ministers would wish to be returned to the Finnish Government as regards [the Commonwealth of Australia, Papua, Norfolk Island and New Guinea.] [New Zealand and Western Samoa.] [the Union of South Africa and South-west Africa.] [the Irish Free State.] [Newfoundland.] [Southern Rhodesia.]]

[*To Canada only:* 3. As regards Canada, the substance of the third paragraph of the Approved Minute of the Privy Council for Canada, P.C. 462 of the 8th of April, copies of which were forwarded in your despatch No. 159 of the 12th of April,† will be communicated to the Finnish Minister.]

I have, &c.,
J. H. THOMAS.

19359

No. 168.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Confidential.)

My Lord, Downing Street, 15th May, 1924.

With reference to my despatch Dominions No. 224 of the 14th of May,‡ I have the honour to transmit to Your Excellency, for the information of your Ministers, the accompanying copy of a note from the Finnish Minister stating that Australian goods imported into Finland will not enjoy the treatment accorded to similar goods produced or manufactured in the United Kingdom.

2. In this connexion I would invite reference to Mr. Churchill's Confidential despatch of the 31st May, 1922,§ regarding the imposition of duties on goods imported from countries having a depreciated currency, with particular reference to the position under the Anglo-Italian Commercial Treaty of 1883.

I have, &c.,
J. H. THOMAS.

---

* No. 164. † No. 166. ‡ No. 167. § No. 156 in Dominions No. 87.

Enclosure in No. 168.

(No. 576.)

Finnish Legation, 2, Moreton Gardens,
Sir, South Kensington, S.W.5, 11th April, 1924.

The Board of Trade Journal and Commercial Gazette, Volume CXII, No. 1419 of 7th February, 1924, states that the High Commissioner for Australia is officially informed that Finnish Kraft paper has been brought under the operation of the Customs Tariff (Industries Preservation) Act, Section 8. The Dumping Duty thus being applied to the above-mentioned Finnish product, I am directed by my Government to inform you that Article 23, paragraph 2, of the Treaty of Commerce and Navigation between the United Kingdom of Great Britain and Ireland and Finland of the 14th day of December, 1923, cannot be applied to Australian goods, i.e., they will not in Finland enjoy the treatment accorded to similar goods produced or manufactured in the United Kingdom.

I have, &c.,
Ossian Donner.

The Right Honourable
Ramsay MacDonald, P.C., M.P.,
His Majesty's Principal Secretary of State for Foreign Affairs,
Foreign Office, S.W.1.

28108

No. 169.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Sent 12.35 p.m., 25th June, 1924.)

Telegram.

[*Answered by Nos.* 171, 172, 173, 176 *and* 178.]

(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)
(Southern Rhodesia.)

25th June. My despatch 14th May [Dominions No. 224,*] [*To Southern Rhodesia only:* No. 167,*] Anglo-Finnish Commercial Treaty. Please reply by telegraph. Before Finnish Government will extend most-favoured-nation treatment to goods produced or manufactured in any Dominion or Colony they desire assurance that such Dominion or Colony is giving most-favoured-nation treatment to Finnish goods.—Secretary of State for the Colonies.

28108

No. 170.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 12.40 p.m., 25th June, 1924.)

Telegram.

[*Answered by No.* 179.]

25th June. My despatch Dominions No. 224, 14th May,* Anglo-Finnish Commercial Treaty. I should be glad to be notified by telegraph of entry into force of most-favoured-nation treatment for Finnish goods. Before Finnish Government will extend most-favoured-nation treatment to goods produced or manufactured in any Dominion or Colony they desire assurance that such Dominion or Colony is giving most-favoured-nation treatment to Finnish goods.—Secretary of State for the Colonies.

---

* No. 167.

30445

No. 171.

SOUTHERN RHODESIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 1.55 p.m., 26th June, 1924.)

TELEGRAM.

26TH JUNE. Your telegram 25th June.* My Ministers inform me as regards Customs duties goods produced or manufactured in Finland are treated as favourably as goods produced or manufactured in any other foreign country.—CHANCELLOR.

30479

No. 172.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 8.0 p.m., 27th June, 1924.)

TELEGRAM.

26TH JUNE. Your despatch of the 14th May, Dominions No. 224,† your telegram of the 25th June.* This country treats goods produced or manufactured in Finland in the same manner as similar goods produced or manufactured in United Kingdom or any British Possession.

30609

No. 173.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.45 p.m., 27th June, 1924.)

TELEGRAM.

27TH JUNE. Your despatch of 14th May, Dominions No. 224,† and your telegram of 25th June,* Anglo-Finnish Commercial Treaty. Ministers state that goods, produce or manufactures of Finland, on importation into the Union or into the Mandated Territory of South West Africa are accorded the same treatment as goods the produce or manufacture of other foreign countries.—GOVERNOR-GENERAL.

28108

No. 174.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 175.]

(No. 399.)

SIR, Downing Street, 30th June, 1924.

WITH reference to my despatch Dominions No. 224 of the 14th of May,† regarding the Anglo-Finnish Commercial Treaty, I have the honour to request Your Excellency to inform your Ministers that, before the Finnish Government will extend most-favoured-nation treatment to goods produced or manufactured in any Dominion or Colony, they desire assurance that such Dominion or Colony is giving most-favoured-nation treatment to Finnish goods, and I should accordingly be glad to receive an early reply to my despatch under reference.

I have, &c.,
J. H. THOMAS.

---

* No. 160. † No. 167.

78

31081

No. 175.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1st July, 1924.)

(No. 248.)

SIR, Vice Regal Lodge, Dublin, 30th June, 1924.

I HAVE the honour to acknowledge the receipt of your despatch No. 224 of the 14th May* regarding the Treaty of Commerce and Navigation with Finland of the 14th of December, 1923.

2. My Ministers desire me to state, for the information of the Finnish Government, that the Irish Free State will treat goods produced or manufactured in Finland as favourably as goods produced or manufactured in any other foreign country, in order that goods produced or manufactured in the Irish Free State may be treated in Finland in the same way as similar goods produced or manufactured in the United Kingdom.

I have, &c.,
T. M. HEALY.

34031

No. 176.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.20 a.m., 17th July, 1924.)

TELEGRAM.

[*Answered by No.* 182.]

17TH JULY. Anglo-Finnish Commercial Treaty. Your despatch of 14th May,* your telegram of 25th June.†

New Zealand at present accords to Finnish goods treatment as favourable as that accorded to goods produced or manufactured in any other foreign country subject to the following reservation: On certain specified classes of goods, which may be varied from time to time, special rates of customs duties are levied in pursuance of legislation of general application enabling the imposition of such duties on articles produced or manufactured in any country whose currency is depreciated more than 10 per cent. in relation to sterling. These special duties apply to all foreign countries except when their imposition would be contrary to existing treaties. No special discrimination is made in respect of Finland. The rate of special duties in respect of any country is governed by the extent of depreciation of that country's currency.

As regards Western Samoa a similar practice is followed, but the classes of goods on which special duty is levied are not necessarily the same as in the case of New Zealand.—JELLICOE.

32819

No. 177.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 262.) } Dominions No. 325.)

[MY LORD,] [SIR,] Downing Street, 19th July, 1924.

WITH reference to [*To Canada and Australia:* my telegram of the 25th of June†] [*To New Zealand:* Your Excellency's telegram of the 17th of July‡] [*To*

---

* No. 167. † No. 160. ‡ No. 176.

Union of South Africa: Your Excellency's telegram of the 27th of June*] [*To Irish Free State:* Your Excellency's despatch No. 248 of the 30th of June†] [*To Newfoundland:* your despatch No. 68 of the 27th of June‡] [*To Southern Rhodesia:* Your telegram of the 26th of June§] I have the honour to request [Your Excellency] [you] to inform your Ministers that ratifications of the Anglo-Finnish Treaty of Commerce and Navigation were exchanged at Helsingfors on the 4th of July, 1924.

I have, &c.,
J. H. THOMAS.

35303

No. 178.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6.45 a.m., 25th July, 1924.)

TELEGRAM.

[*Answered by No.* 181.]

25TH JULY. Your despatch of 14th May, Dominions No. 224,‖ your telegram of 25th June,¶ relative to Anglo-Finnish Commercial Treaty. It is not desired that Commonwealth or any Territory should become party to Treaty.

Finnish Government may be assured that goods from Finland are accorded most-favoured-nation treatment on importation into Australia or her territories.—GOVERNOR-GENERAL.

36562

No. 179.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.55 p.m., 31st July, 1924.)

TELEGRAM.

31ST JULY. Your telegram of 25th June,** Extension of most-favoured-nation treatment to Finnish goods. My Ministers represent that Bill authorizing such treatment which passed the House of Commons failed to pass the Senate. Despatch follows by mail.

35196

No. 180.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 334.)

MY LORD, Downing Street, 1st August, 1924.

WITH reference to my telegram of the 25th of June,** I have the honour to transmit to Your Excellency, for the information of your Ministers, the accompanying copies of Notes exchanged between His Majesty's Representative at Helsingfors and the Finnish Minister for Foreign Affairs on the 4th of July regarding the position of Canada with regard to the Treaty of Commerce and Navigation between the United Kingdom and Finland.

I have, &c.,
J. H. THOMAS.

---

* No. 173. † No. 175. ‡ 33381/24: not printed; it confirmed No. 172. § No. 171.
‖ No. 167. ¶ No. 169. ** No. 170.

[34363]

Enclosure 1 in No. 180.

MONSIEUR LE MINISTRE, British Legation, Helsingfors, 4th July, 1924.

I HAVE the honour, under instructions from His Majesty's Principal Secretary of State for Foreign Affairs, to inform Your Excellency that the Government of Canada does not propose to accede to the Treaty of Commerce and Navigation between His Britannic Majesty's Government and the Government of the Republic of Finland, of which the ratifications have been exchanged in Helsingfors to-day, as a whole. The Government of Canada are, however, taking the necessary measures to ensure compliance with the latter part of Article 23, which provides that goods produced or manufactured in a self-governing Dominion shall enjoy in Finland the same treatment as would be enjoyed by similar goods if produced or manufactured in the United Kingdom, so long as goods produced or manufactured in Finland are accorded in such self-governing Dominion treatment as favourable as that accorded to goods produced or manufactured in any other foreign country.

I avail myself, &c.,

His Excellency
Mr. Hj. J. Procopé,
Minister for Foreign Affairs,
Helsingfors.

Enclosure 2 in No. 180.

Ministère des Affaires Etrangères.

MONSIEUR LE MINISTRE, Helsingfors, 4th July, 1924.

I HAVE the honour to acknowledge receipt of your Note of this day, whereby you have informed me, acting under instructions from His Britannic Majesty's Principal Secretary of State for Foreign Affairs, that the Government of Canada do not propose to accede to the Treaty of Commerce and Navigation between Finland and the United Kingdom, as a whole, but that the said Government are taking necessary measures to ensure compliance with the latter part of Article 23, concerning the customs duties.

Thanking you for this communication, I have the honour to await a further Note from Your Excellency as to the actual measures taken by the Government of Canada in this respect. I will have the pleasure, after receipt of same, immediately to cause necessary steps to be taken in Finland for the fulfilment of the stipulations in Article 23 of the said Treaty in what regards the treatment of goods produced or manufactured in Canada.

I avail myself, &c.,
Hj. J. PROCOPÉ.

Ernest Rennie, Esq.,
&c., &c., &c.

35303

No. 181.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 6.50 p.m., 11th August, 1924.)

TELEGRAM.

[*Answered by No.* 184.]

YOUR telegram 25th July,* Commercial Treaty with Finland. Before communication made to Finnish Government should be glad to learn whether your Ministers have any observations on my despatch 15th May, Confidential.† Does second sentence of your telegram apply to Nauru?—SECRETARY OF STATE FOR THE COLONIES.

---

* No. 178. † No. 168.

36503

No. 182.

NEW ZEALAND.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 6.50 p.m., 11th August, 1924.)

TELEGRAM.

[*Answered by No.* 183.]

YOUR telegram 17th July.* Commercial Treaty with Finland. Before communication made to Finnish Government should be glad to learn whether depreciated currency duties are in fact being levied on Finnish goods imported into New Zealand or Western Samoa, and, if so, on what goods and to what extent.—SECRETARY OF STATE FOR THE COLONIES.

39915

No. 183.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.50 a.m., 21st August, 1924.)

TELEGRAM.

21ST AUGUST. Your telegram of 11th August.† Depreciated currency duties are actually being levied in New Zealand and Western Samoa on goods imported from Finland when such goods are of a class liable to such duty. The only articles on which such duty has been collected since 1st January, 1923, are paper and glassware, the rate charged being 20 per cent. *ad valorem*.

59391

No. 184.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 12.15 p.m., 19th December, 1924.)

TELEGRAM.

19TH DECEMBER. Confidential. Your telegram of 11th August.‡ It is not desired that Nauru should become party to the Commercial Treaty with Finland. Observations of my Ministers (?on) your despatch of 15th May, Confidential,§ follow by post.

---

(2) Tonnage Measurement Agreement.

(*Treaty Series* 1924, *No.* 30.)

4895

No. 185.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.50 a.m., 31st January, 1924.)

TELEGRAM.

31ST JANUARY. Your telegram 4th January‖ and despatch Dominions No. 354, 22nd September,¶ Tonnage Measurement Agreement with Finland. Commonwealth Government is agreeable that Australia should become party to Agreement if acceptable to and adopted by His Majesty's Government.—GOVERNOR-GENERAL.

---

* No. 176. † No. 182. ‡ No. 181. § No. 168. ‖ Reminder: not printed. ¶ No. 116 in Dominions No. 88.

30029

80

No. 186.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
Dominions No. 298.)

[MY LORD,] [SIR,] Downing Street, 1st July, 1924.

WITH reference to my predecessor's despatch [*Not to Irish Free State:* Dominions No. 354 of the 22nd of September, 1923,*] [*To Irish Free State only:* No. 565 of the 21st of September, 1923,*] and connected correspondence, I have the honour to request [Your Excellency,] [you,] to inform your Ministers that the Anglo-Finnish Tonnage Measurement Agreement was signed on the 21st of June.

It is understood that a clause was added to the Agreement before signature providing that it should come into force three months after signature.

Copies of the Agreement as completed will be forwarded as soon as possible.

I have, &c.,
J. H. THOMAS.

40915

No. 187.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
Dominions No. 424.)

[MY LORD,] [SIR,] Downing Street, 30th August, 1924.

WITH reference to my despatch Dominions No. 298 of the 1st of July,† I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of a Treaty Series paper No. 30 of 1924 (Cmd. 2231), containing the Agreement between the United Kingdom and Finland in regard to the Reciprocal Recognition of Tonnage Measurement Certificates of British and Finnish Ships, and Notes exchanged with regard to the exclusion of 'Iraq from the scope of the Agreement, signed at Helsingfors on the 21st June, 1924.

[*Not to New Zealand or Irish Free State:* 2. Further copies are being sent in Library despatch.]

I have, &c.,
(for the Secretary of State)
ARNOLD.

FRANCE.

(1) Convention relating to Legal Procedure in Civil and Commercial matters.

(*Treaty Series* 1922, *No.* 5.)

4576

No. 188.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 60.)

MY LORD, Downing Street, 1st February, 1924.

WITH reference to Your Excellency's despatch No. 344 of the 26th of October, 1923,‡ regarding the Anglo-French Civil Procedure Convention of the 2nd of

---

* No. 116 in Dominions No. 88. † No. 186. ‡ No. 144 in Dominions No. 88.

February, 1922, I have the honour to transmit to you, for the information of your Ministers, a copy of a Note to the French Ambassador regarding the extension of the Convention to the Commonwealth of Australia, Papua, Norfolk Island and the Mandated Territory of New Guinea.

2. I shall be glad if I may be informed as early as possible of the names of the officers in the Commonwealth, Papua, Norfolk Island and New Guinea to whom documents should be addressed for execution, and the language in which communications and translations are to be made in each case.

I have, &c.,

J. H. THOMAS.

Enclosure in No. 188.

YOUR EXCELLENCY, Foreign Office, S.W.1, 7th January, 1924.

I HAVE the honour to inform you that it is desired to give notice, under paragraph (b) of the Final Provisions of the Anglo-French Civil Procedure Convention of 2nd February, 1922, of the accession to that Convention of the Commonwealth of Australia (together with Papua, Norfolk Island, and the Mandated Territory of New Guinea), and of St. Helena and the Falkland Islands.

2. The Acting Chief Justice, Supreme Court, St. Helena, and the Registrar of the Supreme Court, Port Stanley, Falkland Islands, will act as the person to whom applications for the service of process or for the taking of evidence should be addressed, and it is desired that communications to them from the French Courts should be accompanied by English translations. Similar information in regard to Australia and its dependencies will be furnished to Your Excellency as soon as it reaches me.

3. In requesting that you will be so good as to acknowledge this communication on behalf of your Government I have the honour to suggest that the exchange of Notes thus constituted should be regarded as placing the matter on formal record, and that the extension of the terms of the Convention to the Territories named should be considered as coming into force one month after the date of your reply.

I have, &c.,

(For the Secretary of State),

GEORGE MOUNSEY.

His Excellency Count de Saint-Aulaire, &c.

26276

No. 189.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2nd June, 1924.)

(No. 214.)

SIR, Government House, Ottawa, 16th May, 1924.

WITH reference to your despatch Dominions No. 254 of the 25th July, 1922,* inquiring whether it is desired that the Convention between the United Kingdom and France respecting Legal Proceedings in Civil and Commercial matters should be extended to Canada, I have the honour to inform you that, as the Governments of the Provinces, whom the subject matters of the Convention would principally concern, are not agreed as to the desirability of the proposed extension, the Canadian Government is of opinion that it is not advisable that Canada should come within the application of the Convention at the present time.

I have, &c.,

BYNG OF VIMY.

---

* No. 88 in Dominions No. 87.

(2) Proposed Commercial Convention with Irish Free State.

21712

No. 190.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 191.]

(Confidential.)

SIR, Downing Street, 3rd June, 1924.

I HAVE the honour to refer to my predecessor's despatch No. 632 of the 31st October,* regarding the commercial relations between the Irish Free State and France, and to request Your Excellency to inform your Ministers that His Majesty's Government understand from the French Government that it is proposed to open negotiations for the conclusion of a Convention for the future regulation of such relations.

2. Your Ministers will appreciate that any such negotiations are likely to be of considerable interest to His Majesty's Government from the point of view of the trade relations of this country with France. They hope, therefore, that in view of the terms of Section I (1) *b* of the Resolution regarding the negotiation, etc., of Treaties adopted at the recent Imperial Conference, your Ministers will arrange to keep them informed from time to time of the progress of any such negotiations.

3. Should the negotiations be conducted in Paris, His Majesty's Government will be happy to arrange, as in past cases of negotiations between other Dominion Governments and the Governments of Foreign Powers, for His Majesty's Ambassador at Paris to afford the delegate or delegates of the Irish Free State such assistance as they may require and it may be possible to give them.

4. In any case, in accordance with the above-quoted Resolution, His Majesty's Government will be glad, on the receipt of a request to that effect from your Government, and of information as to the names and titles of the representatives of the Irish Free State, to arrange for the issue to them of the necessary Full Powers from the King, before the signature of any Convention that may be concluded as the result of the negotiations. A request for such "Full Powers" has recently been received from the Canadian Government in connexion with forthcoming negotiations with two European Powers, and steps are being taken to comply with their wishes.

I have, &c.,

J. H. THOMAS.

36781

No. 191.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2nd August, 1924.)

(Confidential.)

SIR, Vice Regal Lodge, Dublin, 1st August, 1924.

I HAVE the honour to acknowledge the receipt of your Confidential despatch of the 3rd June,† regarding the proposed negotiations for the conclusion of a Commercial Convention between the Irish Free State and France.

2. My Ministers desire me to inform you that the negotiations will be carried out in accordance with the Resolution of the Imperial Conference regarding the negotiation, signature and ratification of Treaties.

3. They further desire me to express their thanks for the offer of assistance from His Majesty's Ambassador in Paris, and to inform you that the Irish Delegates will be glad to avail themselves of this offer.

4. With regard to the final paragraph of your despatch under reply, the request for the issue of Full Powers will be the subject of a further despatch at a later date.

I have, &c.,

T. M. HEALY.

---

* No. 139 in Dominions No. 88. † No. 190.

(3) Denunciation of Agreement of 1899, for free delivery and attestation of Certificates of Origin.

45260

No. 192.

BOARD OF TRADE to COLONIAL OFFICE.

Commercial Relations and Treaties Department, Board of Trade,
Great George Street, London, S.W.1, 22nd September, 1924.

SIR,

I AM directed by the Board of Trade to forward for the information of the Secretary of State copy of correspondence* with the Foreign Office on the subject of the possibility of claiming for the United Kingdom under the Anglo-French treaty of 1882 the benefit of favours accorded to Canada by France.

I am, &c.,
J. J. WILLS.

Enclosure 1 in No. 192.

(Extract.)

Foreign Office, S.W.1, 9th August, 1924.

SIR,

WITH reference to your letter of the 1st ultimo, Mr. Secretary Ramsay MacDonald understands that the Colonial Office have sent to the Board of Trade a copy of their letter to the Foreign Office of the 24th ultimo on the subject of the denunciation by the French Government of the Anglo-French Agreement of 1899 for the free delivery and attestation of certificates of origin.

2. Mr. Ramsay MacDonald will await with interest the views of the Board of Trade on paragraph 3 of the Colonial Office letter,† in which attention is called to Article 19 of the Franco-Canadian Convention of 1922. It would seem that if the Canadian Government are entitled to claim free attestation for certificates of origin, His Majesty's Government will be entitled to claim the same treatment under Article 1 of the Anglo-French Commercial Convention of 1882.

* * * * * * *

I am, &c.,
G. H. VILLIERS.

The Secretary
to the Board of Trade.

Enclosure 4 in No. 192.

Commercial Relations and Treaties Department, Board of Trade,
Great George Street, London, S.W.1, 22nd September, 1924.

SIR,

WITH reference to your letters of the 9th August and 5th September, regarding the denunciation by the French Government of the Anglo-French Agreement of 1899 for the free delivery and attestation of certificates of origin, I am directed by the Board of Trade to state that the bearing on the matter of the provisions of Article 19 of the Franco-Canadian Convention of 1922 was carefully considered upon receipt of your letter of the 23rd June.

The Board have, however, never regarded an arrangement for the reciprocal waiver of consular fees as coming within the scope of the Treaty clause according general most-favoured-nation treatment in matters of commerce. Were such the case, other countries, even those that made a charge for consular visa, would have been able to claim by virtue of their treaties with this country that the fact that the fee was waived in regard to French goods entitled their goods to similar treatment. The Board would not have been willing to admit such a claim under the ordinary Treaty clause, though they might have been prepared to recommend a concession to a particular country on terms of reciprocity.

The suggestion that under the most-favoured-nation clause of the Treaty of 1882 the United Kingdom could claim the benefit of a favour accorded by France

* Enclosures 2 and 3 not printed. † This drew attention to Article 19 of the Convention, and pointed out that it would appear to prevent the French Government from proceeding as they proposed (see enclosure 1 in No. 193) so far as Canada was concerned.

to Canada, raises, however, a general issue of such importance that it appears necessary to examine it further. The clause in question provides for the extension by one Party to the other of any favour conceded to "any third nation whatsoever." It appears to the Board that, inasmuch as the Parties to the Treaty were the Queen of the United Kingdom and the President of the French Republic, the words "third nation" can only refer to territory not within the sovereignty of either Party, and that, for instance, it could not be held that "third nation" included any British territory outside that to which the Treaty applies, that is, outside the United Kingdom of Great Britain and Ireland. Under any other interpretation of this and similar clauses of Commercial Treaties, not only could Great Britain claim as is suggested in your letter under reply the treatment in foreign countries accorded to other parts of the Empire by these countries, but it would equally follow that foreign countries could claim in the United Kingdom the treatment accorded by the United Kingdom to other parts of the Empire. Canada, for instance, could not be a "third nation" for one purpose and not for the other. The result of such an interpretation would be that the policy of Imperial Preference would be found to be inconsistent, if not with the Anglo-French Commercial Treaty, which does not deal with Customs duties, at any rate with certain other Commercial Treaties in force.

An examination of the most-favoured-nation clauses of commercial treaties discloses considerable variation in form, sometimes even in the different articles of the same treaty. Some of these variations may have material significance, especially that designed to distinguish "conditional" as distinct from unconditional most-favoured-nation treatment. But whether the clause is worded so as to entitle one Party to claim from the other the "treatment of the most-favoured-nation," or the treatment accorded to "any other country" or "any other foreign country" (both expressions occur in Article II of the Anglo-Italian Treaty of 1883), or to "all other countries" (*e.g.*, Anglo-Belgian Exchange of Notes of 27th July, 1898), or to "all other nations" (Article II of Treaty with United States of 1815, and Article IX of Treaty with Sweden and Norway of 1826), or to "any third nation" (Article I, Anglo-French Treaty, 1882), the Board are of the opinion that in all cases, no matter what the precise wording may be, the treatment referred to is to be considered as that accorded to an independent State by Great Britain, which can alone be claimed by the other party to the treaty and to the treatment accorded by that party to such other independent State which can alone be claimed by Great Britain.

The normal form of modern commercial treaty appears to leave no room for doubt on this point. The treaty is entered into on the one side by "His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India," and applies in form to the territories of the Contracting Parties, that is, to the British Empire on the one side, so that the expression "any other foreign country" in the most-favoured-nation clause (or even "any other country") must necessarily mean country outside the British Empire. The fact that the "Colonial Clause" subsequently modifies the territorial application of the Treaty to the various parts of the Empire would not appear to have any bearing on this point.

While, for the reasons stated above, the Board do not agree that our Treaties with foreign countries enable us to claim directly that no favour shall be accorded to other parts of the Empire which is not extended to Great Britain, they desire me to point out that it will generally be possible in practice to secure this result without departing from what they consider to be the correct interpretation of the most-favoured-nation clause. So long as France, for example, had a most-favoured-nation clause in a treaty with a non-British country, say, Italy, and in fulfilment of her obligations granted to Italy the benefit of certain favours accorded to Canada, then under the most-favoured-nation clause of the Anglo-French treaty the United Kingdom could claim the benefit of the favours in question on the ground not of their accord to Canada but of their enjoyment by Italy—always provided, of course, that the favours in question were within the scope of the most-favoured-nation clauses in force.

Copy of this letter is being sent to the Colonial Office.

I am, &c.,
J. J. WILLS.

The Under Secretary of State,
Foreign Office, S.W.1.

45260

No. 193.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNORS.

[*Answered by Nos.* 194 *and* 195.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 475: Dominions No. 538.)

[My Lord,] [Sir,] Downing Street, 19th November, 1924.

I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, a copy of a note from the French Ambassador regarding the termination of the Agreement made in 1899 between France and this country for the waiver of Consular Fees on the delivery and attestation of certificates of origin (Treaty Series No. 1 of 1900). It is understood that the French Government desire at the same time to terminate the arrangement made in 1900 for the extension of the above agreement to French Colonies and Possessions, and British Dominions, Colonies and Protectorates, to which reference was made in Mr. Chamberlain's Circular despatch of the 13th of August, 1900,* a copy of which is enclosed.

2. I enclose a copy of a note to the French Ambassador accepting, on behalf of this country, the revised arrangement proposed by the French Government under which a charge not exceeding five gold francs will be made for the delivery or attestation by Consuls of certificates of origin in the case of goods exceeding one hundred gold francs in value, on the assumption that the fee of five gold francs will be the maximum fee, but that this country will have, on terms of reciprocity, the benefit of any concession which may be granted by France to any foreign country. It will be seen that His Majesty's Government have also suggested to the French Government that a similar arrangement should be applied to the Consular attestation of invoices, as well as of certificates of origin. Such attestation is at present necessary on invoices required for the application of French customs duty in the case of goods subject to *ad valorem* duties, and also of certain goods subject to specific duties when the value is a determining factor in fixing Tariff classification.

[*To Canada only:* 3. The provisions of Article XIX of the Franco-Canadian Convention of the 15th of December, 1922, would appear to preclude the French Government from charging any fees for the delivery or attestation of certificates of origin by French Consuls in respect of goods exported from Canada to France, and the French Colonies, Possessions and Protectorates; but if British Consuls in France and French Oversea Possessions would have henceforward to charge fees for the attestation and delivery of certificates of origin in respect of goods exported thence to this country, it would seem difficult to arrange for them to do this work free of charge in respect of goods exported to Canada. His Majesty's Government would be glad of the observations of your Ministers on the matter from this point of view.

The Franco-Canadian Convention of 1922 does not appear to deal with payments in respect of the Consular attestation of invoices, and your Ministers may wish to consider this point further if an arrangement is made between France and this country on the lines indicated in paragraph 2 above.]

[*Not to Canada:* 3. I shall be glad to learn the views of your Ministers as to the desirability of suggesting to the French Government the conclusion of a similar arrangement to apply to the delivery or attestation of certificates of origin, and the attestation of invoices (*a*) by French Consuls in respect of goods exported from [Australia—including Papua, Norfolk Island and New Guinea—] [New Zealand —including Western Samoa—] [the Union of South Africa—including South West Africa—] [the Irish Free State] [Newfoundland] [Southern Rhodesia] to France and French Oversea Possessions, and (*b*), where such action is required, by British Consular Officers in respect of goods exported from France and French Oversea

* Not printed here.

Possessions to [Australia, Papua, Norfolk Island and New Guinea] [New Zealand and Western Samoa] [the Union of South Africa and South West Africa] [the Irish Free-State] [Newfoundland] [Southern Rhodesia].

I have, etc.,
L. S. AMERY.

[29871]

Enclosure 1 in No. 193.

Ambassade de France en Angleterre,
Monsieur le Secrétaire d'Etat, Londres, le 6 juin, 1924.

Le Gouvernement français estime que sans nuire aux échanges commerciaux entre la France et la Grande-Bretagne, tout en assurant une rémunération légitime du service rendu, une taxe modérée peut être substituée, par voie d'accord réciprocité, à la gratuité complète pour la délivrance, le visa ou la légalisation des certificats d'origine.

Il a donc décidé de mettre fin à l'arrangement conclu entre la France et la Grande-Bretagne par échange de lettres en date des 13 octobre et 15 novembre, 1899.

Il propose qu'à cet arrangement soit substitué un nouvel accord aux termes duquel la taxe de délivrance de visa ou de légalisation des certificats d'origine serait fixée à 5 Frs. or, avec gratuité pour les certificats d'origine accompagnant les merchandises dont le valeur ne dépasserait pas 100 Frs. à la parté de l'or.

Le taux de 5 Frs. or est celui auquel le Gouvernement de la République est disposé, moyennant un traitement de réciprocité, à réduire la taxe de 20 Frs. or, perçue en l'absence d'accord par les autorités consulaires françaises. Il va sans dire que cette réciprocité se trouvera remplie du moment ou l'autre partie contractante prendra l'engagement de ne pas appliquer une taxe supérieure à 5 Frs. or, cette taxe pouvant être d'une valeur égale ou inférieure à ce chiffre.

Afin de tenir compte des dispositions de l'article II de la Convention Internationale pour la simplification des formalités douanières, conclue à Genève le 3 novembre, 1923, le Gouvernement français n'aurait pas d'objection, si le Gouvernement britannique en est d'accord, à ce que les certificats d'origine émanent des douanes de l'un des deux pays et munis de leurs cachets continuent à êtres admis par des douanes de l'autre pays sans être revêtus du visa consularie. Toutefois, je dois des maintenant faire observer à Votre Excellence que le Gouvernement français se réserve de revenir sur la question dans le cas où cette facilité aurait pour effet de créer une trop large brèche dans l'économie du nouvel accord et tendrait à tarir les ressources que l'on peut en attendre.

En vue d'éviter l'application, même momentanée, de la taxe pleine, mon Gouvernement est disposé à maintenir les effets de l'accord de gratuité actuelle jusqu'à la mise en vigeur du nouvel arrangement. Toutefois, ce régime de faveur ne pouvant être prolongé trop longtemps sans inconvénient, il serait désirable que l'arrangement proposé intervint dans le mois qui suivra la présente communication.

La modicité de la taxe de 5 Frs., encore attétuée par le maintien de la gratuité jusqu'à 100 Frs. à la parité de l'or, me permet d'ailleurs de penser que nos propositions raillierent sans difficulté l'adhésion du Gouvernement britannique.

Si tel est bien le cas, le Foreign Office et cette Ambassade pourraient échanger des lettres qui se substitueraient à celles des 13 octobré et 15 novembre, 1899, et fizeraient la date à laquelle le nouveau régime deviendrait simultanément applicable dans les deux pays.

Veuilles agréer, &c.,
Saint-Aulaire.

Son Excellence
le Principal Secrétaire d'Etat,
Pour les Affaires Etrangères.

[52226]

Enclosure 3 in No. 193.

Your Excellency, Foreign Office, S.W.1, 5th November, 1924.

With reference to your note of the 6th June last, I have the honour to inform Your Excellency that His Majesty's Government, whilst regretting the decision of the French Government to terminate the agreement concluded between Great Britain

and France in 1899 for the reciprocal free delivery and endorsement by consular officers of certificates of origin, are ready to conclude a new arrangement on the general lines set forth in Your Excellency's note. They assume that the French Government will agree that the exchange of notes should make it clear that the consular fee of five gold francs, whether for the delivery or the endorsement of certificates, shall be the maximum fee, and that Great Britain shall have the benefit on terms of reciprocity of any concessions in either respect which may be granted by France to any other foreign country.

2. His Majesty's Government learnt with regret from Monsieur de Montille's note of the 30th August last, that the French Government were not prepared to dispense with consular control of certificates of origin except, as an exceptional measure, in the case of certificates issued by the customs authorities of the country of despatch. As regards Great Britain, that concession is of no value, inasmuch as it is not the practice of His Majesty's Customs to issue such certificates. There would, therefore, be no advantage in including any provision to that effect in the exchange of notes.

3. His Majesty's Government have also had under consideration the existing arrangement with the French Government, in virtue of which French diplomatic and consular officers in Great Britain endorse, free of charge, invoices of goods exported to France, and, subject to *ad valorem* duties in that country, when the value of the consignments does not exceed one hundred francs. They would propose that the agreement to be concluded in regard to certificates of origin should be extended, with the same conditions, to the consular endorsement of invoices.

4. The above arrangements might be covered in the same exchange of notes. In the view of His Majesty's Government the agreement should be terminable at reasonable notice, say of one year.

I have, &c.,
(For the Secretary of State),
R. H. CAMPBELL.

His Excellency,
Count de Saint-Aulaire,
&c., &c., &c.

69352

No. 194.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 19th December, 1924.)

(No. 465.)

SIR, Vice Regal Lodge, Dublin, 18th December, 1924.

I HAVE the honour to acknowledge the receipt of your despatch Dominions No. 538 of the 19th November,* regarding the termination of the Agreement made in 1899 between France and Great Britain for the waiver of Consular Fees on the delivery and attestation of certificates of origin.

2. My Ministers wish to express their appreciation of the suggestion contained in paragraph 3 of your despatch under reply. They consider, however, that it would be more convenient to include an arrangement of a similar nature in the proposed Commercial Treaty with France, of which I had the honour to inform Mr. Thomas in my Confidential despatch of the 1st August.†

I have, &c.,
T. M. HEALY.

60782

No. 195.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 30th December, 1924.)

(No. 521.)

SIR, Government House, Ottawa, 16th December, 1924.

WITH reference to your despatch Dominions No. 538 of the 19th November,* on the subject of the Agreement with France regarding fees to be charged on certi-

* No. 193. † No. 191.

ficates of origin, I have the honour to inform you that the question of modifying the provisions of Article 19 of the Franco-Canadian Trade Convention of the 15th December, 1922, was recently raised by the French Consul-General at Montreal, and that, on the 17th November last, an Order in Council was passed authorizing the Minister of Finance to negotiate an Agreement to effect the proposed modification. Copies of this Order in Council are enclosed herewith.

I have, &c.,
BYNG OF VIMY.

Enclosure in No. 195.

(P.C. 1985.)

CERTIFIED COPY OF A MINUTE OF A MEETING OF THE COMMITTEE OF THE PRIVY COUNCIL, APPROVED BY HIS EXCELLENCY THE GOVERNOR-GENERAL ON THE 17TH NOVEMBER, 1924.

THE Committee of the Privy Council have had before them a report, dated 12th November, 1924, from the Acting Minister of Finance, submitting that the Consul-General of the French Republic, at Montreal, has addressed to the Under-Secretary of State a letter dated 23rd October, 1924, in which he requests the repeal of the second paragraph of Article 19 of the Convention of Commerce between Canada and France, dated 15th December, 1922, and the substitution therefor of a paragraph providing for the making of a maximum charge of five gold francs for a certificate of origin, except in the case of items of merchandise less than one hundred gold francs in value, in which case the certificate of origin would be issued free.

The said paragraph 2 of Article 19 is as follows:—

"If the Canadian Government or the French Government deem it necessary to have such certificates or declarations viséd, they may appoint or designate for such purposes officers who shall give such visés free of charge."

The Minister observes that the request made by the Consul-General of France would entail the striking out of the paragraph quoted above, and the substitution therefor of a paragraph to the following effect:—

"If the Canadian Government or the French Government deem it necessary to have such certificates or declarations viséd, they may appoint or designate for such purposes officers who shall give such visés for a maximum charge of five gold francs in the case of certificates issued by an officer of the French Government, or a maximum charge of one dollar of lawful money of Canada for certificates issued by an officer of the Canadian Government: provided that no charge shall be made in connexion with certificates of origin for items of merchandise the value of which does not exceed one hundred gold francs or twenty Canadian dollars."

The Consul-General of the French Republic gives as the reason for the making of the request that his Government, in order to obtain revenue, are revising their commercial arrangements with various countries under which the delivery, visé and authentication of certificates of origin are free of charge, and wish to provide that a moderate tax be established for such service which would yield revenue to the Government without prejudice to commercial interests.

The Minister is of the opinion that the proposed amendment would result in less advantage to Canada than to France, and it would be desirable in consideration of agreeing to the proposed amendment to secure a change in respect of French tariff item 35 bis. Milk condensed, pure, and item 35 ter. a. Milk condensed, with an addition of sugar, of the said Convention of Commerce, whereby France would grant to Canada in respect of these tariff items the treatment of the most-favoured-nation as defined in Article 2 of the said Convention of Commerce.

Any such change could only be made with the approval of the French Chambers and of the Parliament of Canada, and would come into effect on the exchange of ratifications at Paris.

The Minister, therefore, recommends that he be authorized to negotiate with a representative of the French Government an agreement covering the changes in the said Convention of Commerce outlined above, and to give an undertaking that the Government of Canada will introduce into Parliament a resolution to approve of the making of the said changes.

The Committee concur in the foregoing recommendation and submit the same for approval.

E. J. LEMAIRE,
Clerk of the Privy Council.

FREEDOM OF TRANSIT.

(1) Declaration as to Flags of Inland States.

(*Treaty Series* 1923, *No.* 29.)

206

No. 196.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 197.]

(No. 8.)

SIR, Downing Street, 8th January, 1924.

I HAVE the honour to transmit to Your Excellency, to be laid before your Ministers, a copy of correspondence* with the Secretary-General of the League of Nations, arising out of the accession of Canada, the Commonwealth of Australia and the Union of South Africa to the Declaration concerning the right to a flag of States having no sea-coast, signed at Barcelona on the 20th April, 1921. This Declaration is printed in Treaty Series Paper No. 29 of 1923.

2. It would appear that in the present case it would be most convenient to regard the 31st October, 1922 (the date on which the notification of accession was received by the Secretariat of the League) as the effective date. As a general rule, His Majesty's Government would suggest that accessions should be regarded as taking effect on the date on which the notification is received by the headquarters Government, in all cases where the Treaty to which accession is made contains no special provision for determining the dates of accession, and that the headquarters Government should then invariably inform the other parties to the Treaty of this date when officially notifying them of the accession. The Governments of the other Dominions, Members of the League, have expressed concurrence in the Secretary-General being informed accordingly, and I should be glad to learn whether your Ministers also are prepared to concur in this proposal.

I have, &c.,

DEVONSHIRE.

10660

No. 197.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5th March, 1924.)

[*Answered by No.* 198.]

(No. 82.)

SIR, Vice Regal Lodge, Dublin, 4th March, 1924.

I HAVE the honour to acknowledge receipt of the Duke of Devonshire's despatch No. 8 of the 8th January,† transmitting a copy of correspondence with the Secretary-General of the League of Nations arising out of the accession of Canada, the Commonwealth of Australia and the Union of South Africa to the Declaration concerning the right to a flag of States having no sea coast, signed at Barcelona on the 20th April, 1921.

2. My Ministers desire me to inform you that they concur in the suggestion that, as a general rule, accession to Treaties by the Irish Free State should be regarded as taking effect on the date on which the notification on its behalf is received by the headquarters Government in all cases where the Treaty to which accession is made contains no special provision for determining the dates of accession, and that the headquarters Government should then invariably inform the other parties to the Treaty of this date when officially notifying them of the accession.

3. It is understood that in connexion with League of Nations Conventions the expression "headquarters Government" means the Secretariat of the League.

I have, &c.,

T. M. HEALY.

* Enclosures 1, 2 and 3 in No. 143 in Dominions No. 88. † No. 196.

13203

No. 198.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
} Dominions Treaty No. 10.)

[MY LORD,] [SIR,] Downing Street, 25th March, 1924.

WITH reference to [Your Excellency's despatch No. 275 of the 29th of May, 1923,*] [Your Excellency's despatch No. 331 of the 10th of October, 1923,†] [Your Excellency's despatch No. 201 of the 31st of July, 1923,‡] [His Royal Highness Prince Arthur of Connaught's despatch No. 335 of the 23rd of June, 1923,§] [Your Excellency's despatch No. 82 of the 4th of March,‖] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, a copy of a letter to the Secretary-General of the League of Nations regarding the effective date of accession of certain Dominion Governments to the Barcelona Declaration of the 20th of April, 1921, respecting the right to a flag of States having no sea coast, and as to the general rule regarding the effective date of accessions to treaty arrangements.

I have, &c.,

J. H. THOMAS.

Enclosure in No. 198.

THE Under-Secretary of State for Foreign Affairs presents his compliments to the Secretary-General of the League of Nations, and, with reference to his letter of the 21st March, 1923, regarding the accession of Canada, the Commonwealth of Australia and the Union of South Africa to the Barcelona Declaration of 20th April, 1921, respecting the right to a flag of States having no sea coast, is directed by the Secretary of State to state that His Majesty's Government accept the 31st October, 1922, the date on which the notification of accession was received by the Secretariat of the League, as the effective date.

2. With reference to the last paragraph of the Secretary-General's letter, it is suggested that as a general rule accessions should be regarded as taking effect on the date on which the notification is received by the headquarters government in all cases where the treaty to which accession is made contains no special provision for determining the dates of accessions, and that the headquarters government should then invariably inform the other parties to the treaty of this date when officially notifying them of the accession.

Foreign Office, S.W.1.
18th March, 1924.

17196

No. 199.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Canada.
(Commonwealth of Australia
(New Zealand.
(Union of South Africa.
(Irish Free State.
} Dominions Treaty No. 13.)

[MY LORD.] [SIR,] Downing Street, 16th April, 1924.

WITH reference to my despatch Dominions Treaty No. 10 of the 25th March,¶ I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, a copy of a note from the Secretary-General of the League of Nations regarding the effective date of the accession of Canada, the Commonwealth of Australia and the Union of South Africa to the Barcelona Declaration of the 20th April, 1921, respecting the right to a flag of States having no sea-coast.

I have, &c.,

J. H. THOMAS.

* No. 146 in Dominions No. 88. † No. 149 in Dominions No. 88. ‡ No. 148 in Dominions No. 88. § No. 147 in Dominions No. 88. ‖ No. 197. ¶ No. 198.

Enclosure in No. 199.

THE Secretary-General of the League of Nations presents his compliments to the Under-Secretary of State for Foreign Affairs, and, with reference to the latter's note of March 18th, 1924, regarding the accession of Canada, the Commonwealth of Australia and the Union of South Africa to the Barcelona Declaration of the 20th April, 1921, respecting the right to a flag of States having no sea-coast, has the honour to inform him that the 31st October, 1922, the date on which notification of the said accession was received by the Secretariat, has been put on record as the date on which the accession became effective.

The Secretary-General has taken note of the observations made in the second paragraph of the letter of the Under-Secretary of State for Foreign Affairs.

Société des Nations,
Geneva,
1st April, 1924.

---

(2) Conventions adopted by the Second General Conference on the Freedom of Communications and Transit held at Geneva, 1923.

(*Treaty Series* 1925, *Nos.* 23, 24, 25 *and* 26.)

19763

No. 200.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

[*Answered by Nos.* 202 *and* 203.]

(Canada. No. 210.)
(Commonwealth of Australia. No. 187.)
(New Zealand. No. 90.)
(Union of South Africa. No. 153.)
(Irish Free State. No. 316.)

[MY LORD,] [SIR,] Downing Street, 24th May, 1924.

I HAVE the honour to invite reference to the following Conventions and Statutes contained in League of Nations paper C.823. M.312. VIII, 1923 [C.G.C.T. 36], a copy of which was forwarded to the Members of the League of Nations in a letter from the Secretary-General C.L.15, 1924, VIII, of the 26th January:—

(1) Convention and Statute on the International Regime of Railways and Protocol of Signature.

(2) Convention and Statute on the International Regime of Maritime Ports and Protocol of Signature.

(3) Convention relating to the transmission in transit of electric power and Protocol of Signature.

(4) Convention relating to the development of hydraulic power affecting more than one State, and Protocol of Signature.

These Conventions were adopted by the Second General Conference on the Freedom of Communications and Transit held at Geneva in November-December, 1923 [*To Canada and Irish Free State only:* at which [Canada] [the Irish Free State] was represented by [Mr. L. Pacaud.] [Mr. MacWhite.]]

2. It is contemplated that the Conventions and Statutes should in due course be ratified by His Majesty so far as concerns this country. The Governments of Newfoundland, Southern Rhodesia, the Colonies not possessing responsible Government and British Protectorates are being consulted as to ratification on their behalf.

3. It would be convenient to His Majesty's Government to learn, before the instrument of ratification is prepared, whether Your Excellency's Ministers desire that these Conventions and Statutes (with the Protocols), or any of them, should also be ratified on behalf of [Canada] [the Commonwealth of Australia] [New Zealand] [the Union of South Africa] [the Irish Free State] and, if so, what arrangements they contemplate for their signature. [*Not to Irish Free State:* I should be glad if your Ministers' views could be communicated by telegraph.]

[*To Australia, New Zealand and Union of South Africa only:* 4. It will be observed that Article 9 of the Railway and Ports Conventions and Article 21 of the Electric Power and Hydraulic Power Conventions provide that any State signing

the Conventions may declare, at the moment of signature or ratification, that its acceptance does not include any or all of its colonies, overseas possessions, protectorates, or overseas territories under its sovereignty or authority. In the event of your Ministers deciding to participate in all or any of the Conventions, but desiring that [*To Australia:* Papua, Norfolk Island and the Mandated Territory of New Guinea] [*To New Zealand:* Western Samoa] [*To Union of South Africa:* South-West Africa] should be excluded, a decision would be necessary on the question whether a declaration under all or any of the Articles in question should be made at the time of signature or postponed until ratification.]

[*To Australia only:* 5. The position of Nauru will also need consideration, and I shall be glad of your Ministers' observations as to the application of the Conventions and Statutes to it.]

[4] [5] [6] Similar despatches are being sent to the other self-governing Dominions concerned.

I have, &c.,
J. H. THOMAS.

24339

No. 201.

THE SECRETARY OF STATE to THE GOVERNORS.

[*Answered by No.* 204.]

(Newfoundland. No. 96.)
(Southern Rhodesia. No. 223.)

SIR, Downing Street, 27th June, 1924.

I HAVE the honour to transmit to you, to be laid before your Ministers, a copy of League of Nations paper C.823, M.312, VIII, 1923 (C.G.C.T. 36), containing the following Conventions, etc., adopted by the Second General Conference on the Freedom of Communications and Transit held at Geneva in November-December, 1923:—

(1) Convention and Statute on the International Regime of Railways and Protocol of Signature.

(2) Convention and Statute on the International Regime of Maritime Ports and Protocol of Signature.

(3) Convention relating to the transmission in transit of electric power and Protocol of Signature.

(4) Convention relating to the development of hydraulic power affecting more than one State and Protocol of Signature.

The first two of these Conventions and the Final Act of the Conference have also been printed in Parliamentary Papers (Cmd. 2141, 2142, and 2144), copies of which are being transmitted in a separate despatch.

2. It is proposed that these Conventions, etc., should now be ratified by His Majesty. As it is considered desirable that His Majesty's ratification should be deposited at an early date, the ratification will be confined to Great Britain and Northern Ireland, and declarations will be made under Article 9 of the Railway and Ports Conventions and Article 21 of the Electric Power and Hydraulic Power Conventions, excluding all Colonies, overseas possessions, protectorates, and overseas territories under His Majesty's sovereignty or authority. It will, of course, be possible for adherence to be notified subsequently in respect of any part of the Empire so excluded, which may desire to participate.

3. In this connexion I would invite reference to the Recommendation in the Final Act of the Conference relating to the application of these Conventions to colonies, overseas possessions, etc., and I should be glad to know whether your Ministers would wish a notification of adherence in respect of [Newfoundland] [Southern Rhodesia] to be made to the League of Nations as regards [*Newfoundland only:* any of the Conventions which may be considered applicable to Newfoundland.] [*Southern Rhodesia only:* the Railways, Electric Power and Hydraulic Power Conventions.]

I have, &c.,
J. H. THOMAS.

31027

No. 202.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 3.20 p.m., 30th June, 1924.)

TELEGRAM.

30TH JUNE. Your despatch of 24th May, No. 153.* Conventions adopted by the Second General Conference on the Freedom of Communication and Transit. Ministers state that owing to the geographical position of the Union of South Africa Government are not affected by the Conventions in question and therefore do not propose either to withhold or accord their accession.—ATHLONE.

35137

No. 203.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 12.2 p.m., 24th July, 1924.)

TELEGRAM.

24TH JULY. New Zealand Government concurs in the ratification of the four Conventions referred to in your despatch of the 24th May, No. 90.* Ministers state that they have arranged for Sir James Allen to sign on New Zealand's behalf, and that there is no reason why Western Samoa should be excluded from any of these Conventions.—JELLICOE.

41268

No. 204.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 30th August, 1924.)

(No. 85.)

SIR, Government House, St. John's, 11th August, 1924.

I HAVE the honour to acknowledge the receipt of your despatch No. 96 of the 27th June,† regarding certain Conventions adopted by the Second General Conference on the Freedom of Communications and Transit, and to inform you that my Ministers desire that a notification of adherence in respect of Newfoundland be made to the League of Nations as regards the four Conventions mentioned in your despatch under acknowledgment.

I have, &c.,
W. L. ALLARDYCE.

47457

No. 205.

THE SECRETARY OF STATE to THE GOVERNORS.

(Newfoundland. No. 152.)
(Southern Rhodesia. No. 430.)

SIR, Downing Street, [15th] [13th] October, 1924.

WITH reference to my despatch No. [130] [355] of the 28th of August,‡ I have the honour to transmit to you, for the information of your Ministers, the accompanying copy of the League of Nations document, C.L. 127, 1924, V, reporting the receipt and deposit of the instruments of ratification by His Majesty's Government of the Convention on the International Regime of Railways and Protocol of Signature, and of the Convention on the International Regime of Maritime Ports and Protocol of Signature, 9th December, 1923.

I have, &c.,
J. H. THOMAS.

* No. 200. ‡ No. 201. † 29647/24: not printed; it enclosed League of Nations document relating to the Conference of 1923.

117

Enclosure in No. 205.

(C.L. 127, 1924, V.)

LEAGUE OF NATIONS.

CONVENTION ON THE INTERNATIONAL REGIME OF RAILWAYS AND PROTOCOL OF SIGNATURE.

CONVENTION AND STATUTE ON THE INTERNATIONAL REGIME OF MARITIME PORTS AND PROTOCOL OF SIGNATURE.

(Geneva, 9th December, 1923.)

RATIFICATION BY HIS BRITANNIC MAJESTY.

Geneva, 12th September, 1924.

I HAVE the honour to inform you that the Right Honourable the Secretary of State for Foreign Affairs of His Britannic Majesty has transmitted to me the instruments of ratification by His Majesty of the Convention on the International Regime of Railways and Protocol of Signature, and of the Convention on the International Regime of Maritime Ports and Protocol of Signature, Geneva, 9th December, 1923.

These ratifications have been given on behalf of the British Empire. It is stated in the instruments of ratification that these ratifications shall not be deemed to apply in the case of the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa or the Irish Free State (or any territories under their authority) or in the case of India and that, in pursuance of the power reserved in Article 9 of these Conventions, they shall not be deemed to apply in the case of any of the Colonies, Possessions or Protectorates or of the territories in respect of which His Britannic Majesty has accepted a mandate; without prejudice, however, to the right of subsequent ratification or accession on behalf of any or all of those Dominions, Colonies, Possessions, Protectorates or Territories.

The instruments of ratification by His Britannic Majesty have been deposited at the Secretariat on 29th August, 1924.

I have, &c.,
For the Secretary-General,

Director of the Legal Section.

48360

No. 206.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Canada. / Commonwealth of Australia. / New Zealand. / Union of South Africa. / Irish Free State. — Dominions Treaty No. 37.)

[MY LORD,] [SIR,] Downing Street, 24th October, 1924.

WITH reference to my despatch No. [210] [187] [90] [153] [316] of the 24th May,* I have the honour to state that, as Your Excellency's Ministers will have observed from the letter from the Secretary-General of the League of Nations, C.L. 127 of the 12th September,† the Conventions and Statutes on the International Regime of Railways and the International Regime of Maritime Ports, with the Protocols of Signature, have been ratified by His Majesty the King on behalf of Great Britain and Northern Ireland.

2. Similar action is now contemplated as regards the Conventions relating to the transmission in transit of electric power and to the development of hydraulic power affecting more than one State, and the Protocols of Signature.

I have, &c.,
J. H. THOMAS.

* No. 200. † Enclosure in No. 205.

48360

No. 207.

NEW ZEALAND.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 199.)

MY LORD, Downing Street, 24th October, 1924.

WITH reference to my despatch of even date, Dominions Treaty No. 37,* I have the honour to request Your Excellency to inform your Ministers that, as the Conventions and Statutes on the International Regime of Railways and the International Regime of Maritime Ports (with the Protocols of Signature) have now been signed on behalf of New Zealand and Western Samoa by the High Commissioner, steps are being taken for the preparation of a special instrument of ratification of these two Conventions, etc., on behalf of New Zealand and Western Samoa.

2. In the case of the Conventions relating to the transmission in transit of electric power and to the development of hydraulic power affecting more than one State, which also have been signed by the High Commissioner, with the Protocols of Signature, it is proposed that the instrument of ratification on behalf of Great Britain and Northern Ireland, which is about to be prepared, should also include ratification on behalf of New Zealand and Western Samoa.

I have, &c.,
J. H. THOMAS.

48360

No. 208.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

(No. 449.)

SIR, Downing Street, 24th October, 1924.

WITH reference to my despatches No. 223 of the 27th June and No. 430 of the 13th October,† I have the honour to request you to inform your Ministers that action is now contemplated for the ratification on behalf of Great Britain and Northern Ireland of the Conventions relating to the transmission in transit of electric power and to the development of hydraulic power affecting more than one State, with the Protocols of Signature.

2. In the absence of any intimation that your Ministers desire the inclusion of Southern Rhodesia in these Conventions, etc., declarations under Article 21 will be made at the time of ratification, excluding Southern Rhodesia.

I have, &c.,
J. H. THOMAS.

GERMANY.

(1) Commercial Treaty, 1924.

(*Treaty Series* 1925, *No.* 45.)

34691

No. 209.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

[*Answered by Nos.* 210, 212, 214, and 215.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 298.) — Dominions No. 358.)

[MY LORD,] [SIR,] Downing Street, 1st August, 1924.

I HAVE the honour to request [Your Excellency,] [you,] to inform your Ministers that, in view of the lapse in January, 1925, of certain of the provisions

* No. 206. † Nos. 201 and 205.

of the Treaty of Versailles dealing with commercial matters (*vide* Article 280 of the Treaty), it is considered desirable to initiate negotiations with a view to the conclusion of a Commercial Treaty with Germany.

2. Accordingly a draft Treaty,* of which a copy is enclosed, has been prepared and, it is anticipated, will shortly be submitted to the German Government. The draft follows closely the original draft of the Treaty recently signed with Austria (*vide* my despatch [Dominions No. 255] [No. 196] of the 6th June,†) with the addition of the usual clauses relating to navigation which were omitted from the Treaty with Austria in view of the fact that Austria has no sea board.

3. As in the case of Austria, it is contemplated that there should be signed simultaneously with the Treaty a declaration dealing with the special restrictions imposed in this country by law on ex-enemy aliens. The draft of such a declaration* is appended to the Treaty. In the event of the Treaty being concluded, and of any Dominion or Colony, in which legislation against ex-enemy aliens is still in force, desiring to become a party to it, it will presumably be necessary for some similar declaration to be prepared and signed, reserving from the rights conferred by the Treaty the special restrictions imposed by the legislation in question.

4. If there are any points which your Ministers would desire to be specially borne in mind in the negotiations, His Majesty's Government will be glad to be advised at an early date.

I have, &c.,
J. H. THOMAS.

51212

No. 210.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 31st October, 1924.)

(No. 206.)

SIR, Government House, Wellington, 25th September, 1924.

WITH reference to your despatch Dominions No. 358 of the 1st August,‡ I have the honour to inform you that my Ministers advise me that they do not think it desirable, at present, for New Zealand to adhere to the proposed Commercial Treaty with Germany, and that it is not wished that any points should be specially borne in mind so far as this Dominion is concerned.

I have, &c.,
JELLICOE,
Governor-General.

51333

No. 211.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 31st October, 1924.)

(Confidential.)

SIR, Government House, Wellington, 25th September, 1924.

WITH reference to my despatch No. 206 of to-day's date,§ relative to the proposed Commercial Treaty with Germany, I have the honour, at the instance of my Prime Minister, to advise you, for the confidential information of His Majesty's Government, that, as in the case of the Commercial Treaty which was recently entered into with Austria, the reasons for non-adherence to the proposed Treaty with Germany are, firstly, on account of the existence of the Undesirable Immigrants Exclusion Act, 1919, and secondly, because under existing laws depreciated currency duty is charged upon certain classes of goods imported from Germany on the ground that their importation prejudicially affects industries established in New Zealand or in other British Dominions.

2. A further reason for the non-adherence is that, if a special Treaty or tariff agreement were later arranged with any other foreign country, similar terms would have to be granted to Germany.

I have, &c.,
JELLICOE,
Governor-General.

---

* Not printed here. See Treaty Series 1925, No. 45, for the text of the Treaty as signed. † No. 49.
‡ No. 209. § No. 210.

51428

No. 212.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.50 p.m., 31st October, 1924.)

TELEGRAM.

[Answered by No. 213.]

31ST OCTOBER. Ministers would be glad to learn whether obligation imposed on Germany by Chapter I (Articles 264 and 265) of Peace Treaty of Versailles will cease to operate in January, 1925, in the terms of Article 280 of the Peace Treaty. They also inquire present position as regards negotiations for commercial agreement between Great Britain and Germany referred to in your despatch of 1st August, Dominions No. 358,* and whether Articles XXVIII and XXIX in the draft will be retained.

In this connexion I transmitted to you under cover of my despatch of 22nd October, No. 574,† Minute from Ministers in reply to your despatch above referred to, stating that in view of the provisions of above-mentioned Articles of draft Treaty the Union did not propose to become a party to it. They added that they preferred to retain freedom of action as it might be desirable for the Union to conclude commercial arrangements with contiguous foreign countries such as Portuguese East Africa and Portuguese West Africa.—ATHLONE.

51428

No. 213.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 2.50 p.m., 5th November, 1924.)

TELEGRAM.

5TH NOVEMBER. Your telegram 31st October.‡ Answer to first question is in affirmative. Present position as regards Commercial Treaty with Germany is that, as result of discussions in Berlin, draft has been revised in certain particulars, but Articles 28 and 29 are retained subject, as a result of German representations, to insertion of a limit of twelve months from coming into force of Treaty within which notice of accession has to be given. Despatch follows by mail.—SECRETARY OF STATE FOR THE COLONIES.

52798

No. 214.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10th November, 1924.)

(No. 574.)

Governor-General's Office, Pretoria, 22nd October, 1924.

SIR,

I HAVE the honour to transmit to you, herewith, with reference to your despatch Dominions No. 358 of the 1st August, 1924,* copy of Minute from Ministers on the subject of the negotiation of a Commercial Treaty between Great Britain and Germany.

I have, &c.,
ATHLONE,
Governor-General.

Enclosure in No. 214.

Prime Minister's Office, 20th October, 1924.

MINUTE No. 844.

WITH reference to His Excellency the Governor-General's Minute No. 74/97 of the 27th August, 1924, transmitting a copy of a despatch, dated the 1st August, 1924, from the Secretary of State for the Colonies, on the subject of the conclusion

* No. 209. † No. 214. ‡ 212.

89

of a Commercial Treaty between Great Britain and Germany, Ministers have the honour to inform His Excellency that, in view of the provisions of Articles XXVIII and XXIX thereof, there is no necessity for the Union to become a party to the Treaty.

It may be desirable for the Union Government to conclude commercial arrangements with contiguous foreign countries such as Portuguese East and West Africa, and it is, therefore, preferable to retain freedom of action in case it should be found necessary to take action to this end. The above Articles provide that Union produce and manufactures shall enjoy complete and unconditional most-favoured-nation treatment on importation into Germany as long as similar treatment is accorded to German produce and manufactures on importation into the Union.

J. B. M. HERTZOG.

53894

No. 215.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 17th November, 1924.)

(No. 284.)

Governor-General's Office, Melbourne,

SIR,

9th October, 1924.

WITH reference to your despatch dated 1st August, 1924, Dominions No. 358,* forwarding copy of a draft Commercial Treaty with Germany which had been prepared and was about to be submitted to the German Government, I have the honour to inform you, in reply to your inquiry as to whether there are any points which my Ministers desire to be specially borne in mind in the negotiations, that the Commonwealth Government has at this stage no comments to offer in the matter.

It is noted that, under the Treaty as drafted, provision is made for the adherence of any British self-governing Dominion to be effected by the giving of notice, presumably at any time after the Treaty has been signed and ratified, through His Majesty's Representative at Berlin, of the desire that the Treaty shall apply to such Dominion.

In the event of the Treaty being agreed to and ratified, whether in its present or in some modified form, the question of the adherence of the Commonwealth will then receive careful consideration.

I have, &c.,
FORSTER,
Governor-General.

54487

No. 216.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 1.50 p.m. 28th November, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

(Confidential.)

28TH NOVEMBER. My despatch 20th August, Dominions 395.† Commercial Treaty with Germany. Negotiations with German representatives in London now far advanced, and prospect of favourable conclusion. In course of discussions it appeared that German Government attached great importance to exclusion from

* No. 209. † Not printed; it dealt with certain textual modifications in the draft Treaty.

benefits of Treaty of British ships registered in parts of Empire to which Treaty does not apply. His Majesty's Government have not felt able to resist this proposal especially in view of provisions of paragraph 5 of Protocol of Signature of Maritime Ports Convention, signed Geneva, 9th December, 1923 (see page 13 of Cmd. 2141, of which copies enclosed my despatch 16th July, Dominions 321*), and course proposed in 1915 in connexion with negotiations as to liberty of Dominions to withdraw from Commercial Treaty with Russia (see my despatch 12th August, 1915, Confidential†). German Government also proposed at one stage that second paragraph of Article originally numbered 28, whereby goods produced or manufactured in non-acceding Dominion or Colony would receive most-favoured-nation treatment in Germany subject to reciprocity, should be replaced by comprehensive paragraph to effect that stipulations of treaty according most-favoured-nation treatment in Germany in respect alike of entry and residence of persons and of shipping and of goods should extend to India or any of His Britannic Majesty's self-governing Dominions, etc., so long as India or such self-governing Dominions, etc., should accord to German citizens, shipping and goods, treatment as favourable as that accorded to any other foreign country.

This proposal (which would have been open to obvious objection) has now been abandoned, and German representatives have agreed to retention of second paragraph originally proposed; but desired that German Government might have liberty to denounce this paragraph after 1st September, 1926, in respect of non-acceding Dominions, etc., by giving three months' notice. His Majesty's Government considered that it was impossible to take exception to this proposal.—AMERY.

54487

No. 217.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Confidential.)

SIR, Downing Street, 29th November, 1924.

WITH reference to my Confidential despatch Dominions No. 527 of the 12th November,‡ I have the honour to transmit to Your Excellency, to be laid before Your Ministers, a copy of a telegram§ to the Governors-General of Canada, the Commonwealth of Australia, New Zealand, and the Union of South Africa and the Governor of Newfoundland, with regard to the proposed Commercial Treaty with Germany.

2. As regards the reference in the telegram to a proposal made in 1915 in connexion with the Anglo-Russian Commercial Treaty of the 12th January, 1859, I enclose a copy of a despatch† to the self-governing Dominions and the enclosed draft Protocol. The Dominion Governments concurred in the terms of the draft Protocol, but it was thought that it would be best not to submit the draft to the Russian Government until after the end of the War, and the question was finally disposed of by the denunciation of the Treaty of 1859 by the Russian Government in October, 1917.

I have, &c.,
L. S. AMERY.

55799

No. 218.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 6.0 p.m., 3rd December, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

3RD DECEMBER. Commercial Treaty with Germany signed 2nd December. Text will be published 5th December. Copies will be sent as soon as possible.—AMERY.

---

* 25787/24: not printed; it enclosed a copy of the Command Paper referred to. † No. 77 in Dominions No. 59. ‡ Not printed: it enclosed copies of Foreign Office prints relating to the progress of negotiations. § No. 216.

55799

No. 219.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 680.)

SIR, Downing Street, 4th December, 1924.

WITH reference to my predecessor's despatch Dominions No. 395 of the 20th August* and connected correspondence, I have the honour to transmit to Your Excellency, for the information of your Ministers, a copy of a telegram† to the other self-governing Dominions with regard to the signature of the Commercial Treaty with Germany.

I have, &c.,
L. S. AMERY.

56801

No. 220.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 508.) } Dominions No. 567.)

[MY LORD,] [SIR,] Downing Street, 9th December, 1924.

WITH reference to [*Not to Irish Free State and Southern Rhodesia:* My telegram of the 3rd of December,†] [*To Irish Free State:* My despatch No. 680 of the 4th of December,‡] [*To Southern Rhodesia:* My predecessor's despatch No. 337 of the 20th of August,*] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copies of the Treaty§ of Commerce and Navigation with Germany and of the Protocol attached thereto, signed in London on the 2nd of December.

I have, &c.,
L. S. AMERY.

57807

No. 221.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 4.45 p.m., 11th December, 1924.)

TELEGRAM.

11TH DECEMBER. Note has been received from German Ambassador intimating that after 10th January, 1925, Canadian imports become subject to régime of German customs tariff, and will therefore not receive favoured treatment. Note observes that according to information received, it appears that in view of this fact Canadian Government are pressing German Consul-General, Montreal, to come to an arrangement as soon as possible, and states that German Government ask to be informed whether Canadian Government are disposed in principle to accede to Anglo-German Commercial Treaty or whether they wish to settle their commercial relations with Germany independently. Should be glad to know what answer your Ministers would wish sent. Copies of Commercial treaty enclosed in my despatch of 9th December, Dominions 567.‖—AMERY.

---

* 37769/24: not printed; it dealt with certain textual modifications in the draft Treaty. † No. 218. ‡ No. 219. § Not reprinted; see Treaty Series 1925, No. 45, for the text. ‖ No. 220.

56955

No. 222.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. Secret.) } Dominions No. 583. Secret.)

[My Lord,] [Sir,] Downing Street, 18th December, 1924.

With reference to my despatch [Dominions No. 567] [No. 508] of the 9th of December,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a despatch to His Majesty's Representative at Berlin, forwarding copies of the minutes of the meeting at which the Treaty of Commerce and Navigation between Great Britain and Germany was signed.

I have, &c.,
L. S. AMERY.

Enclosure in No. 222.

(No. 2140.)

Sir, Foreign Office, 3rd December, 1924.

I transmit to you herewith copies of the minutes† of the meeting at which the Treaty of Commerce and Navigation between Great Britain and Germany was signed.

2. These minutes embody a declaration to which His Majesty's Government attach great importance, namely, that the treaty will not prejudice in any way rights enjoyed under or in virtue of the Treaty of Versailles. In order not to make difficulties for the German Government, His Majesty's Government have agreed that these minutes shall not be published for the time being. In view, however, of the fact that these minutes have so important a bearing on the interpretation of the Commercial Treaty, it has been agreed that they will be communicated to the Secretariat of the League of Nations at Geneva, after ratification, when the treaty itself is registered, and to Parliament when the Bill for giving effect to the treaty is introduced. It has been further agreed that both His Majesty's Government and the German Government retain the right to declare to their respective Parliaments that the Treaty of Versailles is in no way modified or infringed, and that this has been the understanding throughout the negotiations. Should Parliamentary exigencies require it each Government retains the further right to publish the minutes in question after communication with the other party as to the date of publication.

I have, &c.,
(For the Secretary of State),
Miles W. Lampson.

J. Addison, Esq., C.M.G.,
&c., &c., &c.

* No. 220. † Not printed here; see Treaty Series, 1925, No. 45 for the text.

49914

No. 223.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. Confidential.) } Dominions No. 517. Confidential.)

[My Lord,] [Sir,] Downing Street, 31st October, 1924.

With reference to my despatch [Dominions No. 395] [No. 337] of the 20th of August,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of correspondence with the French Ambassador regarding a suggestion of the French Government that action should be taken with a view to the maintenance in force after the 10th of January, 1925, of the provisions of Article 276 of the Treaty of Versailles.

I have, &c.,
J. H. THOMAS.

Enclosure 1 in No. 223.

(29th August, 1924.)

(Confidential.)
(C 13751/234/18.)

M. de Montille to Mr. MacDonald.

(Received 29th August.)

Ambassade de France,

M. le Secrétaire d'Etat, Londres, le 28 août 1924.

L'Article 276 du Traité de Versailles contient un certain nombre de dispositions relatives au traitement des ressortissants des Puissances alliées et associées en Allemagne. Le Gouvernement français juge ces dispositions fort utiles. Dernièrement d'ailleurs, les autorités britanniques se seraient proposé de les invoquer à propos du survol de l'Allemagne par les avions d'une société aéronautique anglaise.

En vertu de l'article 280, second alinéa, du traité, cet article 276 pourra demeurer en vigueur après le 10 janvier 1925, s'il en est ainsi décidé par la majorité du Conseil de la Société des Nations.

En conséquence, M. Herriot me charge de demander à votre Excellence si le Gouvernement de Sa Majesté entend demander au Conseil de la Société des Nations de prendre une décision en ce sens.

Veuillez, &c.,
de Montille.

Enclosure 2 in No. 223.

Your Excellency, Foreign Office, S.W.1, 14th October, 1924.

With reference to Monsieur de Montille's note of the 28th August last, inquiring whether His Majesty's Government intended to approach the League of Nations with a view to maintaining in force after the 10th January, 1925, the provisions of Article 276 of the Treaty of Versailles, I have the honour to inform Your Excellency that His Majesty's Government do not, as at present advised, propose to approach the League in this sense.

2. At the same time I would point out, with regard to a statement contained in Monsieur de Montille's note under reference, that it is not the intention of His

* 37760/24: not printed; it dealt with certain textual modifications in the draft Anglo-German Commercial Treaty.

Majesty's Government to appeal to the provisions of this article in connexion with the flight of British aircraft over German territory. In the opinion of His Majesty's Government, as the French Government are already aware, the provisions of Article 276, by which Germany undertakes certain obligations with regard to the treatment of Allied nationals, and which is comprised in the economic clauses contained in Part X of the Treaty, cannot be held to govern the question of Allied civil aviation in Germany, which forms a separate section, Part XI, of the Treaty.

I have, &c.,
C. HOWARD SMITH.

His Excellency
Count de Saint-Aulaire,
&c., &c., &c.

53332

No. 224.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. Confidential (2).)

Dominions No. 537. Confidential.)

Downing Street, 19th November, 1924.

[MY LORD,] [SIR,]

WITH reference to my predecessor's Confidential despatch [Dominions No. 517 of the 31st of] [of the 31st of] October,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of correspondence with the Belgian Ambassador relative to Article 276 of the Treaty of Versailles.

I have, &c.,
L. S. AMERY.

[51642]

Enclosure 1 in No. 224.

Ambassade de Belgique.

(30 P. No. 2558.)

Londres, le 25 octobre, 1924.

MONSIEUR LE PREMIER MINISTRE,

COMME le sait Votre Excellence, l'article 276 du Traité de Versailles (Chapitre IV de la Section I de la Partie X) comporte, d'une façon générale, l'engagement pour l'Allemagne de ne soumettre les ressortissants des Puissances alliées et associées à aucune disposition qui ne serait appliquée soit aux sujets allemands dans certains cas, soit aux ressortissants de la nation la plus favorisée dans d'autres.

L'article 280, 2e alinéa, prévoit qu'après une période de cinq ans à dater de la mise en vigueur du traité, ledit article 276 restera en vigueur "avec ou sans amendement, pour telle période s'il en est une, que fixera la majorité du Conseil de la Société des Nations, et qui ne pourra dépasser cinq années."

Ce texte doit, semble-t-il, être interprété en ce sens que l'Allemagne sera libérée des engagements visés à l'article 276 si, à la date du 10 janvier 1925, le Conseil de la Société des Nations n'en a pas prononcé le renouvellement.

Mon Gouvernement m'a prié d'attirer l'attention de Votre Excellence sur cette question. Il serait très heureux de connaître les intentions du Gouvernement de Sa Majesté Britannique au sujet d'une proposition éventuelle à présenter au Conseil de la Société des Nations.

* No. 223.

Votre Excellence m'obligerait vivement si Elle voulait bien me faire connaître le point de vue du Gouvernement Britannique dans la question dont il s'agit.

Je saisis, &c.,
B. MONCHEUR.

Son Excellence
The Right Honourable J. Ramsay MacDonald, M.P.,
Premier Ministre,
Secrétaire d'Etat Principal pour les Affaires Etrangères,
Foreign Office, S.W.1.

Enclosure 2 in No. 224.

YOUR EXCELLENCY,

Foreign Office, 11th November, 1924.

WITH reference to your note No. 30 P/2558 of the 25th ultimo, relative to Article 276 of the Treaty of Versailles, I have the honour to inform Your Excellency that His Majesty's Government agree with the view expressed in your note that, unless the Council of the League of Nations has, before the 10th January next, taken a decision under Article 280 of the Treaty, Germany will be freed as from that date from her obligations under Article 276 of the Treaty.

2. His Majesty's Government have not at present the intention of bringing this matter before the Council of the League of Nations.

I have, &c.,
(for the Secretary of State),
MILES W. LAMPSON.

His Excellency
Baron Moncheur, G.C.V.O.,
&c., &c., &c.

---

(3) Agreement with Union Government relating to South West Africa.

(*Treaty Series* 1924, *No.* 27.)

9647

No. 225.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to the GOVERNOR-GENERAL.

[*Answered by No.* 229.]

(No. 117.)

Downing Street, 16th April, 1924.

MY LORD,

I HAVE the honour to transmit to Your Excellency, to be laid before your Ministers, a copy of correspondence with the German Ambassador regarding the Agreement between the Prime Minister of the Union of South Africa and representatives of the German Government on the subject of the position of German nationals in South-West Africa.

2. The Secretary of State for Foreign Affairs has inquired whether your Ministers would desire that the text of the Agreement should be published in the Treaty Series of Parliamentary Papers, since he attaches importance to this Series of Papers being preserved as a complete record of all international agreements of consequence concluded by or on behalf of the various parts of the Empire. It will be noted that the Agreement renewing Part I of the Mozambique Convention, signed on the 31st March, 1923, has already been published in this Series (Treaty Series, 1923, No. 10). If it is desired that the Agreement should be so published, the Secretary of State for Foreign Affairs will be glad to receive a certified copy of the text.

3. The Secretary of State for Foreign Affairs will also be glad to learn your Ministers' wishes as regards registration of the Agreement with the Secretariat of the League of Nations in accordance with Article 18 of the Covenant. His Majesty's Government would be happy to make the necessary arrangements for the inclusion

of this Agreement and of any similar international agreements affecting the Union of South Africa among those which they communicate themselves to the League Secretariat for registration, if this course would be of convenience to the Union Government.

I have, &c.,
J. H. THOMAS.

[5644]

Enclosure 1 in No. 225.

(Translation.)
(A.297.)

SIR, German Embassy, London, 30th January, 1924.

IN pursuance of instructions I have the honour to transmit to you herewith copies of the Agreement concluded with General Smuts by Herr de Haas of the Foreign Ministry and Dr. Ruppel of the German Ministry of Reconstruction, as representatives of the German Government, respecting the national status of Germans in the Mandated Territory of South-West Africa, together with copies in the English and German languages of the correspondence appertaining thereto.

I have been instructed to express to Your Excellency the hope of the German Government that this arrangement has the approval of the British Government.

I have, &c.,
STHAMER.

The Right Honourable
James Ramsay MacDonald, M.P.,
&c., &c., &c.

South African Delegation, Trafalgar Square,
London, W.C.2, 23rd October, 1923.

DEAR MR. DE HAAS,

IT is a great pleasure to me that I have been able to come to an agreement with the Government of the German Reich in regard to the future of German Nationals in the Mandated Territory of South-West Africa, and I wish to express to you and Dr. Ruppel my appreciation of the friendly spirit in which the matter has been dealt with and disposed of. Ever since the conclusion of peace the Administration of South-West Africa and these German Nationals have worked together for the common good, but the natural feelings of the latter have prevented them from doing anything which might be construed as disloyalty to their Fatherland. The German Government have now removed this difficulty, and I have no doubt that they will act on your advice and accept the new citizenship in a good and loyal spirit.

The Germans, settled at various times in various parts of the Union, form one of the most valuable portions of our South African people. And I feel sure that the Germans of South-West Africa, whose successful and conscientious work in the Territory I highly appreciate, will materially help in building up an enduring European civilization on the African Continent, which is the main task of the Union.

This successful issue of our discussion is another small tribute to the spirit of goodwill which has since the conclusion of peace actuated the Union Government in its relations with its former enemies, and I am glad to recognize that from your side this spirit has been fully reciprocated.

Believe me,
Yours faithfully,
J. C. SMUTS.

TRANSLATION OF LETTER TO GENERAL SMUTS FROM MR. DE HAAS.

SIR, London, 23rd October, 1923.

I HAVE the honour to acknowledge the receipt of your letter of to-day's date. The friendly feelings which you express therein are fully appreciated by Dr. Ruppel and myself. I especially thank you for your appreciative reference to the Germans in the Union of South Africa and in the former German Protectorate of South-West Africa.

In the name of the German Government I for my part gladly recognize that the Administration established by the Union of South Africa for the Mandated Territory of South-West Africa has been successful in endeavouring to ameliorate the position of the Germans living there as much as possible. Some questions, however, remained open, which stood in the way of perfect co-operation, but these questions have now been settled by the memorandum signed to-day.

Recognizing that the future of South-West Africa is now bound up with the Union of South Africa, and that it would be a wise policy for the German Nationals in that Territory to throw in their lot with South Africans, the German Government are prepared to use their influence with these Nationals to induce them to accept Union citizenship under a general naturalization law of the Union and to advise them not to exercise their right of declaring themselves outside of that citizenship.

It will be hailed with great satisfaction by the German Government, and I feel sure by the German people generally that a complete understanding has been arrived at. This has only been possible owing to the cordial and generous manner and friendly spirit in which Dr. Ruppel and myself, as representatives of the German Government, have been met by you.

With the expression of my highest consideration, I have, &c.,

DE HAAS.

To the Prime Minister
of the Union of South Africa.
General J. C. Smuts, P.C.,
London.

MEMORANDUM.

THE purpose of this memorandum is to confirm the results of the conversation which took place between General Smuts, Prime Minister of the Union of South Africa, and Mr. de Haas, of the German Foreign Office, and Dr. Ruppel, of the German Ministry of Reconstruction, representing the German Government, regarding the Germans in the Mandated Territory of South-West Africa, and especially regarding the attitude which the German Government will advise its nationals to adopt in respect of the proposed law for the automatic grant of Union citizenship to the Germans domiciled in South-West Africa.

(1) *Germans to share privileges and responsibilities.*—The policy of the Union Government is to accept the Germans of South-West Africa as part of the people, with the same privileges and the same responsibilities as the other citizens.

(2) *German language.*—The administration of South-West Africa will give every facility for the free use of the German language and will raise no objection to the use of the German language in public offices and in correspondence with these offices, who will reply, whenever possible, in the same language. German translations of the official *Gazette* containing the laws and Government Notices enacted from time to time will also be published.

(3) *Schools.*—The Administration is prepared to assist as a special measure the two German schools of Swakopmund and Windhoek for a period of two years on the £ for £ principle, but not exceeding 50 per cent. of the total expenditure of the last twelve months. The schools are to be subject to Government inspection, and the standard of the classes is to be at least equal to the same standard in the Government schools.

This concession is in no way to be construed as an abandonment of the present general education policy of the Administration.

(4) *German Churches and Missions.*—The German Churches and the German Missions have been and will continue to be treated sympathetically by the Administration of South-West Africa.

(5) *Immigration laws.*—The immigration laws in force in the Union of South Africa shall apply to South-West Africa. Germans who conform to the provisions of this Act shall be welcome.

(6) *Co-operative Societies.*—The Administration of South-West Africa will investigate the question of the solution of the financial difficulties of the German Co-operative Societies (Verwertungs-Vereinigungen) and their Association (Verband) and consider seriously the possibility of rendering assistance to them.

(7) *Representation on Land Board and Advisory Board of Land and Agricultural Bank.*—The desirability of the appointment of one German member on the Land Board as well as on the Board of the Land and Agricultural Bank in South-West Africa is admitted, and steps to give effect to this will be taken by the Administration when an opportunity presents itself.

(8) *Swakopmund.*—The Administration has a definite policy

(*a*) to develop Swakopmund as the principal watering place in South-West Africa;

(*b*) to make it an educational centre;

(*c*) by accelerating local passenger traffic between Swakopmund and Walfish Bay to make it a residential suburb of Walfish Bay.

(9) *Pensions.*—The South-West Administration will be prepared to accept liability for the pensions to which employees of the German Government who are still resident in South-West Africa are entitled on the following conditions:—

(*a*) The South Africa Administration accepts liability, provided it is confined to "Civil" Servants at present resident in the Territory, who were in the permanent employment of the late German Government or on pension at the 9th July, 1915.

(*b*) Such liability shall continue only so long as the pensioners remain permanently resident in South-West Africa and accept Union citizenship, if applied to German Nationals automatically by general enactment.

(*c*) It shall be competent for the South-West Africa Administration to suspend payment of pensions, or to abate the same in accordance with the principles applied in the Union in that behalf, in the case of such of the pensioners as are in the service of the Administration, but for such period only as they may be drawing salaries equal to or in excess of those enjoyed by them at the 9th July, 1915.

(10) *Workmen's Compensation Act.*—The Workmen's Compensation Act of the Union will be extended to the Territory at an early date.

(11) *Military Service.*—Germans in South-West Africa and their children will not be liable in any circumstances for military service against the German Reich for a period of thirty years from this date.

J. C. SMUTS.
DE HAAS.
DR. RUPPEL.

London,
23rd October, 1923.

[15824]

Enclosure 2 in No. 225.

YOUR EXCELLENCY, Foreign Office, S.W.1, 1st April, 1924.

IN your note of the 30th January last Your Excellency communicated to me the text of an Agreement concluded between the German Government and the Government of the Union of South Africa, respecting the national status of Germans, and other matters affecting them, in the Mandated Territory of South-West Africa.

2. His Majesty's Government note that the Agreement, in so far as it deals with the question of nationality, carries out the policy already endorsed by the Council of the League of Nations, and relates otherwise to matters of administration within the province of the Government of the Union as mandatory.

I have, &c.,
(for the Secretary of State)
G. H. VILLIERS.

His Excellency
Monsieur Friedrich Sthamer,
&c., &c., &c.

9647

No. 226.

MR. J. H. THOMAS to GENERAL SMUTS.

[*Answered by No.* 228.]

DEAR SMUTS, Downing Street, 16th April, 1924.

I HAVE sent an official despatch* to the Governor-General on the subject of the Agreement which you made last October with representatives of the German Government regarding the position of German nationals in South West Africa. I have not referred to the point in my despatch, but I think that I ought to let you know that the Foreign Office are concerned that the first intimation that this agreement had been made should have reached His Majesty's Government from the German Government, and that His Majesty's Government were not made aware of the negotiations with the German representatives either during their progress or at their conclusion.

I imagine that your omission to mention the matter at the time was due to the great pressure of work connected with the Imperial Conference and to your other important pre-occupations. I notice that the day on which the agreement was signed (the 23rd October, 1923) was that on which you delivered a very important speech on the international situation at the dinner given by the South African Luncheon Club. At the same time, I am sure that you will not mind my mentioning the point, as I gather that it is one to which the Foreign Office attach considerable importance, though they feel that the Resolution of the Imperial Conference as to the Negotiation, etc., of Treaties makes the position quite clear as regards the future.

Yours sincerely,
J. H. THOMAS.

9647

No. 227.

MR. E. J. HARDING to CAPTAIN E. F. C. LANE.

DEAR LANE, Downing Street, 16th April, 1924.

THE Secretary of State is sending an official despatch to the Governor-General by this mail (No. 117*) inquiring the wishes of the Union Government as to the registration with the Secretariat of the League of Nations of the agreement between General Smuts and representatives of the German Government on the subject of the position of German nationals in South West Africa.

In this connexion I have been asked to explain that hitherto the regular practice of the Foreign Office has been to register with the League Secretariat all treaties with Foreign States as soon as they have been published in the "Treaty Series" of Parliamentary Papers. In accordance with this practice the Agreement renewing Part I of the Mozambique Convention, signed on the 31st March, 1923, has been registered with the League, the matter being dealt with in the Foreign Office as one of ordinary routine. Attention having been called to the point, the Foreign Office at our request are not taking any action as regards registration of the above agreement, and will not take action as regards other international instruments specially affecting the Union, pending an expression of the views of the Union Government on the question raised.

I should be much obliged if you would bring this to the notice of General Smuts and, if he sees no objection, to that of the Department which deals with the official despatch.

Yours sincerely,
E. J. HARDING.

Attached 27434

No. 228.

GENERAL SMUTS to MR. J. H. THOMAS.

Prime Minister's Office, Pretoria.
MY DEAR SECRETARY OF STATE, 21st May, 1924.

I HAVE received your letter of the 16th April† regarding the Agreement I made last October concerning the nationality of the inhabitants of South West Africa.

* No. 225. † No. 226.

These negotiations related to matters within the province of the Union as the Mandatory Power, and I think I mentioned to Lord Curzon my intention to try and secure an agreement, knowing it would be easier to effect with the representatives of the German Foreign Office than with ex-Germans in South West Africa, who were likely to try and make use of the opportunity to drive a hard bargain. If I omitted to notify Lord Curzon it was certainly unintentional, and I should be grateful if you would explain this to the Foreign Office. I have at all times received so much assistance from them that I should be the last person to neglect the customary courtesy of keeping them fully informed.

I have asked that the Agreement may be included in the Treaty Series of Parliamentary Papers, and that registration might be effected with the Secretariat of the League of Nations at a convenient opportunity.

With kind regards,

Believe me, yours sincerely,

J. C. SMUTS.

The Right Honourable,
J. H. Thomas,
Secretary of State for the Colonies.

27434

No. 229.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 10th June, 1924.)

(No. 263.)

SIR, Governor-General's Office, Pretoria, 21st May, 1924.

I HAVE the honour to transmit to you herewith, with reference to your despatch No. 117 of the 16th April, 1924.* Ministers' Minute (with enclosure) on the subject of the publication of the Agreement between the Prime Minister of the Union of South Africa and the representatives of the German Government on the subject of the position of German nationals in South-West Africa.

I have, &c.,
ATHLONE,
Governor-General.

Enclosure in No. 229.

Prime Minister's Office, 21st May, 1924.

MINUTE 368.

WITH reference to His Excellency the Governor-General's Minute No. 4/255 of 12th May, 1924, regarding the Agreement between the Prime Minister of the Union of South Africa and representatives of the German Government, on the subject of the position of German nationals in South-West Africa, entered into in London on the 23rd October, 1923, Ministers will be glad if His Excellency the Governor-General will request the Secretary of State for Foreign Affairs to have the text of the Agreement published in the Treaty Series of Parliamentary Papers. A certified copy of the text is hereunto annexed.†

Ministers will also be glad if His Majesty's Government will make the necessary arrangements for the registration of this Agreement with the Secretariat of the League of Nations.

J. C. SMUTS.

---

* No. 225. † Not printed here; see Treaty Series No. 27 of 1924 (Cmd. 2220).

GREAT BRITAIN AND NORTHERN IRELAND.

Method of Signature of Treaties on behalf of:

44362

No. 230.

MEMORANDUM.

THE form of declaration to be used by British Empire delegates in signing treaties, conventions or other international instruments on behalf of Great Britain and Northern Ireland only has been under consideration.

The following formula is sufficient for the purpose and will invariably be adopted: "I declare that my signature applies only to Great Britain and Northern Ireland."

This formula should be adopted by any delegates representing His Majesty's Government in any future British Empire delegation in all cases in which they sign such international instruments under full powers from His Majesty The King on behalf of Great Britain and Northern Ireland only. This is particularly important in the case of negotiations under the auspices of the League of Nations.

It has further been decided that the term "Great Britain" should be held for international purposes to include the Channel Islands and the Isle of Man. The term "British Islands," which, under the Interpretation Act, is the one at present in general use when it is desired to include the Channel Islands and the Isle of Man, cannot now be employed with convenience in a treaty because of the status of the Irish Free State.

As the Channel Islands and the Isle of Man have separate legislatures and are for purposes of legislation distinct from Great Britain, it will be necessary to inform the Home Office on each occasion when a treaty is concluded which requires legislation in this country to carry its provisions into effect, in order that that Department may, when necessary, arrange for corresponding legislation in the Channel Islands and the Isle of Man.

Foreign Office,
18th September, 1924.

GREECE.

Termination of existing Commercial Treaties.

44378

No. 231.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 408.)

} Dominions No. 467.)

[MY LORD,] [SIR,] Downing Street, 22nd September, 1924.

[*Not to Irish Free State and Southern Rhodesia:* With reference to Viscount Milner's despatch of the 28th of June, 1919, Dominions No. 516,* and subsequent correspondence regarding the denunciation of the commercial treaties with Greece,] I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, copies of two notes from the Greek Minister regarding the termination of the existing arrangement for the tacit renewal of the treaties with Greece for successive periods of three months, subject to three months' notice.

[*To Irish Free State and Southern Rhodesia only:* 2. I enclose, for the information of your Ministers, copies of the notes of 3rd March, 1919,† and 11th June, 1919,‡ referred to by the Greek Minister.]

I have, &c.,
(for the Secretary of State),
ARNOLD.

---

* No. 252 in Dominions No. 75. † Enclosure in No. 251 in Dominions No. 75. ‡ Enclosure 1 in No. 252 in Dominions No. 75.

Enclosure 1 in No. 231.

(No. 2516.)

Legation de Grece, 51, Upper Brook Street,
London, W.1, 10th September, 1924.

SIR,

By my note No. 599 of 3rd March, 1919, I had the honour to inform you of the decision arrived at by the Greek Government to denounce from 3rd March, 1919, all commercial agreements with the British Empire mentioned in my note No. 1640 of 2nd May, 1919, and that pending the conclusion of a new commercial agreement it was the intention of the Greek Government that, failing three months' notice, those instruments should be tacitly renewed for successive periods of three months.

In reply you were good enough to state by your note of 11th June, 1919, that His Majesty's Government had taken note of the intimation conveyed in my aforesaid note, and that they concurred in the proposal of the Greek Government concerning the tacit renewal of the commercial agreements.

I am now instructed by my Government to bring to your knowledge that the Greek Government have decided to terminate the tacit renewal of the commercial instruments in question and to denounce definitely all the above-mentioned commercial agreements which will cease to be in force as from 10th December, 1924.

I have the honour to add that the Greek Government are willing to start at once negotiations with a view to concluding a new Treaty of Commerce and Navigation, and that in those negotiations they will be guided by the sincere desire to arrive at a satisfactory end for both countries.

I should be grateful to you if you would be good enough to bring the aforesaid to the knowledge of the Governments of such Dominions, Colonies, Protectorates and Dependencies of the British Empire who have adhered to the above-mentioned Commercial Agreements.

I have, &c.,
D. CACLAMANOS.

The Right Honourable
James Ramsay MacDonald, M.P.,
H.M. Prime Minister,
Principal Secretary of State for Foreign Affairs,
&c., &c., &c.
Foreign Office,
Whitehall, S.W.1.

Enclosure 2 in No. 231.

(No. 2617.)

THE Greek Minister presents his compliments to His Britannic Majesty's Prime Minister and Principal Secretary of State for Foreign Affairs, and in reference to his note No. 2516 of 10th September concerning the opening of negotiations for the conclusion of a new Treaty of Commerce and Navigation, he would like, by order of his Government, to make the following declaration:—

Should the conclusion of the treaty not be terminated for technical or other reasons, within the fixed period of three months, the Greek Government are disposed, taking into account the common, general and commercial interests of both countries, to consider in a friendly spirit the question of granting to the British Government the lowest duties as fixed in the new Greek Custom Tariff which comes into force on the 10th December, 1924, against the maintenance by His Majesty's Government towards Greece of the existing conventional duties.

The Greek Government are willing to grant this facility in the above-mentioned condition, for a period not exceeding three months from 10th December, 1924, when the aforesaid notification of the Greek Minister is to prove effective.

Legation de Grece,
51, Upper Brook Street,
London, W.1.

10th September, 1924.

GUATEMALA.
Proposed Commercial Treaty.

40826

No. 232.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 375.) — Dominions No. 441.)

[MY LORD,] [SIR,] Downing Street, 5th September, 1924.

I HAVE the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a draft Treaty of Commerce* with Guatemala, which has been forwarded to His Majesty's Minister with a request that he will present it to the Guatemalan Government and take an early opportunity of opening negotiations.

I have, &c.,
(for the Secretary of State),
ARNOLD.

Note.—No further developments occurred during 1924.

INDUSTRIAL PROPERTY CONVENTIONS, 1883 and 1911.
(1) Accession of Canada.

4493

No. 233.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Commonwealth of Australia. No. 84.)
(New Zealand. No. 43.)
(Union of South Africa. No. 52.)
(Irish Free State. No. 112.)
(Newfoundland. No. 33.)

[MY LORD,] [SIR,] Downing Street, 20th February, 1924.

[*Not to Irish Free State:* With reference to my predecessor's despatch Dominions No. 392 of the 26th of October, 1923.†] I have the honour to request [Your Excellency,] [you,] to inform your Ministers that Canada has acceded to the International Convention for the Protection of Industrial Property, signed at Paris on the 20th of March, 1883, as revised at Brussels on the 14th of December, 1900, and at Washington on the 2nd of June, 1911, and to the final Protocol of the 2nd of June, 1911, as from the 1st of September, 1923. I enclose a copy of the circular‡ issued by the Swiss Government on the matter.

[*To Irish Free State only:* A similar despatch is being addressed to the other self-governing Dominions, except Canada.]

I have, &c.,
J. H. THOMAS.

---

* Not printed; it was in the usual form. † No. 165 in Dominions No. 88. ‡ Sub-enclosure in No. 162 in Dominions No. 88.

10300

No. 234.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 177.)

SIR, Downing Street, 22nd March, 1924.

WITH reference to my despatch Dominions No. 65 of the 16th of February,* I have the honour to request Your Excellency to inform your Ministers that the International Convention for the Protection of Industrial Property, as revised at Washington on the 2nd of June, 1911, is printed as Treaty Series paper No. 8 of 1913, of which copies are enclosed.

2. The Convention has been ratified by Great Britain, Austria, the Dominican Republic, France, Germany, Hungary, Italy, Japan, Mexico, Netherlands, Norway, Portugal, Spain, Switzerland, Tunis, and the United States of America.

3. The following countries have acceded to the Convention as revised at Washington: Canada, Ceylon, New Zealand, Trinidad and Tobago, Belgium, Brazil, Bulgaria, Cuba, Czechoslovakia, Danzig, Denmark (and the Faroe Islands), Esthonia, Finland, Luxemburg, Morocco (French Protectorate), Poland, Roumania, Serb-Croat-Slovene State and Sweden.

4. There are no States which are bound by the earlier forms of the Convention and not by the Washington revision.

I have, &c.,
J. H. THOMAS.

---

(2) Registration of Australian Trade Marks in Finland.

33512

No. 235.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 280.)

MY LORD, Downing Street, 5th August, 1924.

WITH reference to my predecessor's despatch No. 379 of the 4th October, 1923,† on the subject of the Industrial Property Convention signed at Washington on the 2nd June, 1911, I have the honour to transmit to Your Excellency, to be laid before your Ministers, the accompanying copy of correspondence with His Majesty's Minister at Helsingfors regarding the protection of Australian trade marks in Finland.

2. Mr. Rennie has been informed that the Commonwealth is a party to the Convention of the 20th March, 1883, but, whether or not any claim to protection of Australian trade marks in Finland can be based on the position of the Commonwealth of Australia as party to this Convention, it seems clear that the difficulty which has been experienced would be removed by the accession of the Commonwealth to the Convention of 1911.

I have, &c.
J. H. THOMAS.

Enclosure 1 in No. 235.

(No. 127.)

SIR, British Legation, Helsingfors, 26th June, 1924.

I HAVE the honour to report that the question has recently arisen whether an Australian trade mark is entitled to protection in this country.

The "Kiwi" Boot Polish Company have been endeavouring to sell their products in Finland, but have found that a local firm are successfully competing with them by selling at a lower price a similar article under the name and general description of "Kiwi" Boot Polish. Their representative here accordingly instituted legal proceedings but lost his case, the Court holding that, in accordance with a decree signed by the President of the Republic in 1921 in which effect was given to the accession of Finland to the Convention for the Protection of Industrial Property signed at Washington on 2nd June, 1911, only such British Empire trade marks as were registered in the United Kingdom, in New Zealand, Ceylon, Trinidad and Tobago were granted the protection of the law.

On consulting the State Papers, I find that His Majesty's Ambassador at Washington, when depositing His Majesty's ratification of the Convention in question, expressly declared that such ratification related *only to the United Kingdom* and that as regards the Dominions, etc., any notification of accession would form the subject of a separate communication to the Swiss Government (Volume 104, State Papers, page 130). It is stated later on the same page that the accession of the Dominions mentioned in the Finnish Decree was duly notified in 1913.

So far as I can ascertain, none of the remaining Dominions have since acceded —at least before 1920, the State Papers for later years not being in my possession. It would therefore appear that Australia is not a party to the Convention for the Protection of Industrial Property, unless the Australian Government has acceded since 1920. I should therefore be grateful to be informed, if possible by telegraph, whether the Australian Government has acceded to the Convention and whether the Finnish Government can therefore be properly asked to extend to the Dominion in question the protection of trade marks.

The representative of the "Kiwi" Company in Helsingfors has meanwhile entered an appeal against the decision in the Lower Court as mentioned above.

I have, &c.,
ERNEST RENNIE.

The Right Honourable
J. Ramsay MacDonald, P.C.,
&c., &c., &c.

Enclosure 2 in No. 235.

TELEGRAM TO MR. RENNIE (HELSINGFORS) FROM FOREIGN OFFICE.

(Sent 6.45 p.m., 12th July, 1924.)

(No. 13 (R).)

YOUR despatch No. 127. Australia has not acceded to the Convention of 1911.

[35038]

Enclosure 3 in No. 235.

(No. 143.)

SIR, British Legation, Helsingfors, 14th July, 1924.

WITH reference to your telegram No. 13 of the 12th instant, informing me that Australia had not acceded to the Convention for the Protection of Industrial Property signed in Washington on 2nd June, 1911, I have the honour to transmit herewith copy of a Memorandum prepared by Mr. Mackie on this subject.

Before forwarding this Memorandum, in which the general question of the protection of Dominion trade marks in Finland is raised, it seemed preferable that I should be in possession of definite information as to whether any action could properly be taken in support of the Australian firm. Now, however, that it is clear that no diplomatic support can be given to the claim of the firm in question on the ground of treaty rights, the Memorandum would appear to be of interest as describing clearly the position which industrial concerns domiciled in Dominions other than Ceylon, New Zealand, Trinidad and Tobago, must expect to meet in this country with regard to trade marks, as the result of the non-accession of the respective Dominion Governments to the Convention of 1911. A copy of an extract* from "Finland's Författnings Samling," dated 9th September, 1921, containing the Presidential Decree on which the finding of the Court of Law appears to have been based, is also enclosed herewith.

I have, &c.,
ERNEST RENNIE.

The Right Honourable
J. Ramsay MacDonald, P.C.,
&c., &c., &c.

---

* 4403/24: not printed. † No. 104 in Dominions No. 88.

* Not reprinted.

MEMORANDUM.

IN January, 1924, a local firm trading under the name of A. A. Denisoff, N. Esplanadgatan 27, acting as Agents for the Kiwi Polish Company, Pty, Ltd., of Church End, Finchley, London, N.3, interviewed me in the matter of the infringement of the "Kiwi" trade mark by a Finnish firm, Industri Aktiebolaget Tähti Osakeyhtiö of Gräsviksgatan 7, in this city.

It would appear from the conversation that took place with A. A. Denisoff's representative that the Kiwi Polish Company had failed to register their trade mark in this country and that the matter had been placed in the hands of a Finnish lawyer, who entered an action in the Finnish Court at Helsingfors against the Tähti Osakeyhtiö.

In the meantime the lawyer ascertained that the Kiwi Polish Company was an Australian Company and Australia was the country of domicile, that the Company had a branch establishment in Great Britain and the manager of the branch establishment had a power of attorney from the Australian Company to take all necessary measures for the purpose of protecting the trade marks of the Company.

The case came before the Court on the 18th instant and was decided against the Kiwi Polish Company on the ground that, according to a decree signed by the President on the 30th September, 1921, when Finland became a party to the Convention for the Protection of Industrial Property signed at Paris, 20th March, 1900, and at Washington 2nd June, 1911, Australia was not a party to this Convention.

A copy of the above decree is appended hereto, according to which, "Great Britain with Ceylon, Trinidad and Tobago" appear to have become parties to the Convention in question (see page 643 of the Decree), but, in depositing ratification of the Convention, His Majesty's Ambassador at Washington declared (see Annex 1 to the Washington Agreement of 2nd June, 1911, page 130, State Papers, Volume 104, 1911), that the "ratification relates only to the United Kingdom of Great Britain and Ireland and that, as regards His Britannic Majesty's Dominions, Colonies, Possessions or Protectorates beyond the seas, any notification of accession which it may be desired hereafter to make on their behalf will form the subject of a separate communication to the Government of the Swiss Confederation, in accordance with provisions of Article XVI bis of the Convention."

It would thus appear that Australia has not acceded to the Convention, unless such accession has taken place since 1921, the date of the Finnish decree above referred to.

Under these circumstances the Kiwi Company's lawyer can base his appeal only on the ground that his clients and their trade mark are registered in Great Britain and it would seem doubtful whether such an appeal would be allowed by the Court of Appeal at Abo, seeing that the parent firm is established in Australia.

Although it may not be possible for any diplomatic action to be taken in this particular case, it would appear that, as matters now stand, all trade marks, the original registration of which has been taken out in British Dominions beyond the seas, with the exception of those in the Dominion of New Zealand, Ceylon, Trinidad and Tobago, who have become parties to the Convention, are liable to infringement if not registered in this country, and it would seem most desirable that such a state of things should be removed at the earliest possible date.

CECIL H. MACKIE.

British Consulate,
Helsingfors,
27th June, 1924.

47556

No. 236.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 378.)

MY LORD, Downing Street, 20th October, 1924.

WITH reference to my despatch No. 280 of the 5th August,* I have the honour to transmit to Your Excellency, to be laid before your Ministers, a copy of

* No. 235.

a further despatch from His Majesty's Representative at Helsingfors regarding the protection of Australian trade marks in Finland.

2. It is thought that, unless it should be found possible to arrange for the accession of the Commonwealth to the Industrial Property Convention of 1911 at an early date, the simplest procedure for securing protection for Australian trade marks in Finland would be on the lines of that suggested in the fifth and sixth paragraphs of the enclosed despatch. The Finnish Trade Marks Amendment Law of the 3rd June, 1921, provides, *inter alia*, that any trader of a foreign country in which Finnish citizens enjoy the same advantage may register in Finland under the prescribed conditions any mark duly registered in such foreign country and thereby obtain protection for that mark in Finland. It would, therefore, appear that it would be sufficient for the purpose if the Commonwealth Government were to authorize the giving of an assurance to the Finnish Government that Finnish citizens enjoy in the Commonwealth of Australia the same rights in regard to the registration of trade marks as British subjects domiciled in Australia.

3. I should be glad to learn the views of your Government on the matter.

I have, &c.,
J. H. THOMAS.

[46644]

Enclosure in No. 236.

(No. 189.)

SIR, British Legation, Helsingfors, 15th September, 1924.

WITH reference to your despatch No. 185 of 26th August and to previous correspondence relative to the protection of an Australian trade mark in Finland, I have the honour to subjoin certain observations arising out of discussions which I have recently had with various officials of the Finnish Government on this subject.

2. In the first place, I was informed that the Finnish Government have been duly notified of the accession of Canada to the Convention of 1911 as from the 1st of September, 1923, and that Canadian trade marks accordingly enjoy protection in Finland as from that date: further, the Finnish Government regard the Convention in question as applicable to the Irish Free State.

3. Secondly, with regard to the effect on this question of the provisions of the Anglo-Finnish Commercial Treaty, it should be pointed out that notice in the terms of Article 23 of that instrument has not yet been given in respect of any of His Majesty's Dominions, Colonies, Possessions or Protectorates.

4. Thirdly, the Finnish officials seemed to anticipate some difficulty in framing an appropriate legislative act granting protection to Australian trade marks on the ground of the accession of the latter Dominion to the Convention of 1883—had Australia acceded to that of 1911 no difficulty would, of course, have been encountered. With regard to the question of the grant of special protection to the Kiwi trade mark on the ground of the existence of an effective establishment in Great Britain, it seemed possible that some research might have to be undertaken as to the exact meaning of that term, as any decision reached, being the first of its kind, must constitute a precedent. Moreover, the point was raised that an affirmative decision would only apply to the Kiwi trade mark, and that the question of any other Australian trade mark for which protection might be sought must be considered on its merits, and might even be prejudiced should it be impossible in a subsequent case to rely on the grounds of effective establishment in the United Kingdom.

5. It may also be useful to observe that, as previous negotiations have shown, notably the question of the reduction in the fees for *permis de séjour* payable by British subjects in Finland (see Mr. Rennie's despatch No. 155 of 24th July), the Finnish Government have a marked predilection for the principle of reciprocity and are reluctant to commit themselves to abstract definitions. In a discussion with a high official of the Ministry of Foreign Affairs to-day, the latter informed me that they had no official knowledge that Finnish citizens enjoyed in Australia under the Trade Marks Law of the Commonwealth the same rights in regard to trade marks as if Finland was a party to the Industrial Property Convention of 1883. Should they be officially informed to that effect, he had not the slightest doubt that similar protection would be accorded to Australian trade marks in Finland. The agreement could be recorded by a simple exchange of notes.

6. This suggestion would appear to indicate an effective form in which representations might be made to the Finnish Government, and I venture to suggest that, should you approve this course, I might be instructed to address a Note to the Finnish Government requesting that, as the Commonwealth of Australia has, in fact, accorded to Finnish citizens the same rights as if Finland were a party to the Convention of 1883, the Finnish Government should, on grounds of reciprocity, extend the same rights in regard to the protection of Australian trade marks as if the Commonwealth were a party to the revised Convention of 1911.

7. I should mention in conclusion that none of the other arguments has, of course, been abandoned, and it would still be possible to press any of the others should it be considered by His Majesty's Government to furnish a more suitable basis for an eventual agreement.

8. It appears unnecessary to take any immediate formal steps, as the firm handling the products of the Kiwi Company in Finland is at present undergoing reconstruction, for reasons entirely distinct from the subject of this despatch, and are unlikely to transact any business for some two months. I propose, therefore, to make no official representations pending the receipt of your instructions as to the advisability of choosing the alternative line of argument indicated above.

I have, &c.,
DOUGLAS MACKILLOP.

The Right Honourable
J. Ramsay MacDonald,
&c., &c., &c.

INTERNATIONAL LABOUR CONFERENCE.

(1) Amendment of Article 393, Treaty of Versailles.

(*Treaty Series* 1925, *No.* 6.)

62379

No. 237.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 238.]

(No. 49.)

Downing Street, 22nd January, 1924.

SIR,

I HAVE the honour to acknowledge the receipt of Your Excellency's despatch No. 362 of the 22nd December,* regarding the ratification of the Protocol embodying an amendment to Article 393 of the Treaty of Versailles and the corresponding Articles of the other Treaties of Peace.

2. It is, of course, fully understood that the Government of the Irish Free State are responsible for acts done in the name of, and on behalf of, the Irish Free State, but the circumstances of the particular case under discussion were very exceptional and it may be well to set out the facts fully.

3. The amendment in question was adopted by the General Conference of the International Labour Organization on the 18th October, 1922. In accordance with Article 422 of the Treaty of Versailles it could not come into force until ratified by the States whose representatives compose the Council of the League of Nations and by three-fourths of the Members. Accordingly, in March, 1923, it was intimated to the Governments of the Dominions, which were then separate Members of the League, that His Majesty's Government were prepared to accept the proposed amendment and proposed to advise His Majesty the King to ratify. The Governments of those Dominions were also asked whether they wished the amendment to be ratified on their behalf. I enclose a copy of the telegram† sent. Replies in the affirmative were received at various dates during March and April.

4. Subsequently the French Government suggested that, as a matter of constitutional procedure, it would be best that the amendment should be embodied in a signed Protocol, and following on this suggestion a Protocol was drawn up for

* No. 182 in Dominions No. 88. † No 166 in Dominions No. 88.

signature by the Members of the International Labour Organization and for ratification after signature. An enquiry was addressed to the Dominion Members of the League in June, 1923, whether they desired signature of this Protocol on their behalf. I enclose a copy of the telegram* sent. Replies in the affirmative were received at various dates during July and August.

5. At the time of this correspondence, the Irish Free State was not represented in the International Labour Organization, since, not having been admitted to separate Membership of the League, it was not yet a separate Member of the Organization. Consequently it was not thought that the Free State would wish to be consulted as to the Protocol which, as indicated in my despatch No. 695 of the 6th December,† related only to the composition of the Governing Body of the International Labour Office. Since, however, the effect of the Protocol was to modify the provisions of the various Treaties of Peace, it was necessary for the Instrument of Ratification to be so drawn as formally to embrace the whole Empire, including those parts not represented in the International Labour Organization.

6. I should observe that it was considered important at the time of the correspondence referred to in paragraph 4, that His Majesty's ratification of the Protocol should be deposited before the opening of the International Labour Conference in October, 1923, and endeavour was made to secure that signature on behalf of the various parts of the Empire which were Members of the League should be completed immediately after the opening of the Assembly in September, in order to render this possible. In actual fact, owing to unforeseen circumstances, this anticipation was not fulfilled, and His Majesty's ratification was delayed.

7. I may add that it has, of course, been appreciated that, in the case of Conventions negotiated at International Labour Conferences, no action could be taken, since the establishment of the Irish Free State, which would involve obligations on your Ministers, except in consultation with them and, as will be seen from my despatch No. 456 of the 1st August,‡ steps were taken in the case of certain Conventions ratified after the establishment of the Irish Free State, to exclude the Free State from the ratification.

8. In the circumstances, it would seem very desirable that action should be taken to signify that the Irish Free State is included in the list of States, now Members of the International Labour Organization, which have accepted the Protocol, and I hope that in the light of this despatch, your Ministers would be willing that notification in this sense should be made to the Secretary-General and the International Labour Office.

I have, &c.,
DEVONSHIRE.

9891

No. 238.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 3rd March, 1924.)

[*Answered by No.* 239.]

(No. 77.)

Vice Regal Lodge, Dublin, 1st March, 1924.

SIR,

I HAVE the honour to acknowledge receipt of the Duke of Devonshire's despatch No. 49 of the 22nd January,§ regarding the ratification of the Protocol embodying an amendment to Article 393 of the Treaty of Versailles and the corresponding Articles of the other Treaties of Peace.

2. While my Ministers appreciate that, as the effect of the Protocol was to modify the provisions of the various Treaties of Peace, it was necessary that the ratification should include the whole Empire, nevertheless they regret that the procedure outlined in the Duke of Devonshire's despatch No. 49§ and already adopted in the case of certain Conventions set out in His Grace's despatch No. 456 of 1st August, 1923,‡ was not adhered to in the present instance.

* No. 171 in Dominions No. 88. † No. 181 in Dominions No. 88. ‡ 35878/23: not printed. § No. 237.

3. In the circumstances they desire that His Majesty should be asked to issue a separate ratification in respect of the Irish Free State, and they would be obliged if you would take steps to obtain His Majesty's ratification and forward it to them for transmission to the Secretariat of the League of Nations.

I have, &c.

T. M. HEALY.

19186

No. 239.

IRISH FREE STATE.

THE SECRETARY OF STATE to the GOVERNOR-GENERAL.

(No. 342.)

Downing Street, 4th June, 1924.

SIR,

WITH reference to Your Excellency's despatch No. 77 of the 1st March* regarding the ratification of the protocol embodying an amendment to Article 393 of the Treaty of Versailles and the corresponding Articles of the other Treaties of Peace, I have the honour to request you to inform your Ministers that it is regretted that the deposit of a further ratification in respect of the Irish Free State is not feasible, since this procedure would not strengthen the participation of the Irish Free State in the protocol but might be interpreted as casting doubt on the validity of His Majesty's original ratification.

2. In the circumstances I should be glad to learn whether your Ministers see any objection to the adoption of the procedure suggested in the eighth paragraph of my predecessor's despatch No. 49 of the 22nd January,† whereby action would be taken to signify to the Secretariat of the League and to the International Labour Office that the Irish Free State is included in the list of States, now Members of the International Labour Organization, which have accepted the protocol.

I have, &c.,

J. H. THOMAS.

Note.—No reply had been received to this despatch up to the end of 1924.

---

(2) Position of Irish Free State in relation to International Labour Conventions.

61714

No. 240.

IRISH FREE STATE.

THE SECRETARY OF STATE to the GOVERNOR-GENERAL.

(No. 28.)

Downing Street, 15th January, 1924.

SIR,

IN view of the admission of the Irish Free State to Membership of the League of Nations, and consequently of the International Labour Organization established under Part XIII of the Treaty of Versailles, the following account of the position with regard to the work of the International Labour Conference may be of interest to Your Excellency's Ministers.

2. The Conventions and Recommendations adopted at the various sessions of the International Labour Conference prior to the admission of the Irish Free State to Membership of the Organization are contained in the following Parliamentary Papers, copies of which are enclosed :—

Cmd. 627 (First Session, held at Washington, October-November, 1919).
Cmd. 1174 (Second Session, held at Genoa, June-July, 1920).
Cmd. 1612 (Third Session, held at Geneva, October-November, 1921).
Cmd. 1836 (Fourth Session, held at Geneva, October-November, 1922).

3. The following five Conventions were confirmed and approved on the 5th July, 1921, by Orders of the Lords of the Council, copies of which are enclosed.

* No. 298. † No. 287.

It will be observed that the confirmation and approval was given in respect of the United Kingdom, and in consequence covers the Irish Free State.

(1) Convention concerning Unemployment (pp. 12-14 of Cmd. 627).

(2) Convention concerning the Employment of Women during the night (pp. 22-25 of Cmd. 627).

(3) Convention fixing the Minimum Age for Admission of Children to Industrial Employment (pp. 30-33 of Cmd. 627).

(4) Convention concerning the Night Work of Young Persons employed in Industry (pp. 34-37 of Cmd. 627).

(5) Convention fixing the Minimum Age for Admission of Children to Employment at Sea (pp. 7-10 of Cmd. 1174).

4. The legislation giving effect to these five Conventions is as follows :—

(1) The Labour Exchanges Act, 1909, and the Unemployment Insurance Acts, 1920-1923.

(2), (3), (4) and (5). The Employment of Women, Young Persons and Children Act, 1920.

5. As regards the second of these Conventions, I would observe that an earlier Convention on the same subject was signed at Berne on the 26th September, 1906. His Majesty's ratification of this Convention was deposited on the 24th September, 1907.

6. As stated in my despatch No. 456 of the 1st August, 1923,* two further Conventions, viz., those relating to the Rights of Association and Combination of Agricultural Workers (pp. 17-19 of Cmd. 1612) and Workmen's Compensation in Agriculture (pp. 20-23 of Cmd. 1612) were confirmed and approved by His Majesty's Government in July, 1923, but, in view of the establishment of the Irish Free State, this confirmation and approval did not extend to the Free State. Copies of the Orders of Council relating to these Conventions are enclosed. The remaining Conventions have not been confirmed and approved by His Majesty's Government, though confirmation and approval of the two Conventions printed on pp. 36-43 of Cmd. 1612 (viz., those dealing with (*a*) minimum age for the admission of young persons to employment as trimmers or stokers; (*b*) compulsory medical examination of children and young persons employed at sea), has merely been withheld pending the passing of the legislation required to give effect to their provisions.

7. The recommendations which have been accepted, either wholly or in part, in respect of the United Kingdom and the legislation giving effect to their provisions are as follows :—

Recommendation.	*Legislation.*
(1) Unemployment—Articles 3 and 4 only (pp. 15-16 of Cmd. 627).	Unemployment Insurance Acts, 1920-1923.
(2) Prevention of Anthrax (page 26 of Cmd. 627).	Anthrax Prevention Act, 1919.
(3) Protection of Women and Children against Lead Poisoning (pp. 27-28 of Cmd. 627).	Women and Young Persons (Employment in Lead Processes) Act, 1920.
(4) Establishment of Government Health Services (page 29 of Cmd. 627).	
(5) Unemployment Insurance for Seamen (pp. 10-11 of Cmd. 1174).	Unemployment Insurance Acts, 1920-1923.

8. As regards the second of these recommendations, it may be observed that the Anthrax Prevention Act, 1919, was passed before the adoption of the recommendation, and in fact led up to it.

9. The recommendations adopted at the first Session of the Conference included one to the effect that Members of the International Labour Organization, which had not already done so, should adhere to the International Convention adopted at Berne in 1906, on the prohibition of the use of white phosphorus in the manufacture of matches (page 38 of Cmd. 627). No action was required on the part of His Majesty's Government in connexion with this Recommendation as the United Kingdom had already acceded to the Convention of 1906 on the 28th December, 1908, and effect had been given to the Convention by the White Phosphorus Matches Prohibition Act, 1908.

* 35978/23 : not printed; it notified the confirmation and approval, on behalf of Great Britain, of the Conventions referred to.

10. The acceptance of certain of the other recommendations in respect of this country is contemplated, but no communication has been made to the International Labour Office on the subject.

I have, &c.,
DEVONSHIRE.

INTERNATIONAL RADIOTELEGRAPH CONVENTION, 1912.
Accession of Irish Free State.

48681

No. 241.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 242.]

(No. 97.)

SIR, Downing Street, 18th February, 1924.

As Your Excellency's Ministers are aware, notification of accession has been given on behalf of the Irish Free State to the Madrid Convention on the subject of the Universal Postal Union and to the International Telegraph Convention, see my predecessor's despatches No. 584 of the 29th September* and No. 635 of the 5th November.†

2. As intimated in the latter despatch it is contemplated that in the near future a World Conference on Electrical Communications should be held, and it is possible that this Conference may be considered as taking the place of a Conference of the Radio Telegraph Union under the Radio Telegraph Convention of 1912, a copy of which was enclosed in that despatch.

3. I should be glad to learn whether, in order that there may be no doubt as to the right of the Irish Free State to participate in any International Conference on Radio Telegraphy, your Ministers would wish that notice of accession to the Radio Telegraph Convention should be given on behalf of the Irish Free State as in the case of the Conventions referred to in the first paragraph of this despatch. If so, His Majesty's Government, as the Government of the country in which the last Radio Telegraph Conference was held, will take the necessary steps under Article 16 to give effect to your Minister's wishes.

I have, &c.,
J. H. THOMAS.

17259

No. 242.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10th April, 1924.)

[*Answered by No.* 243.]

(No. 121.)

SIR, Vice Regal Lodge, Dublin, 9th April, 1924.

WITH reference to your despatch No. 97 of the 18th February‡ on the subject of the International Radio-telegraph Convention of London, 1912, I have the honour to inform you that the Government of the Irish Free State desires to accede to that Convention and requests that His Majesty's Government will take the necessary steps under Article 16 of the Convention to give effect to my Ministers' wishes in the matter, as was done in the cases of the Universal Postal Union and the International Telegraph Convention.

2. I have to add that the Postal Telegraph Administration of the Irish Free State desires to be put in the third class of Administrations for the purpose of contribution to the expenses of the International Bureau under Article 43 of the Service Regulations appended to the Convention in question.

I have, &c.,
T. M. HEALY.

---

* 47147/23: not printed. † No. 112 in Dominions No. 88. ‡ No. 241.

23666

No. 243.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 327.)

SIR, Downing Street, 28th May, 1924.

I HAVE the honour to acknowledge the receipt of Your Excellency's despatch No. 121 of the 9th of April,* relative to the desire of the Government of the Irish Free State to accede to the International Radiotelegraph Convention of the 5th of July, 1912, and to request you to inform your Ministers that the Secretary of State for Foreign Affairs was asked to take the necessary steps to give effect to the wishes of the Free State Government in this matter; and that he has accordingly addressed the enclosed Circular despatch to His Majesty's Representatives in countries which are parties to the Convention requesting them to notify the Governments to which they are accredited of the accession of the Irish Free State to the Convention.

I have, &c.,
J. H. THOMAS.

Enclosure in No. 243.

(Circular.)

INTERNATIONAL RADIOTELEGRAPH CONVENTION, 1912.

SIR, Foreign Office, 9th May, 1924.

WITH reference to the Foreign Office Circular despatch of the 15th January last, relative to the International Radiotelegraph Convention, signed at London on the 5th July, 1912, a further statement (No. 24) is enclosed herewith for communication to the Government to which you are accredited.

I am, &c.,
J. RAMSAY MACDONALD.

His Majesty's Representative
at-

Statement No. 24.

INTERNATIONAL RADIOTELEGRAPH CONVENTION.

Signed at London, 5th July, 1912.

ACCESSIONS.

SINCE the previous statement of the 15th January, 1924, the following accessions to the Convention have been notified to His Britannic Majesty's Government as from the dates mentioned below:—

Irish Free State	22nd April, 1924
Tanganyika Territory	5th March, 1924

Foreign Office,
9th May, 1924.

INTERNATIONAL REFRIGERATION CONVENTION, 1920.

(*Treaty Series* 1923, *No.* 6.)

22791

No. 244.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

[*Answered by No.* 246.]

(No. 202.)

SIR, Downing Street, 12th June, 1924.

I HAVE the honour to transmit to you, to be laid before your Ministers, the accompanying copies of Treaty Series Paper No. 6 of 1923 (Cmd. 1857) containing the International Convention for the creation at Paris of an International Institute of Refrigeration, signed at Paris on the 21st of June, 1920.

---

* No. 242.

2. As will be seen from the paper, His Majesty's ratification of the Convention was deposited on the 24th of January, 1923. It has also been ratified by France (including Algeria, the French West African Colonies, Madagascar, and the French Colonies and Protectorates in Indo-China), Siam, Poland, Luxembourg, Holland, Denmark, Portugal, Czechoslovakia, Switzerland, Belgium, Finland, Italy, Monaco, Norway, the Serb-Croat-Slovene State, Spain, Sweden, and Japan, and adhered to by Bulgaria.

I have, &c.,
J. H. THOMAS.

40123

No. 245.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 364.)

Dominions No. 431.)

[MY LORD,] [SIR,] Downing Street, 1st September, 1924.

WITH reference to my despatch [*Not to Newfoundland and Southern Rhodesia:* Dominions Treaty No. 17 of the 26th of May,*] [*To Newfoundland:* No. 89 of the 11th of June,*] [*To Southern Rhodesia:* No. 202 of the 12th of June,†] [*To Irish Free State only:* and to my despatch No. 355 of the 11th of June,*] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, a copy of a note from the French Minister for Foreign Affairs regarding the accession of the Irish Free State to the International Refrigeration Convention of the 21st June, 1920.

I have, &c.,
(for the Secretary of State),
ARNOLD.

Enclosure in No. 245.

Ministère des Affaires Etrangères.

République Française.

Sous-Direction des Affaires
Administratives et des Unions Internationales.

Institut International du Froid.
Adhésion de l'Etat Libre d'Irlande.

LE Ministère des Affaires Etrangères a l'honneur de notifier aux Missions diplomatiques des Etats participant à l'Institut International du Froid, l'adhésion de l'Etat Libre d'Irlande à la Convention du 21 juin 1920 qui a créé cet Institut.

C'est par lettre du 28 avril 1924 que le Conseil Exécutif de l'Etat Libre d'Irlande a fait part au Directeur de l'Institut de son désir d'adhérer à la dite Convention. Conformément aux dispositions de l'article 1er de la Convention, la Conférence générale de l'Institut International du Froid, appelée à se prononcer sur cette demande, a décidé dans sa séance tenue Londres, le 19 juin dernier, d'admettre l'Etat Libre d'Irlande, qui s'est inscrit dans la 5ème catégorie des Etats adhérents.

Paris, le 11 août 1924.

---

* 22791/24: not printed. These despatches dealt with the ratification of the Convention by Japan and other foreign States. † No. 244.

52693

No. 246.

SOUTHERN RHODESIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 10th November, 1924.)

[*Answered by No.* 247.]

(No. 324.)

SIR, Governor's Office, Salisbury (Rhodesia), 15th October, 1924.

I HAVE the honour to refer to your despatch No. 202 of the 12th June* transmitting copies of Treaty Series paper No. 6 of 1923 (Cmd. 1857) containing the International Convention for the creation at Paris of an International Institute of Refrigeration.

2. My Ministers desire that this Colony should become a member of the International Institute of Refrigeration, and wish to adhere to the Convention in terms of Article 1.

3. In terms of Article 9 my Ministers are prepared to pay an annual subscription at the rate of 1,000 francs towards the working expenses of the Institute.

I have, &c.,
J. R. CHANCELLOR,
Governor.

56479

No. 247.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

(No. 520.)

SIR, Downing Street, 16th December, 1924.

I HAVE the honour to acknowledge the receipt of your despatch No. 324 of the 15th of October,† relative to the desire of the Government of Southern Rhodesia to accede to the International Refrigeration Convention, and to request you to inform your Ministers that the request has been communicated to the International Institute in accordance with Article 1 of the Convention.

2. A reply has been received stating that the request will be submitted to the General Conference of the Institute, but that the next Session of the Conference is not likely to be held before 1926.

I have, &c.,
L. S. AMERY.

INTERNATIONAL SANITARY CONVENTION, 1912

(*Treaty Series* 1921, *No.* 2)

AND

INTERNATIONAL OFFICE OF PUBLIC HEALTH.

62738

No. 248.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 4.)

MY LORD, Downing Street, 3rd January, 1924.

WITH reference to my despatch No. 182 of the 8th of May, 1923,‡ I have the honour to transmit to Your Excellency, for the information of your Ministers, copies of a Note addressed to the French Government by His Majesty's Ambassador at Paris on the 27th of April, and of a despatch from His Majesty's Ambassador, regarding the accession of the Commonwealth of Australia to the International Sanitary Convention of 1912.

I have, &c.,
DEVONSHIRE.

---

* No. 244. † No. 246. ‡ No. 185 in Dominions No. 88.

Enclosure 1 in No. 248.

British Embassy, Paris, 27th April, 1923.

MONSIEUR LE PRÉSIDENT DU CONSEIL,

UNDER instructions from His Majesty's Principal Secretary of State for Foreign Affairs, I have the honour to inform Your Excellency that, in deference to the views of the Government of the Republic as expressed in your Note of 4th November last, the Government of the Commonwealth of Australia have modified the terms of their reservation in acceding to the International Sanitary Convention of 1912, in such a manner that it is now couched in similar terms to that of the United States Government. The reservation runs as follows:—

> "The Commonwealth Government accedes to the Convention under the reserve that nothing in Article 9 of the Convention will be considered as prohibiting the Commonwealth of Australia from taking special quarantine measures against the infection of its ports which unusual sanitary conditions may render necessary. Whilst making this reserve, the Government of the Commonwealth of Australia does not contemplate any infringement of the basic regulations of the Convention."

I have the honour, therefore, to request that Your Excellency may be so good as to cause the accession of the Commonwealth of Australia to the Convention, subject to the above quoted reservation, to be placed on record and all other parties concerned to be notified accordingly.

I have, &c.,

His Excellency
Monsieur Raymond Poincaré,
President of the Council,
Minister for Foreign Affairs.

Enclosure 2 in No. 248.

(No. 2919.)

MY LORD, British Embassy, Paris, 22nd December, 1923.

IN accordance with the instructions contained in Your Lordship's despatch No. 3795 of the 4th instant, I have caused inquiries to be made of the Ministry for Foreign Affairs as to the actual date which may have been recorded as that on which the accession of the Commonwealth of Australia to the International Sanitary Convention of 1912 took place.

I have the honour to inform Your Lordship that as the Commonwealth of Australia acceded to the Convention in question, subject to the reservation contained in Your Lordship's despatch No. 1434 of 25th April, the Ministry for Foreign Affairs has inquired of the various countries signatory to the Convention whether these have any objection to the accession of the Commonwealth of Australia, subject to the reservation in question. Definite replies that they have no objection have been received from all countries signatory to the Convention, *except* the following:—

Brazil.	Portugal.
Hungary.	Serbia.
Bolivia.	Uruguay.
Bulgaria.	Honduras.
Chile.	Danzig.
Ecuador.	Poland and
Persia.	Roumania.

The official concerned at the Ministry for Foreign Affairs has informed a member of my staff that a further communication is being sent by the French Government to these countries, requesting early notification as to whether they have any objection to the accession of the Commonwealth of Australia, subject to this reservation. As soon as definite replies have been received from these countries to the effect that they have no objection to the accession of the Commonwealth of Australia to the Convention, this accession will be notified to all the signatory Powers as having taken place on the date of the despatch of my Note notifying the accession; this date was 27th April, 1923.

I have, &c.,
CREWE.

The Most Honourable
The Marquess Curzon of Kedleston, K.G.,
&c., &c., &c.

16268

No. 249.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5th April, 1924.)

[*Answered by No.* 250.]

(No. 31.)

SIR, Government House, Wellington, 19th February, 1924.

WITH further reference to Lord Milner's despatch No. 253 of the 30th November, 1920,* I have the honour to inform you that my Ministers advise me that New Zealand now desires to adhere to the International Sanitary Convention of 1912, and also to the Rome Convention of 1907 which created the "Office International d'Hygiene Publique" at Paris.

2. The adherence to the Convention of 1907 will remove the difficulty of New Zealand not being entitled to representation on the Committee of the Bureau, as referred to in the second paragraph of Mr. Churchill's despatch No. 178 of the 14th September, 1921.†

I have, &c.,
JELLICOE,
Governor-General.

24337

No. 250.

NEW ZEALAND.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 93.)

MY LORD, Downing Street, 27th May, 1924.

WITH reference to your Excellency's despatch No. 31 of the 19th of February,‡ I have the honour to transmit to you, for the information of your Ministers, a copy of a note to the French Minister for Foreign Affairs regarding the desire of the New Zealand Government to accede to the International Sanitary Convention of the 17th of January, 1912, together with a copy of a despatch from His Majesty's Ambassador at Rome reporting that he has notified the Italian Government of the desire of the New Zealand Government to accede to the Agreement of the 9th of December, 1907, respecting the establishment of an International Office of Public Health.

I have, &c.,
J. H. THOMAS.

[21862]

Enclosure 1 in No. 250.

(5/2/1924.)

MONSIEUR LE PRÉSIDENT DU CONSEIL, British Embassy, Paris, 2nd May, 1924.

I HAVE the honour to inform Your Excellency, under instructions from His Majesty's Principal Secretary of State for Foreign Affairs, that the Government of the Dominion of New Zealand are desirous of acceding to the International Sanitary Convention signed at Paris on 17th January, 1912.

I have, &c.,
CREWE.

His Excellency
Monsieur Raymond Poincaré,
President of the Council,
Minister for Foreign Affairs.

---

* No. 263 in Dominions No. 75. ‡ 43006/21: not printed. † No. 249.

Enclosure 2 in No. 250.

(No. 443.)

SIR, British Embassy, Rome, 10th May, 1924.

WITH reference to your despatch No. 612 (W. 3293/66/94) of the 30th ultimo, I have the honour to report that I have to-day notified the Italian Government of the desire of the Government of the Dominion of New Zealand to accede to the Agreement signed at Rome on 9th December, 1907, respecting the establishment of an International Office of Public Health.

I have, &c.,
R. GRAHAM.

The Right Honourable
J. Ramsay MacDonald, M.P.,
&c., &c., &c.

26044

No. 251.

NEW ZEALAND.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 252.]

(No. 105.)

MY LORD, Downing Street, 12th June, 1924

WITH reference to my despatch No. 93 of the 27th of May,* I have the honour to transmit to Your Excellency, for the consideration of your Ministers, the accompanying copy of a note from the Italian Ministry for Foreign Affairs, relative to the adhesion of New Zealand to the Agreement signed at Rome on the 9th of December, 1907, on the subject of the International Office of Public Health.

2. I shall be glad to learn what reply your Ministers would wish to be returned to the Italian Government.

I have, &c.,
J. H. THOMAS.

Enclosure in No. 251.

(4707/24.)

TRANSLATION.

Note Verbale.

THE Ministry for Foreign Affairs has the honour to acknowledge the receipt of the British Embassy's Note Verbale No. 229 of the 10th May, and to ask that it may be informed in what category of the adhering States the Government of New Zealand wishes to be inscribed at the International Office of Hygiene in accordance with Article 11 of the Agreement signed at Rome on the 9th December, 1907.

As soon as this information is received steps will be taken to notify this new adhesion to all the States participating in the Office.

Rome, 17th May, 1924.

43952

No. 252.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 16th September, 1924.)

[*Answered by No.* 254.]

(No. 161.)

SIR, Government House, Wellington, 12th August, 1924.

WITH reference to your despatch No. 105 of the 12th June,† on the subject of the International Office of Public Health, I have the honour to inform you that my Ministers would be glad if you would advise the Italian Government that the New

* No. 250. † No. 251.

Zealand Government desires to be placed in the fourth category under Section 11 of the International arrangement signed at Rome on the 9th of December, 1907.

I have, &c.,
JELLICOE,
Governor-General.

48466

No. 253.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 14th October, 1924.)

[*Answered by No.* 256.]

(No. 393.)

SIR, Vice Regal Lodge, Dublin, 13th October, 1924.

I HAVE the honour to inform you that my Ministers are anxious to obtain information regarding the procedure for admission as a "pays participant" to the "Office International d'Hygiene Publique," together with an estimate of the contribution payable and of any other expenditure involved.

2. They will be grateful if this information is supplied as soon as possible.

I have, &c.,
T. M. HEALY.

52394

No. 254.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.

Dominions No. 539.)

[MY LORD,] [SIR,] Downing Street, 20th November, 1924.

WITH reference to my predecessor's despatch Dominions No. 193 of the 24th of April,* [*To New Zealand only:* and to Your Excellency's despatch No. 161 of the 12th of August,†] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a Note from the Italian Chargé d'Affaires regarding the accession of New Zealand to the International Agreement for the establishment in Paris of an International Office of Public Hygiene, signed at Rome on the 9th of December, 1907.

I have, &c.,
L. S. AMERY.

Enclosure in No. 254.

(Translation.)
(3969/6.)

SIR, Italian Embassy, London, 2nd November, 1924.

As Your Excellency is aware the British Embassy at Rome informed the Italian Government on the 10th May last that the Government of the Dominion of New Zealand desired to adhere to the International Agreement signed at Rome on 9th December, 1907, for the establishment in Paris of an International Office of Public Hygiene.

Your Excellency is further aware that the said Embassy on the 5th ultimo made a communication, in consequence of an inquiry from the Italian Ministry for Foreign Affairs, to the effect that the Government of the Dominion of New Zealand wish to be inscribed, under Article 11 of the statute of the office in question, in the fourth category of the adhering States.

* 18072/24: not printed. † No. 252.

In conformity with Article 6 of the Agreement referred to above, the Italian Government have instructed me to resort to Your Excellency's habitual courtesy to request you to communicate the above information to the competent authorities in Australia, Canada, India, and the Union of South Africa.

In thanking Your Excellency in anticipation for your courteous interest in the matter,

I have, &c.,
G. PREZIOSI.

The Right Honourable
James Ramsay MacDonald, M.P.,
&c., &c., &c.

56793

No. 255.

NEW ZEALAND.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 247.)

SIR, Downing Street, 30th December, 1924.

WITH reference to my despatch Dominions No. 539 of the 20th of November,* I have the honour to transmit to Your Excellency, for the information of your Ministers, the accompanying copy of a Note from the Italian Ministry for Foreign Affairs relative to the accession of New Zealand to the International Agreement of the 9th of December, 1907, for the establishment at Paris of an International Office of Public Hygiene.

I have, &c.,
L. S. AMERY.

Enclosure in No. 255.

(515880/83.)

TRANSLATION.

NOTE VERBALE.

THE Ministry for Foreign Affairs has the honour to inform the British Embassy that, in consequence of the Notes Verbale of the 10th May and the 5th October, 1924, it has notified, without delay, through the channel of their respective diplomatic representatives, each of the States signatory of, or adhering to, the International Agreement of Rome of the 9th December, 1907, for the institution at Paris of an International Office of Public Hygiene, of the adhesion of the Government of New Zealand to that Agreement and its request to be placed in the fourth category.

Rome, 31st October, 1924.

56799

No. 256.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 714.)

SIR, Downing Street, 30th December, 1924.

WITH reference to Your Excellency's despatch No. 393 of the 13th of October,† I have the honour to request you to inform your Ministers that, in the event of the Irish Free State deciding to participate in an individual capacity in the arrangements created by the international agreement signed at Rome on the 6th of December, 1907, respecting the creation of an International Office of Public Health, it will only be necessary to instruct His Majesty's Ambassador at Rome to make the appropriate notification to the Italian Government.

2. The amount of the contribution payable by the Irish Free State would depend upon the category in which the Free State Government may desire to be inscribed under Article 11 of the statute. The contribution of His Majesty's

* No. 254. † No. 253.

Government, who are inscribed in the first category, and are therefore liable to pay the equivalent of twenty-five units, is twenty thousand francs, as is that of the Government of India, who are in the same category. The Government of New Zealand are inscribed in the fourth category, which renders them liable to a subscription of ten units.

I have, &c.,
L. S. AMERY.

INTERNATIONAL VETERINARY BUREAU.

Convention for Creation of:

2460

No. 257.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
} Dominions No. 54.)

[MY LORD,] [SIR,] Downing Street, 11th February, 1924.

[*Not to Irish Free State:* With reference to my predecessor's despatch Dominions No. 289 of the 7th of August, 1923,*] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, a copy of a Note from the French Chargé d'Affaires conveying the views of the French Government on the question of the placing of the International Veterinary Bureau under the direction of the League of Nations.

I have, &c.,
J. H. THOMAS.

Enclosure in No. 257.

SE référant à la note du Foreign Office en date du 27 juillet dernier, relative au rattachement éventuel de l'Office International des Epizooties à la Société des Nations, le Chargé d'Affaires de France a l'honneur de porter à la connaissance de Son Excellence le Principal Secrétaire d'Etat de Sa Majesté britannique aux Affaires Etrangères que, selon le Gouvernement français, il appartiendra aux Etats adhérents à l'Office en question de décider si cet Office doit être rattaché à l'Office International d'Hygiène Publique, s'il doit l'être à la Société des Nations, s'il est possible et s'il convient de le rattacher à ces deux organismes à la fois ou de ne le rattacher à aucun d'eux.

La lettre de cette Ambassade au Foreign Office, en date du 15 octobre, 1922, a, d'ailleurs, précisé les conditions dans lesquelles la question se pose aux yeux de M. Poincaré. Mais il est certain, en tout état de cause, que le Gouvernement français, signataire du Pacte de la Société des Nations, appuiera toute proposition qui serait faite tendant au rattachement.

M. de Montille saisit, etc.

Ambassade de France à Londres,
Albert Gate House,
Le 29 décember, 1923.

---

* No. 192 in Dominions No. 88.

2460

No. 258.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 85.)

SIR, Downing Street, 12th February, 1924.

WITH reference to my despatch Dominions No. 54 of the 11th of February* relative to the proposed placing of the International Veterinary Bureau under the League of Nations, I have the honour to transmit to Your Excellency, to be laid before your Ministers, the accompanying copy of previous correspondence† with the French Ambassador on the subject of this Bureau and the bearing of Article 24 of the Covenant of the League of Nations on its status.

2. Copies of this correspondence have already been forwarded to the Governments of the other self-governing Dominions.

3. It will be seen that His Majesty's Government have decided to participate in the proposed Convention establishing the Bureau. The Government of Canada have decided not to participate in the creation of the Bureau, the Government of New Zealand have intimated their willingness to adhere, with inscription in the 6th category, and no decision has been reached by the Governments of the Commonwealth of Australia and the Union of South Africa.

I have, &c.,
J. H. THOMAS.

7371

No. 259.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
Dominions No. 68.)

[MY LORD,] [SIR,] Downing Street, 20th February, 1924.

WITH reference to my despatch Dominions No. 54 of the 11th of February,‡ I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, a copy of a despatch to His Majesty's Ambassador at Paris authorizing him to sign the proposed Convention for the creation of an International Veterinary Bureau.

I have, &c.,
J. H. THOMAS.

Enclosure in No. 259.

(No. 509.)

MY LORD, Foreign Office, S.W.1, 12th February, 1924.

WITH reference to your despatch No. 229 (C) of the 30th ultimo I transmit to you herewith a Full Power under the Royal Sign Manual and Great Seal authorizing you to sign the proposed Convention for the creation of an International Veterinary Bureau.

2. In affixing Your Lordship's signature to the Convention you should add to it the following reservations:—

"I declare that my signature applies only to Great Britain and Northern Ireland. I reserve the right of each of the British Dominions, Colonies, Oversea Possessions and Protectorates, and of each of the Territories over which His Britannic Majesty exercises a mandate, to accede to the Convention under Article 6.

* No. 257. † Enclosures in Nos. 141, 142, 146 and 145 in Dominions No. 87, and enclosures in Nos. 190, 191 and 192 in Dominions No. 88. ‡ No. 257.

"I also declare that His Majesty's Government reserve their right to withdraw from participation in the Bureau at any time if it is not placed under the direction of the League of Nations."

3. In this connexion I transmit herewith for your information copies of letters from the Colonial Office and India Office respectively stating the position in regard to the accession of oversea portions of the Empire to this Convention.

I am, &c.,
(For the Secretary of State)
R. H. CAMPBELL.

To
His Excellency
The Most Honourable
The Marquess of Crewe, K.G.,
&c., &c., &c.

10805

No. 260.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.55 p.m., 5th March, 1924.)

TELEGRAM.

[*Answered by No.* 261.]

5TH MARCH. Your telegram of 7th December,* International Veterinary Bureau. My Ministers inquire whether Australia has now decided to adhere.

10805

No. 261.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 1.55 p.m., 7th March, 1924.)

TELEGRAM.

7TH MARCH. Your telegram 5th March,† International Veterinary Bureau. No reply yet received from Australia.—SECRETARY OF STATE FOR THE COLONIES.

10805

No. 262.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

[*Answered by No.* 263.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
Dominions No. 110.)

[MY LORD,] [SIR,] Downing Street, 10th March, 1924.

WITH reference to my despatch Dominions No. 68 of the 20th February,‡ I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, a copy of a despatch from His Majesty's Ambassador at Paris respecting the signature, on the 28th February, of the Convention for the creation of an International Veterinary Bureau.

I have, &c.,
J. H. THOMAS.

---

* No. 195 in Dominions No. 88. † No. 260. ‡ No. 259.

[10725]

Enclosure in No. 262.

(No. 479 (C).)

SIR, British Embassy, Paris, 29th February, 1924.

I HAVE the honour to acquaint you that, in accordance with the instructions contained in your despatch No. 509 of the 12th instant, I yesterday duly signed the proposed Convention for the creation of an International Veterinary Bureau.

In affixing my signature to the Convention, I added the reservations set forth in paragraph 2 of your despatch under reference.

I have, &c.,
CREWE.

The Right Honourable
J. Ramsay MacDonald, P.C., M.P.,
Foreign Office, London, S.W.1.

24393

No. 263.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 22nd May, 1924.)

(No. 192.)

SIR, Vice Regal Lodge, Dublin, 21st May, 1924.

ADVERTING to your despatch of the 10th March last, Dominions No. 110* with enclosures, and previous correspondence on the question of the creation of an International Veterinary Bureau, I have the honour to state that my Ministers have approved of the accession of Saorstat Eireann to the Convention for the creation of an International Veterinary Bureau, and of the entry of the Saorstat into Membership of the Bureau in the 6th category (set forth in Article 11 of the Draft Statutes of the Bureau).

2. It is intended to arrange for the attendance of a representative of the Saorstat at the first meeting of the Committee of the Bureau, which, as appears from Article 6 of the Draft Statutes, is to be composed of technical representatives nominated by the participating States. My Ministers assume that due notice will be given beforehand to the various States concerned of the date fixed for the first meeting of the Committee in question.

I have, &c.,
T. M. HEALY.

IRISH FREE STATE.

(1) Constitutional position as regards the conclusion of International Treaties.

19880

No. 264.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[Answered by No. 265.]

(No. 349.)

SIR, Downing Street, 6th June, 1924.

I HAVE the honour to transmit to Your Excellency, to be laid before your Ministers, a copy of a memorandum from the Czechoslovak Minister regarding the constitutional position of the Irish Free State, with special reference to the conclusion of international treaties.

2. Subject to your Ministers' concurrence, His Majesty's Government would propose to reply as regards the first part of the inquiry by sending the Czechoslovak Minister a copy of the notice published in the *Madrid Gazette*, dated the 14th March, 1924, of which a copy was enclosed in my despatch No. 216 of the 5th April.†

* No. 262. † No. 656 (in Part II).

3. As regards the second part of the inquiry it would be explained, if your Ministers agree, that the Irish Free State is a self-governing Dominion, that its status is defined in the Irish Free State (Agreement) Act, 1922, and in the Irish Free State Constitution Act, 1922, and that information in regard to the practice contemplated in future as to the negotiation, signature and ratification of treaties on behalf of the various parts of the British Empire is to be found in Chapter IX of the Summary of the Proceedings of the Imperial Conference, 1923 (Cmd. 1987). Copies of the above-mentioned documents would be sent to the Minister, together with copies of the clauses usually inserted in commercial treaties regarding their application to His Majesty's Dominions, Colonies, Possessions and Protectorates. Copies of these clauses* are enclosed herewith.

4. His Majesty's Government would further propose to explain that commercial treaties concluded before the constitution of the Irish Free State as a self-governing Dominion apply to the Free State, that no separate commercial arrangements have so far been made between the Irish Free State and any country other than Spain, but that His Majesty's Government have since the date of the Irish Free State Constitution Act, 1922, concluded treaties of commerce or provisional commercial arrangements not only with Czechoslovakia but also with Poland, Latvia, Finland and Roumania, and that it is open to the Irish Free State to have the stipulations of any of these treaties or arrangements applied to it in accordance with the procedure referred to at the end of the preceding paragraph of this despatch.

5. As regards the texts of the above-mentioned instruments I would request you to invite your Ministers' reference to my predecessor's despatches No. 455 of the 1st August, 1923,† No. 759 of the 31st December, 1923,‡ No. 413 of the 13th July, 1923,§ and Dominions No. 29 of the 23rd January, 1924,‖ and, in the case of the Arrangement with Roumania to No. 15 of the Treaty Series (1923) (Cmd. 1925), of which copies were sent to you on the 7th August, 1923.¶

6. As the Czechoslovak Minister is pressing for an early reply, I shall be glad to learn as soon as possible whether your Ministers concur in a reply being sent to him on the above lines.

I have, &c.,
J. H. THOMAS.

Enclosure in No. 264.

MEMORANDUM.

ON 14th March, 1924, there was published at Madrid the exchange of Notes between the Spanish Ministry for Foreign Affairs and His Britannic Majesty's Ambassador, by which Spanish-Irish commercial relations are adjusted.

The Czechoslovak Ministry for Foreign Affairs wishes to be furnished with a report on the matter, and also to know the particulars regarding the constitutional position of Ireland, especially in regard to the conclusion of international treaties and politico-commercial autonomy in general.

The Czechoslovak Ministry for Foreign Affairs desires also to be informed which British commercial treaties apply to the Irish Free State, and with which countries, besides Spain, politico-commercial relations with Ireland have hitherto been independently adjusted.

33816

No. 265.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 16th July, 1924.)

[Answered by No. 266.]

(No. 286.)

SIR, Vice Regal Lodge, Dublin, 15th July, 1924.

I HAVE the honour to acknowledge receipt of your despatch No. 349 of the 6th ultimo,** transmitting a copy of a Memorandum from the Czechoslovak Minister

* Not reprinted. See note on page 150 of Dominions No. 87. † No. 91 in Dominions No. 88.
‡ No. 316 in Dominions No. 88. § No. 214 in Dominions No. 88. ‖ No. 164.
¶ 38646/23: not printed. ** No. 264.

regarding the constitutional position of the Irish Free State with special reference to the conclusion of international treaties.

2. My Ministers have given careful consideration to the reply which His Majesty's Government propose to send to the inquiry of the Czechoslovak Minister. In their opinion paragraph 4 of the despatch under reply relative to the Irish Free State's position regarding commercial treaties is not made sufficiently clear, and they request that His Majesty's Government should inform the Czechoslovak Minister that the Irish Free State is competent to conclude commercial treaties with any foreign State should such a course be deemed necessary.

3. With the exception of the change suggested in the preceding paragraph, my Ministers concur in the terms of the reply.

I have, &c.,
T. M. HEALY.

36119

No. 266.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 471.)

SIR, Downing Street, 7th August, 1924.

I HAVE the honour to acknowledge the receipt of Your Excellency's despatch No. 286 of the 15th July,* and to transmit to you, to be laid before your Ministers, a copy of the reply addressed by the Secretary of State for Foreign Affairs to the Czechoslovak Minister in regard to the constitutional position of the Irish Free State, with special reference to the conclusion of International Treaties.

I have, &c.,
J. H. THOMAS.

Enclosure in No. 266.

SIR, Foreign Office, S.W.1, 26th July, 1924.

IN your memorandum No. 1451 you expressed a wish to be furnished with information concerning the commercial *modus vivendi* recently concluded between Spain and the Irish Free State and the constitutional position of Ireland in regard to international treaties.

2. In reply to the first part of your inquiry I have the honour to transmit, herewith, a copy of a notice published in the *Madrid Gazette*, dated 14th March last, regarding the conclusion of a commercial *modus vivendi* between Spain and the Irish Free State. In regard to the second part of your inquiry I have the honour to state that the Irish Free State is a self-governing Dominion, and that her status is defined in the Irish Free State (Agreement) Act, 1922, and in the Irish Free State Constitution Act, 1922. Information in regard to the practice contemplated in future as to the negotiation, signature and ratification of treaties by the various parts of the British Empire will be found in Chapter 9 of the summary of the proceedings of the Imperial Conference, 1923. I have the honour to enclose copies of the above-mentioned documents, and also of the clause usually inserted in commercial treaties regarding their application to His Majesty's Dominions, Colonies, Possessions and Protectorates.

3. Commercial treaties concluded before the constitution of the Irish Free State as a self-governing Dominion apply to that State. It is within the competence of the Irish Free State to conclude separate commercial treaties with any foreign State, should such a course be deemed necessary. No such action has as yet been taken, nor have any separate commercial arrangements so far been made between the Irish Free State and any country other than Spain.

4. It may also be mentioned that His Majesty's Government have since the date of the Irish Free State Constitution Act, 1922, concluded treaties of commerce or provisional commercial arrangements not only with Czechoslovakia, but also with Poland, Latvia, Finland and Roumania, and it is open to the Irish Free State

* No. 265.

to have the stipulations of any of these treaties or arrangements applied to it under the clause referred to in paragraph 2.

I have, &c.,
(for the Secretary of State),
G. H. VILLIERS.

Doctor Vojtech Mastny, K.B.E.,
&c., &c., &c.

---

(2) Ratification of certain Conventions.

902

No. 267.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 104.)

SIR, Downing Street, 18th February, 1924.

I HAVE the honour to request Your Excellency to inform your Ministers, in connexion with the position of the Irish Free State in relation to those International Conventions, etc., which were signed prior to the legalization of the Treaty and were, on the 31st March, 1922, awaiting formal ratification, that, in accordance with the understanding reached as the result of the third paragraph of the letter from the Colonial Office to the Provisional Government of Ireland of the 2nd May, 1922, and of Mr. O'Hegarty's reply of the 5th May,* the majority of the instruments in question, as shown in the attached Schedule, have now been ratified by the King.

2. As regards the Treaties signed at the Washington Conference relating to submarines and noxious gases, and to China, which are mentioned in the enclosed list, the position is that the instruments of His Majesty's ratification of these Treaties have been signed and were forwarded to His Majesty's Ambassador at Washington on the 11th August, 1922, for communication to the United States Government and for deposit in their archives. The instruments have, however, not yet been deposited, since it was intimated to His Majesty's Ambassador that the United States Government were unwilling to receive His Majesty's ratifications until a date could be fixed on which all Powers could deposit their ratifications simultaneously. This has so far proved impossible owing to the fact that certain foreign Powers have not yet ratified the Treaties in question.

3. The Arms Traffic Convention of the 10th September, 1919, still remains unratified by His Majesty; the position as regards this Convention was set out in my Predecessor's despatches Nos. 579 and 618 of the 26th September and the 24th October last.†

I have, &c.,
J. H. THOMAS.

---

* Nos. 152 and 159 in Dominions No. 87. † Nos. 66 and 67 in Dominions No. 88.

[See overleaf for Schedule.

Enclosure in No. 207.

SCHEDULE OF INSTRUMENTS WHICH HAVE BEEN RATIFIED.

Treaty, Convention, &c.	Date of Signature.	Date of Deposit of Ratification.	Treaty Series.	Reference to Correspondence.	Remarks.
Aerial Navigation Convention	13th October, 1919	1st June, 1922	No. 2, 1922	Secretary of State's despatch No. 407 of 10th July, 1923	
Additional Protocol (1st May, 1920)	—	1st June, 1922	No. 11, 1922		
The Pacific Treaty and Protocol	13th December, 1921	17th August, 1923	No. 6, 1924	Secretary of State's despatches No. 583 of 28th September, 1923, and Dominions Treaty No. 6 of 16th February, 1924	The Texts of these instruments are to be found in Cmd. 1627.
Supplementary Treaty	6th February, 1922	17th August, 1923			
Treaty for the Limitation of Naval Armaments ...	6th February, 1922	17th August, 1923	No. 5, 1924		
Treaty regarding Submarines and Noxious Gases	6th February, 1922	—	—		
Two Treaties relating to China	6th February, 1922	—	—		
Convention and Statute on the Freedom of Transit	20th April, 1921	2nd August, 1922	No. 27, 1923		
Convention and Statute on the Regime of Navigable Waterways	20th April, 1921	2nd August, 1922	No. 28, 1923		The obligations under paragraph (a) of the Additional Protocol, *i.e.*, in respect of all navigable waterways, were accepted in respect to the United Kingdom and extend to the Irish Free State.
Additional Protocol	20th April, 1921	2nd August, 1922			
Declaration recognizing the right to a Flag of States having no sea coast	20th April, 1921	9th October, 1922	No. 29, 1923		
Convention for the Suppression of the Traffic in Women and Children	Adopted by Second Assembly of L/N, 1921	28th June, 1922	No. 26, 1923		
Protocols of Amendments to Articles 4, 13, 15, 26 of the Covenant of the League of Nations	Adopted by Second Assembly of L/N, 1921	3rd February, 1923	No. 4, 1923	Secretary of State's despatch No. 96 of 18th February	Owing to the necessary ratifications not yet having been received none of these amendments has come into operation.
Protocol of Amendment to Article 6 (last paragraph) of the Covenant	Adopted by Second Assembly of L/N, 1921	23rd November, 1922	No. 4, 1924	Secretary of State's despatch Dominions Treaty No. 5 of 16th February	
Protocol of Amendment to Article 12 of the Covenant	Adopted by Second Assembly of L/N, 1921	5th July, 1923			
Treaty relating to Spitzbergen	9th February, 1920	29th December, 1923	—		

International Convention for the creation of an International Institute of Refrigeration ...	21st June, 1920	24th January, 1923	No. 6, 1923		For form of signature see page 13 of Treaty Series Paper.
Treaty respecting Bessarabia	28th October, 1920	14th April, 1922	No. 15, 1922		
International Convention modifying the Metric Convention of 1875	6th October, 1921	21st February, 1923	No. 24, 1923		For form of signature see page 13 of Treaty Series Paper.
Aaland Islands Convention	20th October, 1921	6th April, 1922	No. 6, 1922		
Agreement between the United Kingdom and Siam respecting Enemy Debts	20th December, 1921	20th April, 1922	No. 3, 1922		
Agreement between the United Kingdom and Hungary respecting Enemy Debts	20th December, 1921	20th April, 1922	No. 4, 1922		
Convention between United Kingdom and France respecting Civil Procedure	2nd February, 1922	2nd May, 1922	No. 5, 1922		See Final Provisions (c) on page 10 of Treaty Series Paper.
Convention instituting the Statute of Navigation of the Elbe	22nd February, 1922	13th December, 1922	No. 3, 1923		

ITALY.

(1 Commercial Treaty with Canada.

(*Treaty Series*, 1924, *No.* 10.)

1569

No. 268.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 6.25 p.m., 11th January, 1924.)

TELEGRAM.

11TH JANUARY. My despatch of 12th December, No. 574,* Italo-Canadian Commercial Convention. Ratifications exchanged 8th January.—SECRETARY OF STATE FOR THE COLONIES.

1569

No. 269.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 33.)

MY LORD, Downing Street, 18th January, 1924.

IN confirmation of my telegram of the 11th January,† I have the honour to request Your Excellency to inform your Ministers that the exchange of ratifications of the Italo-Canadian Commercial Convention was duly effected with the Italian Ambassador on the 8th January. It is now proposed, as in the case of the Commercial Convention between Canada and France (see my despatch Dominions No. 441 of 24th November‡), to publish the Convention in the Treaty Series of Parliamentary Papers.

2. I take this opportunity to enclose a copy of a despatch from His Majesty's Ambassador at Rome regarding the discussion on the Treaty in the Italian Senate.

I have, &c.,
DEVONSHIRE.

[719]

Enclosure in No. 269.

(No. 1101.)

MY LORD, Rome, 13th December, 1923.

WITH reference to my despatch No. 1062, of 30th November, regarding the Treaty concluded between Italy and the Canadian Government, I have the honour to report that the Bill converting into law the decree confirming this Treaty was discussed and passed by the Senate on 10th December.

During the discussion, Signor Luzzatti said he would have liked to see the question regarding shipment of goods cleared up. By effect of the Convention Italy acquired rights and undertook obligations which were similar to those contained in the Franco-Canadian Agreement, which prescribed that French goods imported into Canada should be disembarked in Canadian ports, and reciprocally that Canadian goods be disembarked in French ports. Italy was not yet in a position to undertake to carry goods direct to Canada, and could only send her goods there from ports in countries enjoying the same rights as France enjoyed. During the discussion of the Convention on 2nd May, 1923, in the Canadian Parliament, some members had held that they should be exonerated from having to import directly, but the Canadian Minister of Finance replied that countries enjoying the benefit granted to France must also accept the responsibilities accepted by that country.

Signor Luzzatti continued by asking the Government to state if this delicate point was discussed by the Italian negotiators in London, and if the discussion did not take place, he suggested that the point should be raised. He also pointed out the advantage which would be derived from clearing up the question of the most-favoured-nation treatment.

* No. 208 in Dominions No. 88. † No. 268. ‡ 55530/23: not printed; it enclosed copies of the Convention.

The Minister of National Economy replied that assuredly the most-favoured-nation treatment was due to Italy.

On the question of direct shipments, he observed that if Italian goods had to be embarked in a French or British port which enjoyed the most-favoured-nation treatment this would not necessarily entail a severe loss. The Italian representative in Canada had, however, been informed of the question, which was not specially mentioned in the Convention.

Signor Orlando explained that direct communications with Canada were temporarily suspended because shipowners had asked for facilities regarding emigration, whereupon Signor Soderini asked if there existed difficulties about emigration.

The Minister for National Economy replied that emigration to Canada was not much sought after by Italian workmen, many going there only in the hope of overcoming the difficulties of immigration to the United States.

I have, &c.,
R. GRAHAM.

The Most Honourable
Marquess Curzon of Kedleston, K.G.,
&c., &c., &c.

9273

No. 270.

MR. E. J. HARDING (COLONIAL OFFICE) to MR. F. A. McGREGOR (CANADA).

DEAR McGREGOR, Downing Street, 7th March, 1924.

THE Secretary of State is sending an official despatch to the Governor-General by this mail (No. 108),* inquiring the wishes of the Canadian Government as to the registration of the Italo-Canadian Commercial Convention with the Secretariat of the League of Nations.

In this connexion I have been asked to explain that hitherto the regular practice of the Foreign Office has been to register with the League Secretariat all treaties with foreign States as soon as they have been published in the "Treaty Series" of Parliamentary Papers. In accordance with this practice, the Franco-Canadian Commercial Convention of 1922 (Treaty Series No. 25 of 1923), as well as certain previous instruments specially affecting Canada, of which I enclose a list, have been registered with the League, the matter being dealt with in the Foreign Office as one of ordinary routine. Attention having been called to the point, the Foreign Office at our request are not taking any action as regards registration of the Italo-Canadian Convention and will not take action as regards other treaties specially affecting Canada, pending an expression of the views of the Canadian Government on the question raised.

I should be much obliged if you would bring this to the notice of Mr. Mackenzie King, and, if he sees no objection, to that of the Department which deals with the official despatch.

Yours sincerely,
E. J. HARDING.

Enclosure in No. 270.

CONVENTIONS, ETC., SPECIALLY AFFECTING CANADA, WHICH HAVE BEEN REGISTERED WITH THE LEAGUE OF NATIONS.

	No. of certificate furnished to His Majesty's Government and date of registration.
1. Franco-Canadian Convention and supplementary Convention respecting commercial relations, signed at Paris, 19th September, 1907 and 8th January, 1909, respectively, together with notes exchanged with the French Government on 8th January, 1909, and the denunciation by Canada of these Conventions on 20th March, 1920.	No. 10. 7th September, 1920.

* No. 271.

	No. of certificate furnished to His Majesty's Government and date of registration.
2. Franco-Canadian Commercial Agreement, signed at Paris, 29th January, 1921.	No. 212. 9th January, 1922.
3. Franco-Canadian Commercial Convention, signed at Paris, 15th December, 1922.	No. 535. 5th December, 1923.
4. Exchange of notes applying the Anglo-Russian Trade Agreement, signed at London, 16th March, 1921, to Canada, London, 3rd July, 1922.	No. 345. 5th October, 1922.
5. Convention: Accession of Canada to the Real and Personal Property Convention of 16th March, 1899, signed at Washington, 21st October, 1921.	No. 339. 5th October, 1922.
6. Supplementary Extradition Convention between the United Kingdom and the United States, signed at London, 15th May, 1922.	No. 369. 13th January, 1923.

9273

No. 271.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 272.]

(No. 108.)

MY LORD, Downing Street, 7th March, 1924.

WITH reference to my predecessor's despatch No. 33 of the 18th January,* regarding the exchange of ratifications of the Italo-Canadian Commercial Convention, I have the honour to inquire the wishes of your Ministers with regard to registration of the Convention with the Secretariat of the League of Nations in accordance with Article 18 of the Covenant.

2. His Majesty's Government would be happy to make the necessary arrangements for the inclusion of this Convention and of similar Treaties and Conventions affecting Canada, among those which they communicate themselves to the League Secretariat for registration, if this course would be of convenience to the Canadian Government.

I have, &c.,
J. H. THOMAS.

20492

No. 272.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 30th April, 1924.)

(No. 168.)

SIR, Government House, Ottawa, 17th April, 1924.

WITH reference to your despatch No. 108 of the 7th March,† on the subject of the registration of the Italo-Canadian Commercial Convention with the Secretariat of the League of Nations, I have the honour to inform you that the Government of Canada would be glad if His Majesty's Government would be good enough to include the above-named Convention among those which they communicate to the League Secretariat for registration.

I have, &c.,
BYNG OF VIMY.

---

* No. 269. † No. 271.

(2) Proposed Convention relating to Legal Procedure in Civil and Commercial matters.

722

No. 273.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

[*Answered by No.* 276.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. } Dominions No. 24.)

[MY LORD,] [SIR,] Downing Street, 22nd January, 1924.

I HAVE the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, the draft of a proposed Convention with Italy relating to Civil Procedure which has been forwarded to the Italian Ambassador with a request that he will communicate it to the Italian Government for consideration.

2. Similar Conventions with Switzerland and Czechoslovakia are under negotiation.

I have, &c.,
DEVONSHIRE.

722

No. 274.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

[*Answered by No.* 276.]

(Canada. No. 43.)
(Commonwealth of Australia. No. 39.)
(New Zealand. No. 23.)
(Union of South Africa. No. 29.)
(Newfoundland. No. 11.)

[MY LORD,] [SIR,] Downing Street, 22nd January, 1924.

WITH reference to my despatch Dominions No. 24 of the 22nd of January,* regarding the draft Civil Procedure Convention with Italy, I have the honour to request [Your Excellency] [you] to invite the attention of your Ministers to my predecessor's despatches Dominions No. 178 of the 7th of June, 1922,† and Dominions No. 254 of the 25th of July, 1922,‡ as to the similar Convention with France.

I have, &c.,
DEVONSHIRE.

722

No. 275.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 50.)

SIR, Downing Street, 22nd January, 1924.

WITH reference to my despatch Dominions No. 24 of the 22nd of January* regarding the draft Civil Procedure Convention with Italy, I have the honour to request Your Excellency to inform your Ministers that a similar Convention with France is printed in Treaty Series Paper No. 5 of 1922 (Cmd. 1661).

I have, &c.,
DEVONSHIRE.

---

* No. 273. † 21730/22; not printed; it enclosed copies of Treaty Series No. 5 of 1922. ‡ No. 88 in Dominions No. 87.

30678

No. 276.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 30th June, 1924.)

(No. 116.)

SIR, Governor-General's Office, Melbourne, 13th May, 1924.

WITH reference to your predecessor's despatches dated 22nd January, 1924, Dominions No. 24 and No. 39,* relative to a proposed Convention between the United Kingdom and Italy relating to Civil Procedure, I have the honour to inform you that I am advised by my Prime Minister that the Commonwealth Government desires that the Convention in question be extended to include the Commonwealth of Australia, Papua, Norfolk Island and, if practicable, the Mandated Territory of New Guinea.

I have, &c.,
FORSTER,
Governor-General.

Note.—No further developments occurred during 1924.

JAPAN.

(1) Abrogation of Article 8 of Commercial Treaty of 1911 and supplementary Commercial Convention, 1925.

(*Treaty Series* 1924, *No.* 31.)

14927

No. 277.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
Dominions No. 182.)

[MY LORD,] [SIR,] Downing Street, 16th April, 1924.

I HAVE the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, a copy of a note from the Japanese Ambassador submitting proposals for the amendment of the Anglo-Japanese Treaty of Commerce and Navigation of the 3rd April, 1911.

2. A further communication will be addressed to you as to the views of His Majesty's Government on the suggested amendments.

I have, &c.,
J. H. THOMAS.

Enclosure in No. 277.

(No. 47.)

SIR, Japanese Embassy, London, W., 21st March, 1924.

UNDER instructions from my Government, I have the honour to inform you that my Government have come to a decision to propose to the Governments of countries who are parties to the Commercial Treaties with Japan, of which the original periods of operation have already expired, that arrangements should now be made, with a view to retaining the provisions of those Treaties with certain amendments which they deem necessary, instead of seeing them terminated.

* Nos. 273 and 274.

112

2. I am accordingly instructed to submit to the most favoured and sympathetic consideration of your Government the amendments set forth in the Memorandum (A) attached to this note, which my Government propose to make, in the form of a Treaty or Agreement, to the Treaty of Commerce and Navigation between Great Britain and Japan, signed at London, 3rd April, 1911. In this connexion, the attention of your Government is specially invited to the fact that the original period of operation of this Treaty expired on the 16th July last, while on the other hand great changes have been brought about through the War in the economic conditions of the world. The considerations that prompted my Government to propose these amendments are stated in Memorandum (B) attached to this note.

3. I beg to inform you further that it is also desired by my Government that this opportunity should be taken of extending the scope of the Convention relating to the Commercial Relations between Japan and India, signed at Tokyo, 29th August, 1904, so as to comprise matters concerning entry and residence in the respective Territories, as well as matters regarding industry and navigation.

4. The Japanese Government also desire to conclude with the Government of Canada a tariff convention with a view to the advancement of the commercial relations between the two countries.

5. Furthermore, I am directed to express the earnest desire of the Japanese Government that the Commonwealth of Australia, the Dominion of New Zealand and the Union of South Africa may be able to see their way to adhere to the Anglo-Japanese Commercial Treaty. In order to facilitate this, the Japanese Government are prepared to accept certain exceptions which may be proposed by any of the Governments of those British Dominions to the general application of the provisions of that Treaty, so long as the most-favoured-nation treatment as regards entry, residence, industry, customs duties and vessels is assured. They are, moreover, prepared to enter into some understanding with each of them with regard to the restriction of immigration, in a manner similar to the existing arrangements between Japan and Canada. I should, therefore, be grateful if you would be so good as to communicate the above desire of my Government to the Governments in question.

6. If any of the Governments concerned have no objection in principle to the proposals mentioned in the foregoing paragraphs from 3 to 5, it would seem expedient that negotiations in details should be left to the Japanese Consular Official at Calcutta, Ottawa, Sydney or Cape Town, and the Representative of the Local Government.

I have, &c.,
HAYASHI.

The Right Honourable James Ramsay MacDonald, M.P.,
Secretary of State for Foreign Affairs, Foreign Office.

MEMORANDUM (A).

THE AMENDMENT PROPOSED BY THE JAPANESE GOVERNMENT TO THE TREATY OF COMMERCE AND NAVIGATION BETWEEN GREAT BRITAIN AND JAPAN, SIGNED AT LONDON, 3RD APRIL, 1911.

1. ARTICLE VIII and the Schedule annexed to the Treaty should cease to be operative after the 30th September, 1924.

2. At the end of Paragraph 1 of Article XXI the following words should be added :—

"Under the condition of reciprocity, if such condition is required by the laws of the country or by the terms of an arrangement by which special concessions in that respect may be granted to any third country."

3. In Article XXV the words "within a limited zone on each side of the frontier" should be suppressed, and the words "so long as such concessions are not extended to any other country" should be inserted instead thereof.

4. To Article XXVI the following paragraph should be added :—

"It is understood, however, that the stipulations of the present Treaty should be applied to all Japanese Possessions and all Territories under Japanese administration."

5. In Paragraph 2 of Article XXVII the words "and also as regards all Japanese Possessions and Territories under Japanese administration to which the present Treaty is applicable" should be inserted after the words "the present Treaty may have been made applicable," and before the words "in virtue of Article 26. . . . . ."

MEMORANDUM (B).

BRIEF EXPLANATION ON THE PROPOSED AMENDMENTS OF THE JAPANESE GOVERNMENT.

1. ARTICLE VIII of the present Treaty and the Schedule annexed thereto were formulated solely in deference to the strong desire expressed by the British Government at the time of the conclusion of the Treaty, but the Japanese Government have from the outset always found them to be of great disadvantage to Japan. Indeed, they could have abrogated the Article and the Schedule whenever they pleased, but they have refrained from doing so until after the expiration of the original period of operation of the whole Treaty, regard having been paid to the wishes of the British Government. In these circumstances, and now in view of the great changes in the economic conditions throughout the world, which might almost be called revolutionary, it is earnestly hoped that the British Government will be able to see their way to consent to conclude a separate Agreement, making this Article and the Schedule inoperative after a period of about six months from the date of this proposal.

2. The Japanese Government are now in the course of studying the advisability of allowing coasting trade to foreign ships under the condition of reciprocity. The Amendment (2) is proposed in the hope that a decision to this effect may be come to in future. In that event, it is the intention of the Japanese Government to open negotiations first with the British Government on the subject.

3. The Amendment (3) is proposed in order to reserve a freedom similar to that enjoyed by some other Powers in relation to special tariff concessions which may be granted to frontier traffic, with the object of encouraging regional economic relations. The Japanese Government are seeking no exceptional privilege beyond what other Powers are enjoying.

4. The Amendment (4) is proposed in order to make clear that Chosen, Formosa, the South Saghalien, the Leased Territory of Kwantung and the railway zone attached thereto, over which the administration of the Government of Kwantung extends, as well as the Territories under the Japanese Mandate, are within the scope of the present Treaty, and to claim at the same time that, so far as the present Treaty is concerned, these Territories will be treated in every respect on exactly the same footing as Japan Proper. For instance, articles, the produce or manufacture of these Territories, will not be held to be "articles of foreign origin," provided for in Article VII.

5. The Amendment (5) is proposed to make the provisions of Article XXVII entirely bilateral.

19877

No. 278.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
) Dominions No. 203.)

[MY LORD,] [SIR,] Downing Street, 8th May, 1924.

WITH reference to my despatch Dominions No. 182 of the 16th of April,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a notification by the Japanese Government concerning the abrogation of Article 8 of the Anglo-Japanese Commercial Treaty, 1911, and the Schedule annexed thereto.

I have, &c.,
J. H. THOMAS.

---

* No. 277.

Enclosure in No. 278.

(Translation.)

NOTIFICATION OF THE IMPERIAL GOVERNMENT, 15TH APRIL.

THE present Anglo-Japanese Treaty of Commerce and Navigation signed in April, 1911, having reached its term on 16th July, 1923, the Imperial Government have taken into account the results of the Great European War and the great changes which have occurred in the economic conditions of the whole world. They accordingly hope to make certain necessary alterations both in the Anglo-Japanese Treaty and in the present Commercial Treaties with other foreign Powers and thus to adapt them to the existing state of the trade and industry of the Empire. Negotiations have commenced in London since March last; and while the Imperial Government is still in the midst of amending these points regarding the Anglo-Japanese Treaty, the British Government have concurred with them in regard to the abrogation of Article 8 of the Treaty and the tariff schedule annexed thereto. So this Article and schedule will terminate on 10th March, 1925, and will lose their validity on that date. In view of the fact that this unofficial decision to terminate must have a very considerable effect on the trade relations of the two countries, the respective delegates have agreed to publish it informally as quickly as possible. The abrogation of Article 8 and the annexed schedule will be effected for this reason as soon as possible by formal procedure through an exchange of official notes between the two Governments. This abrogation of Article 8 and of the annexed schedule will be concluded on the completion of the formal procedure. At the time of the completion of this procedure, a formal notification (whether amended or not) will be made.

19760

No. 279.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[Answered by No. 280.]

(No. 275.)

SIR, Downing Street, 8th May, 1924.

WITH reference to my despatch Dominions No. 182 of the 16th of April,* regarding the revision of the Anglo-Japanese Commercial Treaty of the 3rd of April, 1911, I have the honour to request Your Excellency to inform your Ministers that, in connexion with the negotiations which are proceeding, opportunity is being taken to endeavour to secure for the Irish Free State a similar liberty to withdraw from the Treaty to that already conceded by Article XXVII to Dominions which have adhered.

2. It is presumed that this course is in accordance with Ministers' wishes.

I have, &c.,
J. H. THOMAS.

31880

No. 280.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1st July, 1924.)

(No. 247.)

SIR, Vice Regal Lodge, Dublin, 30th June, 1924.

I HAVE the honour to acknowledge the receipt of your despatch No. 275 of the 8th ultimo,† regarding the revision of the Anglo-Japanese Commercial Treaty of the 3rd April, 1911, and to inform you that my Ministers desire that a similar liberty to withdraw from the Treaty to that already conceded by Article XXVII to Dominions should be secured for the Irish Free State.

I have, &c.,
T. M. HEALY.

---

* No. 277. † No. 279.

35043

No. 281.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
Dominions No. 363.)

[MY LORD,] [SIR,] Downing Street, 5th August, 1924.

WITH reference to my despatch Dominions No. 328 of the 22nd of July,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copies of Notes† exchanged with the Japanese Ambassador on the 14th of July regarding the abrogation of Article VIII of the Treaty of Commerce and Navigation between Great Britain and Japan, signed on the 3rd of April, 1911, and of the Schedule annexed thereto.

I have, &c.,
J. H. THOMAS.

Enclosure 1 in No. 281.

(No. 100.)

SIR, Japanese Embassy, London, 14th July, 1924.

IN my Note No. 47 of 21st March‡ I had the honour to inform you of my Government's desire to conclude an agreement with regard to Article VIII of the Treaty of Commerce and Navigation between Japan and Great Britain, signed on the 3rd April, 1911, and with regard to the schedule annexed thereto, in order that both the article and the schedule might be rendered inoperative at an early date convenient to both parties.

2. On 11th March I had given formal notification, in compliance with Article VIII of the Treaty, that my Government wished to make modifications in the schedule; but since their desire is to abrogate entirely both the article and the schedule, the procedure for negotiation and modification, as laid down in the article, appears to be unsuitable in the present circumstances.

3. I hope, therefore, that your Government will concur in accepting the above date of 11th March as the commencement of twelve months' notice of the abrogation of both Article VIII of the Treaty and the schedule annexed thereto, which would accordingly lose their validity and cease to operate at midnight on 10th March, 1925.

I have, &c.,
HAYASHI.

The Right Honourable
James Ramsay MacDonald, M.P.,
Secretary of State for Foreign Affairs,
Foreign Office.

Enclosure 2 in No. 281.

YOUR EXCELLENCY, Foreign Office, S.W.1, 14th July, 1924.

I HAVE the honour to acknowledge Your Excellency's Note No. 100 of 14th July regarding your Government's desire to abrogate Article VIII of the Treaty of Commerce and Navigation between Great Britain and Japan, signed on the 3rd April, 1911, and the schedule annexed thereto.

2. His Majesty's Government appreciate the reasons which have led your Government to propose this modification of the Treaty; and they concur in accepting the date of 11th March, 1924, as the commencement of twelve months' notice of the abrogation of both Article VIII of the Treaty and the schedule annexed thereto,

* 32416/24: not printed; it enclosed a copy of a note to the Japanese Ambassador intimating that the Government of India did not wish to extend the scope of the existing Treaty. † These Notes were subsequently published in Treaty Series No. 31 of 1924 (Cmd. 2230), copies of which were sent to the Dominions in a despatch Dominions No. 451 of the 11th September, 1924 (42486/24). ‡ Enclosure in No. 277.

which will accordingly lose their validity and cease to operate at midnight on 10th March, 1925. 114

I have, &c.,
J. RAMSAY MACDONALD.

His Excellency
Baron Gonsuke Hayashi, G.C.V.O.,
&c., &c., &c.

Note.—Negotiations with the Japanese representatives as to the revision of the Treaty of 1911 were still proceeding at the end of 1924.

---

(2) Agreement regarding Loadlines.

(*Treaty Series* 1924, *No.* 12.)

12159

No. 282.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
Dominions No. 117.)

[MY LORD,] [SIR,] Downing Street, 12th March, 1924.

[*Not to Irish Free State:* With reference to my predecessor's despatch Dominions No. 120 of the 28th of March, 1923,*] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of a Treaty Series paper, No. 12 of 1924 (Cmd. 2055), containing an Agreement between the United Kingdom and Japan for the mutual recognition of Loadline Certificates, signed at London on the 21st of January, 1924.

[*Not to New Zealand or Irish Free State:* 2. Further copies are being sent in Library despatch.]

I have, &c.,
J. H. THOMAS.

JUBALAND.

Anglo-Italian Treaty regarding cession of:

(*Treaty Series* 1925, *No.* 29.)

29332

No. 283.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia No. 214.)
Dominions No. 274.)

[MY LORD,] [SIR,] Downing Street, 19th June, 1924.

I HAVE the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, a draft Convention† between the British and Italian Governments regarding the cession of Jubaland, initialled by British and Italian experts on the 7th June.

I have, &c.,
J. H. THOMAS.

---

* No. 211 in Dominions No. 88. † Not printed here (see Cmd 2194).

31305

No. 284.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 3.45 p.m., 30th June, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

30TH JUNE. Draft Convention with Italy for cession of Jubaland initialled by British and Italian experts 7th June. Convention results from Article 13 of Treaty of London, 26th April, 1915, and is on lines of arrangement arrived at 1920 between then Secretary of State for Colonies and Italian representative. Only modification is that settlement of matter now arranged apart from question of Dodecanese. As obligations regarding cession of territory under Convention and other consequential obligations fall to be carried out by His Majesty's Government, and as no special Dominion interests appear to be affected, His Majesty's Government are taking necessary action as regards signature and ratification. Copies of Convention enclosed in my despatch 19th June, Dominions 274.*—THOMAS.

31305

No. 285.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 3.45 p.m., 30th June, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

30TH JUNE. Secret. My telegram of to-day.† Jubaland. See Foreign Office memorandum on questions outstanding with Italy 4th April, 1923, copy of which sent to your Prime Minister among Foreign Office prints 30th May, 1923,‡ also despatches to Rome 10th October, 1923, 3rd March and 20th May, copies of which sent to your Prime Minister 18th October, 19th March and 28th May respectively.§—THOMAS.

31305

No. 286.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 405.)

SIR, Downing Street, 2nd July, 1924.

WITH reference to my despatch Dominions No. 274 of the 19th June,‖ I have the honour to transmit to Your Excellency, to be laid before your Ministers, a copy of a telegram† to the Governors-General of Canada, the Commonwealth of Australia, New Zealand, and the Union of South Africa and to the Governor of Newfoundland regarding the draft Convention for the cession of Jubaland.

I have, &c.,
J. H. THOMAS.

---

* No. 283. † No. 284. ‡ 27181/23: not printed here. § 30948/23, 18303/24, and 27774/24: not printed here. ‖ No. 283.

35476

No. 287.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. } Dominions No. 356.)

(Southern Rhodesia. No. 297.)

[MY LORD,] [SIR,] Downing Street, 1st August, 1924.

WITH reference to my despatch [Dominions No. 274*] [No. 214*] of the 19th of June, I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of a Parliamentary Paper containing the text of the Treaty with Italy regulating certain questions concerning the boundaries of British and Italian Territories in East Africa, signed at London on the 15th July, 1924 (Cmd. 2194).

I have, &c.,
J. H. THOMAS.

LAWS OF WAR.

Report of Commission of Jurists on proposed revision of:

9829

No. 288.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. } Dominions No. 145. Confidential.)

[MY LORD,] [SIR,] Downing Street, 27th March, 1924.

[*Not to Irish Free State:* WITH reference to my predecessor's Confidential despatch Dominions No. 73 of the 5th of March, 1923,†] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of correspondence with the United States Ambassador relative to the Rules for the Control of Radio in Time of War and Rules of Aerial Warfare drawn up by the International Commission of Jurists which met at The Hague from December, 1922, to February, 1923.

[*To Irish Free State only:* 2. A copy of the General Report‡ of the Commission of Jurists upon the Revision of the Rules of Warfare is enclosed herewith.]

I have, &c.,
J. H. THOMAS.

Enclosure 1 in No. 288.

(No. 44.)

Embassy of the United States of America, London,
13th February, 1924.

SIR,

THE Conference on the Limitation of Armament at Washington adopted on 4th February, 1922, a Resolution for the appointment of a Commission representing the United States, the British Empire, France, Italy and Japan to consider the following questions:—

---

* No. 283. † Not printed: it enclosed copies of the Report of the Commission (see Cmd 2201). ‡ Not printed here (see Cmd 2201).

(*a*) Do existing rules of international law adequately cover new methods of attack or defence resulting from the introduction or development, since the Hague Conference of 1907, of new agencies of warfare?

(*b*) If not so, what changes in the existing rules ought to be adopted in consequence thereof as a part of the law of nations?

Article IV of the Resolution declared:

"that the Commission shall report its conclusions to each of the Powers represented in its membership. These Powers shall thereupon confer as to the acceptance of the report and the course to be followed to secure the consideration of its recommendations by the other civilized Powers."

With the unanimous concurrence of the Powers mentioned in the above Resolution an invitation to participate in the work of the Commission was extended to and accepted by the Netherlands Government. Moreover, it was agreed that the programme of the Commission should be limited to the preparation of Rules relating to Aerial Warfare, and to Rules relating to the Use of Radio in Time of War.

A Commission of Jurists representative of the six Powers mentioned met in conference at The Hague from 11th December, 1922, to 19th February, 1923. That Commission has prepared a set of Rules for the Control of Radio in Time of War, and also a set of Rules for Aerial Warfare which were reported to the Powers aforesaid by the Commission. In its Report the Commission expressed belief "that if these sets of rules are approved and brought into force, it will be found expedient to make provision for their re-examination after a relatively brief term of years to see whether any revision is necessary."

The Government of the United States is led to believe that the Rules as reported represent a finer achievement with respect to the matters dealt with than could be anticipated from the action of any other international body, and that they mark a distinct step forward in promoting the work of international justice in time of war. It is, therefore, disposed to initiate proceedings looking to the adoption of the Rules by the several Powers which co-operated in their formulation. My Government is accordingly prepared to make known to the other interested Powers its readiness, in conjunction with them, to accept both sets of Rules as reported, and to make inquiry whether they would be disposed to conclude Conventions in such a sense, annexing the Rules thereto. As an appropriate basis for such Conventions, my Government believes that the outline of a treaty proposed by the American delegation on the Commission of Jurists on 12th February, 1923, would suffice. That Convention, embracing three short Articles, provides after a preamble (*a*) for the issuance of instructions to military and naval forces in conformity with the annexed Rules respecting the use of aircraft (or radio telegraphy); (*b*) that the annexed Rules be regarded not as superseding but as supplementing the Rules as they may from time to time exist, the observance of which in warfare is enjoined by international law and usage, by international conventions, and by the dictates of humanity and the public conscience; and (*c*) that the annexed Rules shall remain in force until 1st July, 1933, and that in case none of the Contracting Parties shall, eighteen months before that date, have given notice of a desire for the revision of the Rules, they shall continue in force until the expiration of eighteen months after notice of a desire for such revision shall be given; the Contracting Parties further agreeing that, within ten months after such notice has been given, they will meet in conference for the purpose of revising the Rules.

To the foregoing might possibly be added a fourth Article providing for the adherence of States other than the Powers above mentioned.

I have the honour to inquire whether His Majesty's Government would be disposed to conclude with the United States and the Powers above mentioned two Conventions such as were proposed by the American delegation at The Hague, 12th February, 1923, and as above outlined (including a fourth Article as proposed above), to one of which the Rules for the Control of Radio in Time of War should be annexed, and to the other the Rules for Aerial Warfare should be annexed; both Conventions to be ratified according to the constitutional requirements of the signatory States.

I further have the honour to inform His Majesty's Government that the Government of the United States is prepared, in conjunction with the several Powers mentioned above, to authorise the signature of Conventions such as those proposed.

I have, &c.,

FRANK B. KELLOGG.

The Right Honourable
J. Ramsay MacDonald,
&c., &c., &c.,
Foreign Office.

Enclosure 2 in No. 288.

YOUR EXCELLENCY, Foreign Office, S.W.1, 28th February, 1924.

I HAVE the honour to acknowledge the receipt of your note (44) of the 13th instant, relative to the Rules for the Control of Radio in Time of War and Rules of Aerial Warfare drawn up by an International Commission at The Hague in February, 1922, and to inform Your Excellency that the substance of that note will receive careful consideration by His Majesty's Government.

I have, &c.,
(For the Secretary of State),
HUBERT MONTGOMERY.

His Excellency
The Honourable
Frank B. Kellogg,
&c., &c., &c.

20236

No. 289.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNOR.

[*Answered by Nos.* 290, 294, 295, 296.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
} Dominions No. 307. Secret.)

[MY LORD,] [SIR,] Downing Street, 8th July, 1924.

WITH reference to my Confidential despatch Dominions No. 145 of the 27th March,* I have the honour to request [Your Excellency,] [you,] to inform your Ministers that the Report of the International Commission of Jurists on the Revision of the Laws of War has been considered by a Sub-Committee of the Committee of Imperial Defence. A copy of the Sub-Committee's Report† is enclosed.

---

* No. 288.

† The Report of the Sub-Committee recommended acceptance of the Rules for the Control of Radio in Time of War and Rules of Aerial Warfare embodied in the Report of the Commission of Jurists (Cmd. 2201). As regards the question of visit and search of merchant shipping by aircraft, their Report contained the following passage:—

The Sub-Committee note that the International Commission were unable to agree upon an Article dealing with the exercise of belligerent rights by aircraft against merchant vessels, although all the Delegations of all the Powers represented on the Commission concerned in the expression of a desire to adopt such rules as would assure the observance of the dictates of humanity as regards the protection of the lives of neutrals and non-combatants.

The Sub-Committee recommend that, at any future International Conference which may be held dealing with the subject of the Rules of Aerial Warfare, His Majesty's Government should press for the inclusion of an Article regarding the right of visit and search of Merchant Shipping by Aircraft, and that such an Article should follow the text put forward by the American Delegation to late Commission at The Hague, and which read as follows:—

"Aircraft are forbidden to visit and search surface or sub-surface vessels without conforming in all respects to the rules to which surface vessels authorized to conduct visit and search are subject.

In view of the irregularities to which the use of aircraft against merchant vessels might give rise it is declared that aircraft cannot divert a merchant vessel from its course without first boarding it; that in no event may an aircraft destroy a merchant vessel unless the crew and passengers of such vessels have first been placed in safety; and that if an aircraft cannot capture a merchant vessel in conformity with these rules it must desist from attack and from seizure and permit such vessel to proceed unmolested."

2. At a meeting on the 3rd April the Committee of Imperial Defence agreed to recommend that the Report of the Sub-Committee should be approved by His Majesty's Government. In this connexion the Committee drew particular attention to the question of visit and search of merchant shipping by aircraft, as being one of great importance to the British Empire, and also to the strong view of the Lords Commissioners of the Admiralty that, at any International Conference on this subject, the British representatives should in the first instance press for a prohibition of attack on merchant shipping by aircraft and that, only if prohibition were not accepted by the other Powers represented, would it be possible to agree to the recommendation on this subject contained in paragraph 2 (*f*) of the Sub-Committee's Report*

3. His Majesty's Government are prepared to approve the recommendations of the Sub-Committee subject to the adoption of the view of the Lords Commissioners of the Admiralty, but before finally deciding on the form of communication to be made to foreign Powers, and particularly to the United States Government in answer to the note of which a copy was enclosed in my despatch Dominions No. 145, Confidential, of 27th March, they would be glad to learn whether your Ministers are in general agreement with the above recommendations or desire to make any observations on them.

I have, &c.,
J. H. THOMAS.

36065

No. 290.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 29th July, 1924.)

(Secret.)

SIR, Vice Regal Lodge, Dublin, 28th July, 1924.

I HAVE the honour to refer to your Secret despatch Dominions No. 307 of the 8th instant,† relative to the Report of the International Commission of Jurists on the Revision of the Laws of War, and to state that my Ministers are in general agreement with the recommendations of the Sub-Committee of the Committee of Imperial Defence and with the view of the Lords Commissioners of the Admiralty mentioned in paragraph 2 of the despatch.

I have, &c.,
T. M. HEALY.

37755

No. 291.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 1.20 p.m., 13th August, 1924.)

TELEGRAM.

[*Answered by Nos.* 293, 294, 295, 296.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

13TH AUGUST. Secret. My despatch 8th July, Dominions 307, Secret.† Laws of War. Please reply by telegraph as Government of United States of America pressing for answer to note enclosed my despatch 27th March, Dominions 145, Confidential.‡—SECRETARY OF STATE FOR THE COLONIES.

---

* See previous footnote for text of this paragraph. † No. 289. ‡ No. 288.

37755

No. 292.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

[*Answered by No.* 297.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa. } Dominions No. 397. Confidential.)
(Irish Free State.
(Newfoundland.

[MY LORD,] [SIR,] Downing Street, 20th August, 1924.

WITH reference to my Confidential despatch Dominions No. 145 of the 27th of March,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, a copy of recent correspondence with the United States Ambassador relative to the Rules for the Control of Radio in Time of War and Rules of Aerial Warfare drawn up by the International Commission at The Hague in February, 1922.

I have, &c.,
(for the Secretary of State),
HENRY LAMBERT.

Enclosure 1 in No. 292.

(No. 357.)

SIR, Embassy of the United States of America,
London, 29th July, 1924.

IN my note of 13th February last, I had the honour to inquire whether His Majesty's Government would be disposed to conclude with the United States, and certain other Powers, two Conventions such as were proposed by the American Delegation at The Hague, 12th February, 1923, to one of which the Rules for the Control of Radio in Time of War should be annexed, and to the other the Rules for Aerial Warfare should be annexed; both Conventions to be ratified according to the constitutional requirements of the signatory States. I had the honour to state that the Government of the United States was prepared, in conjunction with the several Powers mentioned in the body of my communication referred to, to authorize the signature of Conventions such as those proposed.

More recently the Japanese Government has informed the American Government that it is happy to acquiesce in the proposals of the latter to conclude two Conventions substantially on the lines suggested by the American Delegation at The Hague on 12th February, 1923, believing, as it does, that the work of revising the Rules of Warfare promoted by the Commissioner of Jurists at The Hague is a matter for sincere congratulation in the interest of humanity.

As the records of the Embassy do not indicate that any reply has been received from His Majesty's Government in this matter, which my Government considers highly important and a step which may have far-reaching and beneficial effect in the future, I avail myself of this opportunity to invite your attention again to the suggestions made, and at the same time to emphasize the sincere hope of the American Government that His Majesty's Government will now find itself in a position to give an affirmative reply to the suggestions conveyed in my previous communication.

I have, &c.,
FRANK B. KELLOGG.

The Right Honourable
J. Ramsay MacDonald,
&c., &c., &c.,
Foreign Office.

---

* No. 288.

Enclosure 2 in No. 292.

YOUR EXCELLENCY, Foreign Office, S.W.1, 8th August, 1924.

WITH reference to your note of the 29th ultimo (No. 357) relative to the Rules for the Control of Radio in Time of War and Rules of Aerial Warfare drawn up by the International Commission at The Hague in February, 1922, I have the honour to inform you that His Majesty's Government are in consultation with the Governments of the self-governing Dominions and India, and that as soon as replies have been received from these Governments I shall lose no time in communicating with Your Excellency in the matter.

I have, &c.,
(for the Secretary of State),
HUBERT MONTGOMERY.

His Excellency
The Honourable Frank B. Kellogg,
&c., &c., &c.

40438

No. 293.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 10.35 p.m., 23rd August, 1924.)

TELEGRAM.

CONFIDENTIAL. 23rd August. Your telegram of 13th August.* See my despatch of 11th August† stating that Ministers concur in the recommendations set forth by the Committee of Imperial Defence but do not desire to make any observations on them.

40614

No. 294.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1.56 p.m., 25th August, 1924.)

TELEGRAM.

25TH AUGUST. Secret. Your despatch 8th July, Dominions No. 307, Secret, and your telegram of 13th August, Confidential.‡ Report of International Commission of Jurists on Revision of Laws of War. Ministers state that the Union Government are in general agreement with the recommendations of the sub-Committee of the Committee of Imperial Defence and have no objection to recommendations on the subject of the visit and search of merchant shipping by aircraft, contained in paragraph 2 (*f*) of the sub-Committee's Report.—ATHLONE.

41307

No. 295.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.6 a.m., 30th August, 1924.)

TELEGRAM.

30TH AUGUST. Secret. Laws of War. New Zealand Government is in general agreement with the recommendations of the Committee of Imperial Defence as stated in paragraph 11 (*f*) of the Report enclosed in your despatch of 8th July, Dominions No. 307, Secret§ Ministers have no further comment to make.—GOVERNOR-GENERAL.

---

* No. 291. † 41305/24: not printed: it confirmed this telegram. ‡ Nos. 289 and 291.
§ No. 289.

46113

No. 296.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.22 a.m., 29th September, 1924.)

TELEGRAM.

29TH SEPTEMBER. Your despatch 8th July, Secret, Dominions No. 307* Commonwealth Government concurs in recommendation regarding the revision of laws of war.—GOVERNOR-GENERAL.

47026

No. 297.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6th October, 1924.)

(Confidential (2).)

SIR, Government House, Ottawa, 23rd September, 1924.

WITH reference to your Confidential despatch Dominions No. 397 of the 20th August,† regarding the Rules for the Control of Radio in Time of War and Rules of the Aerial Warfare drawn up by the International Commission at The Hague in February, 1922, I have the honour to inform you that the Canadian Government is in general agreement with the recommendations of the Sub-Committee of the Committee of Imperial Defence as set forth in Secret Document 485 B, especially paragraph 2 (*f*) relating to the visit and search of merchant shipping by aircraft in view of the limited Canadian defensive forces to combat air attack on our overseas trade.

It might be pointed out that this overseas trade is our most vulnerable point and there is little doubt but that it will be attacked by aircraft and submarines if that course would prove of advantage to the enemy.

I have, &c.,
BYNG OF VIMY.

LEAGUE OF NATIONS.

(1) Ratification of Amendments to Covenant.

(*Treaty Series* 1923, *No.* 4, *and* 1924, *No.* 4.)

5730

No. 298.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 96.)

SIR, Downing Street, 18th February, 1924.

IN view of the admission of the Irish Free State to Membership of the League of Nations, I have the honour to request Your Excellency to lay before your Ministers the following statement of the position as regards the ratification of amendments to the Covenant of the League adopted by the Second Assembly in October, 1921.

2. The amendments in question were embodied in Protocols open for signature by the Members of the League and the majority of these Protocols, after signature on behalf of the various parts of the Empire then separately represented in the League, were ratified by His Majesty. None of these amendments has, however, yet come into operation as the necessary ratifications required under Article 26 of the Covenant have not been obtained.

---

* No. 289. † No. 292.

3. The amendments ratified by His Majesty were as follows:—

(1) *Amendment to Article* 6, *last paragraph*. (His Majesty's ratification deposited 23rd November, 1922). This is to the effect that the last paragraph of Article 6 should be replaced by the following:—

"The expenses of the League shall be borne by the Members of the League in the proportion decided by the Assembly."

(2) *Amendments to Articles* 4, 13, 15 *and* 26. (His Majesty's ratification deposited 3rd February, 1923.) These amendments are as follows:—

Article 4. The following paragraph is to be inserted between paragraphs 2 and 3 of the Article: "The Assembly shall fix by a two-thirds majority the rules dealing with the election of the non-permanent Members of the Council, and particularly such regulations as relate to their term of office and the conditions of re-eligibility."

Article 13 as amended will read: "The Members of the League agree that, whenever any dispute shall arise between them which they recognize to be suitable for submission to arbitration *or judicial settlement* and which cannot be satisfactorily settled by diplomacy, they will submit the whole subject-matter to arbitration *or judicial settlement*.

"Disputes as to the interpretation of a Treaty, as to any question of international law, as to the existence of any fact which, if established, would constitute a breach of any international obligation, or as to the extent and nature of the reparation to be made for any such breach, are declared to be among those which are generally suitable for submission to arbitration *or judicial settlement*.

"*For the consideration of any such dispute, the court to which the case is referred shall be the Permanent Court of International Justice, established in accordance with Article* 14, *or any tribunal agreed on by the parties to the dispute, or stipulated in any convention existing between them.*

"The Members of the League agree that they will carry out in full good faith any award *or decision* that may be rendered, and that they will not resort to war against a Member of the League which complies therewith. In the event of any failure to carry out such an award *or decision*, the Council shall propose what steps should be taken to give effect thereto."

Article 15. The first paragraph of Article 15 shall read as follows: "If there should arise between Members of the League any dispute likely to lead to a rupture, which is not submitted to arbitration *or judicial settlement* in accordance with Article 13, the Members of the League agree that they will submit the matters to the Council. Any party to the dispute may effect such submission by giving notice of the existence of the dispute to the Secretary-General, who will make all necessary arrangements for a full investigation and consideration thereof."

Article 26. (*a*) The first paragraph of Article 26 of the Covenant shall be replaced by the following text: "Amendments to the present Covenant, the text of which shall have been voted by the Assembly on a three-fourths majority, in which there shall be included the votes of all the Members of the Council represented at the meeting, will take effect when ratified by the Members of the League whose Representatives composed the Council when the vote was taken and by the majority of those whose Representatives form the Assembly."

(*b*) A paragraph, reading as follows shall be added after the first paragraph of Article 26: "If the required number of ratifications shall not have been obtained within twenty-two months after the vote of the Assembly, the proposed amendment shall remain without effect."

(*c*) The second paragraph of the present Article 26 shall be replaced by the two following paragraphs: "The Secretary-General shall inform the Members of the taking effect of an amendment.

Any Member of the League which has not at that time ratified the amendment is free to notify the Secretary-General within a year of its refusal to accept it, but in that case it shall cease to be a Member of the League."

(3) *Amendment to Article* 12. (His Majesty's ratification deposited 5th July, 1923.) The Article as amended will read as follows:—

"The Members of the League agree that, if there should arise between them any dispute likely to lead to a rupture, they will submit the matter either to arbitration or judicial settlement or to inquiry by the Council, and they agree in no case to resort to war until three months after the award by the arbitrators or the judicial decision, or the report by the Council.

In any case under this Article the award of the arbitrators or the judicial decision shall be made within a reasonable time, and the report of the Council shall be made within six months after the submission of the dispute."

4. The following amendments, adopted by the Second Assembly, have not been ratified by His Majesty:—

(*a*) *Two amendments to Article* 6.

The first of these was to the effect that the following paragraph should be added to the Article:—

"The allocation of the expenses of the League set out on Annexure 3 shall be applied as from 1st January, 1922, until a revised allocation has come into force after adoption by the Assembly."

The second embodied a revised scale of contributions to be inserted in Annexure 3.

The Third Assembly (September, 1922) adopted a resolution asking the Council to notify the Members of the League that it was no longer necessary to ratify these two amendments.

(*b*) *Four amendments to Article* 16. As your Ministers are aware, the action to be taken in connexion with these amendments is at present under consideration, as a result of the discussions in the Fourth Assembly (September, 1923.)

I have, &c.,
J. H. THOMAS.

44047

No. 299.

THE SECRETARY OF STATE to the GOVERNORS.

(Newfoundland. No. 141.)
(Southern Rhodesia. No. 409.)

SIR, Downing Street, 23rd September, 1924.

WITH reference to my despatch No. [28] [57] of the 16th February,* I have the honour to request you to inform your Ministers that the amendment to the last paragraph of Article 6 of the Covenant of the League of Nations adopted by the Second Assembly in 1921 has been ratified by all those Members of the League whose representatives compose the Council and by a majority of the Members whose representatives compose the Assembly, and that consequently, in accordance with Article 26 of the Covenant, it has come into force as from the 13th August, 1924.

2. I enclose a copy of the Covenant† embodying the new amendment.

I have, &c.,
(for the Secretary of State).
ARNOLD.

52218

No. 300.

THE SECRETARY OF STATE to the GOVERNORS.

(Newfoundland. No. 173.)
(Southern Rhodesia. No. 484.)

SIR, Downing Street, [17th] [25th] November, 1924.

WITH reference to my predecessor's despatch No. [141] [409] of the 23rd of September,‡ I have the honour to request you to inform your Ministers that the amendments to Articles 12, 13 and 15 of the Covenant of the League of Nations, which were adopted on 5th October, 1921, by the Second Assembly of the League, came into force as from the 26th of September, 1924.

2. A copy of the Covenant† embodying the amendments to Articles 6, 12, 13 and 15 is enclosed.

I have, &c.,
L. S. AMERY.

---

* 5866/24: not printed; it enclosed copies of Treaty Series No. 4 of 1924 (Cmd. 2035).
† Not printed here; see Treaty Series No. 37 of 1924 (Cmd. 2300). ‡ No. 280.

(2) Amendment of Article 16.

(*Treaty Series* 1924, *No.* 32.)

3347

No. 301.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 302.]

(Confidential.)

SIR, Downing Street, 5th February, 1924.

I HAVE the honour to request Your Excellency to invite the attention of your Ministers to my predecessor's Confidential despatch of the 3rd December* and to inquire whether they are yet in a position to intimate their wishes as to the signature and ratification of the four protocols embodying certain Amendments of the Covenant of the League of Nations adopted by the 1921 Assembly.

2. The Governments of the other Dominions, Members of the League, and of India have already agreed to the ratification of the Protocols on their behalf; the Protocols have been signed on behalf of Canada, New Zealand, and the Union of South Africa, and are to be signed shortly on behalf of this country, the Commonwealth of Australia, and India by the British Representative on the Council of the League or His Majesty's Minister at Berne.

I have, &c.,
J. H. THOMAS.

14824

No. 302.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 28th March, 1924.)

[*Answered by No.* 303.]

(Confidential.)

SIR, Vice Regal Lodge, Dublin, 27th March, 1924.

I HAVE the honour to inform you that the Duke of Devonshire's despatches of the 20th August† and 3rd December, 1923,* and your despatch of the 5th February, 1924,‡ relative to the proposed amendments to Article 16 of the Covenant of the League of Nations, have received the careful attention of my Ministers.

2. Wide divergence of opinion still exists amongst Member States of the League as to the exact nature of the obligations contracted under Article 16. My Ministers feel that the proposed amendment raises difficult and very important questions which require, and, as they anticipate, will be subjected to, serious examination at the next meeting of the Assembly of the League. They wish to be free to weigh the various considerations which will be offered, and are, therefore, reluctant to prejudice such action as they may decide upon after full debate of the matter.

I have, &c.,
T. M. HEALY.

20269

No. 303.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 304.]

(Confidential.)

SIR, Downing Street, 5th June, 1924.

I HAVE the honour to acknowledge the receipt of Your Excellency's Confidential despatch of the 27th of March,§ regarding the amendments to the Covenant of the League of Nations adopted by the Second Assembly in 1921.

* No. 242 in Dominions No. 88. † No. 236 in Dominions No. 88. ‡ No. 301. § No. 302.

2. The Secretary of State for Foreign Affairs feels considerable doubt whether the second, third and fourth of the amendments in question will, in fact, be discussed at the next meeting of the Assembly. As your Ministers will have seen from League of Nations paper A.3, 1924, they do not appear on the Agenda for the fifth Session, and, indeed, there would appear no reason for a further discussion of them by the Assembly, the only question arising being that of their ratification. It is, of course, the case that a revised text of the first of the amendments (and a consequential amendment to paragraph 2 of Article 16 in its existing form) is on the Agenda of the forthcoming session of the Assembly as a result of the postponement from last year of the alternative Franco-British amendment to the first paragraph of Article 16 (*vide* League of Nations paper A.26, 1923, V. of the 10th August, 1923, and page 4 of paper A.3, 1924).

3. As, however, will be seen from League of Nations paper A.86, 1923, V. of the 19th September, 1923, one of the difficulties felt by the First Committee of the Fourth Assembly in dealing with the Franco-British proposal was that the amendments adopted by the Second Assembly had not yet come into force; it was thought that it would be inopportune to adopt new amendments on the same subject as amendments already adopted, but not yet completely ratified. It was to meet this difficulty that the suggestion was made that all the amendments to Article 16 adopted by the Second Assembly should now be ratified by His Majesty.

4. As the amendments now in question have already been ratified by a large number of Members of the League, including the majority of those represented on the Council, and as it is the wish of His Majesty's Government and the Governments of the other Dominion Members of the League and of India that these amendments should be ratified, His Majesty's Government propose to arrange for action accordingly. If it is still the desire of your Ministers that ratification of the amendments on behalf of the Irish Free State should be deferred, steps will be taken to exclude the Free State from the instrument of His Majesty's ratification, but, before action to this end is taken, His Majesty's Government will be glad to learn whether your Ministers would be disposed to reconsider the matter in the light of the foregoing considerations. It is desired to have the instrument of His Majesty's ratification ready for deposit towards the end of June; so I should be glad of an answer to this despatch not later than the 15th June.

5. Your Ministers will recollect that, under Article 26 of the Covenant in its present form, amendments to the Covenant take effect when ratified by the Members of the League whose representatives compose the Council, and by a majority of the Members of the League whose representatives compose the Assembly.

I have, &c.,
J. H. THOMAS.

29465

No. 304.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 21st June, 1924.)

(Confidential.)

SIR, Vice Regal Lodge, Dublin, 20th June, 1924.

I HAVE the honour to acknowledge the receipt of your Confidential despatch of the 5th instant* regarding the amendments to Article 16 of the Covenant of the League of Nations adopted by the Second Assembly in 1921.

2. Having given careful consideration to the points raised in your despatch under reply, my Ministers regret that they cannot depart from the decision set forth in my Confidential despatch of the 27th March,† and they therefore desire that the Irish Free State should be excluded from the instrument of His Majesty's ratification.

I have, &c.,
T. M. HEALY.

* No. 303. † No. 302.

43450

No. 305.

NEWFOUNDLAND.

THE SECRETARY OF STATE to THE GOVERNOR.

(No. 140.)

SIR, Downing Street, 19th September, 1924.

WITH reference to Mr. Churchill's despatch No. 86 of the 19th June, 1922,* I have the honour to request you to inform your Ministers that the Protocols embodying the amendments to Article 16 of the Covenant of the League of Nations adopted by the Second Assembly of the League in 1921 have now been ratified by His Majesty. I enclose a copy of a letter from the Secretary-General of the League notifying the deposit of His Majesty's ratification.

2. As was stated in paragraph 4 of Mr. Churchill's despatch No. 3 of the 4th January, 1922,† an agreement was made between Lord Balfour and the French Delegation to the Second Assembly that no action would be taken by His Majesty's Government or the French Government with regard to the ratification of these amendments before the meeting of the Third Assembly in 1922. Subsequently negotiations took place with the French Government on the subject of the first of the amendments, and as a result His Majesty's Government proposed at the Fourth Assembly in 1923 that the following amended text of the first paragraph of Article 16 of the Covenant should be adopted in place of the amended text adopted by the Second Assembly, which had not yet entered into force:—

"Should any Member of the League resort to war in disregard of its covenants under Articles 12, 13 or 15, it shall *ipso facto* be deemed to have committed an act of war against all other Members of the League, which hereby undertake immediately to subject it to the severance of all trade or financial relations, and to prohibit all intercourse, even if not between their nationals and the nationals of the Covenant-breaking State, at least between persons resident within their territories and persons resident within the territory of the Covenant-breaking State, and to prevent all financial, commercial or personal intercourse, even if not between the nationals of the covenant-breaking State and the nationals of any other State, whether a Member of the League or not, at least between persons resident within the territory of that State and persons resident within the territory of any other State, whether a Member of the League or not."

His Majesty's Government further proposed that at the beginning of the existing second paragraph of Article 16, which on the coming into force of the amendments adopted by the Second Assembly would become the fifth paragraph, the words "in such case" should be deleted on the ground that they would become redundant.

3. The Fourth Assembly decided to defer discussion of these amendments until the Fifth Assembly, which is now in session. It was therefore considered that the best course would be for all the four amendments adopted by the Second Assembly in 1921 to be ratified by His Majesty forthwith.

4. The proposals put forward by His Majesty's Government in 1923 have been included in the Agenda for the Fifth Assembly and are at present under discussion in the Assembly.

I have, &c.,
(for the Secretary of State),
ARNOLD.

Enclosure in No. 305.

(C.L. 117. 1924. V.)

LEAGUE OF NATIONS.

PROTOCOLS CONCERNING THE AMENDMENTS TO ARTICLE 16 OF THE COVENANT.

(Annexes 8, 9, 10 and 11.)

RATIFICATION BY HIS BRITANNIC MAJESTY.

Geneva, 29th August, 1924.

I HAVE the honour to inform you that the Right Honourable the Secretary of State for Foreign Affairs of His Britannic Majesty has transmitted to me

* No. 175 in Dominions No. 87. † No. 169 in Dominions No. 87.

His Majesty's ratification of the Protocols drawn up at Geneva on 5th October, 1921, with regard to amendments to Article 16 of the Covenant (C.L. 100. 1921. V, Annexes 8, 9, 10 and 11).

This ratification has been given on behalf of the British Empire, including the Dominion of Canada, the Commonwealth of Australia, the Union of South Africa, the Dominion of New Zealand and India. It is stated in the instrument of ratification, that this ratification shall not be deemed to apply in the case of the Irish Free State.

His Britannic Majesty's instrument of ratification was deposited with the Secretariat on 12th August, 1924.

I have, &c.,
For the Secretary-General,

Director of the Legal Section.

43450

No. 306.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

(No. 403.)

SIR, Downing Street, 19th September, 1924.

I HAVE the honour to request you to inform your Ministers that the Second Assembly of the League of Nations in 1921 adopted four amendments to Article 16 of the Covenant of the League of Nations, which were subsequently embodied in Protocols open for signature and ratification on behalf of the various Members of the League. These amendments were as follows:—

(1) "The latter part of the first paragraph of Article 16 of the Covenant shall read as follows:—

"'. . . . which hereby undertake immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between persons residing in their territory and persons residing in the territory of the Covenant-breaking State, and the prevention of all financial, commercial or personal intercourse between persons residing in the territory of the Covenant-breaking State and persons residing in the territory of any other State, whether a member of the League or not.'

(2) "The second paragraph of Article 16 shall read as follows:—

"'It is for the Council to give an opinion whether or not a breach of the Covenant has taken place. In deliberations on this question in the Council the votes of members of the League alleged to have resorted to war and of members against whom such action was directed shall not be counted.'

(3) "The third paragraph of Article 16 shall read as follows:—

"'The Council will notify to all members of the League the date which it recommends for the application of the economic pressure under this article.'

(4) "The fourth paragraph of Article 16 shall read as follows:—

"'Nevertheless, the Council may, in the case of particular members postpone the coming into force of any of these measures for a specified period where it is satisfied that such a postponement will facilitate the attainment of the object of the measures referred to in the preceding paragraph, or that it is necessary in order to minimise the loss and inconvenience which will be caused to such members.'"

* * * * * * *

2. An agreement was made between Lord Balfour (the Chief British Delegate to the Second Assembly) and the French Delegation that no action would be taken by His Majesty's Government or the French Government with regard to the ratification of these amendments before the meeting of the Third Assembly in 1922. Subsequently negotiations took place with the French Government on the subject of the first of the amendments, and as a result His Majesty's Government proposed

at the Fourth Assembly in 1923 that the following amended text of the first paragraph of Article 16 of the Covenant should be adopted in place of the amended text adopted by the Second Assembly, which had not yet entered into force:—

"Should any Memebr of the League resort to war in disregard of its covenants under Articles 12, 13 or 15, it shall *ipso facto* be deemed to have committed an act of war against all other Members of the League, which hereby undertake immediately to subject it to the severance of all trade or financial relations, and to prohibit all intercourse, even if not between their nationals and the nationals of the Covenant-breaking State, at least between persons resident within their territories and persons resident within the territory of the Covenant-breaking State, and to prevent all financial, commercial or personal intercourse, even if not between the nationals of the Covenant-breaking State and the nationals of any other State, whether a Member of the League or not, at least between persons resident within the territory of that State and persons resident within the territory of any other State, whether a Member of the League or not."

His Majesty's Government further proposed that at the beginning of the existing second paragraph of Article 16, which on the coming into force of the amendments adopted by the Second Assembly would become the fifth paragraph, the words "in such case" should be deleted on the ground that they would become redundant.

3. The Fourth Assembly decided to defer discussion of these amendments until the Fifth Assembly, which is now in session. It was therefore considered that the best course would be for all the four amendments adopted by the Second Assembly in 1921 to be ratified by His Majesty forthwith. Action has been taken accordingly, and I enclose a copy of a letter* from the Secretary-General of the League notifying the deposit of His Majesty's ratification.

4. The proposals put forward by His Majesty's Government in 1923 have been included in the Agenda for the Fifth Assembly and are at present under discussion in the Assembly.

I have, &c.,
(for the Secretary of State),
ARNOLD.

45561

No. 307.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. } Dominions No. 469.)

(Southern Rhodesia. No. 411.)

[My Lord,] [Sir,] Downing Street, 25th September, 1924.

[*Not to Irish Free State*: With reference to [Your Excellency's telegram of the 21st of November, 1923,†] [Your Excellency's telegram of the 6th of December, 1923,‡] [Your Excellency's telegram of the 16th of November, 1923,§] [His Royal Highness Prince Arthur of Connaught's telegram of the 21st of November, 1923,‖] [my despatch No. 140 of the 19th of September,¶] [my despatch No. 403 of the 19th of September,**] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of a Treaty Series paper, No. 32 of 1924 (Cmd. 2241), containing the Protocols of Amendments to Article 16 of the Covenant of the League of Nations, adopted by the Second Assembly of the League of Nations on the 4th of October, 1921.

[*Not to New Zealand or Irish Free State*: 2. Further copies are being sent in Library despatch.]

I have, &c.,
(for the Secretary of State),
ARNOLD.

---

* Enclosure in No. 305. † No. 241 in Dominions No. 88. ‡ No. 243 in Dominions No. 88.
§ No. 239 in Dominions No. 88. ‖ No. 240 in Dominions No. 88. ¶ No. 305. ** No. 306.

54387

No. 308.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 12.50 p.m., 3rd December, 1924.)

TELEGRAM.

[*Answered by Nos.* 310 *and* 311.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)

3RD DECEMBER. My despatch 25th September, Dominions 469.* As stated in League of Nations paper A. 131, 27th September, Fifth Assembly adopted Resolution in which, noting that amendment to Article 16, first paragraph, Covenant adopted by Second Assembly had not entered into force and appeared to be open to objections which seemed to render entry into force impossible, it adopted in place thereof fresh amendment which it recommended should be ratified. This amendment has now been embodied in protocol which it is proposed should be signed on behalf of His Majesty's Government at first convenient opportunity and subsequently ratified by His Majesty. Do your Ministers desire signature and ratification on their behalf, and if so whom do they nominate to sign? Considered desirable that steps necessary to enable ratification to be effected should be taken with as little delay as possible. If amendment comes into force it will replace first amendment to Article 16 already ratified by His Majesty (see Secretary-General's letter 29th August, C.L. 117,† and my despatch 25th September*).—AMERY.

54387

No. 309.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Confidential.)

SIR, Downing Street, 4th December, 1924.

WITH reference to Your Excellency's Confidential despatch of the 20th June and to my predecessor's despatch Dominions No. 469 of the 25th September,‡ I have the honour to transmit to you, to be laid before your Ministers, a copy of a telegram§ to the Governors-General of Canada, the Commonwealth of Australia, New Zealand and the Union of South Africa regarding an amendment to the first paragraph of Article 16 of the Covenant of the League of Nations adopted by the Fifth Assembly of the League in place of the first amendment to that Article adopted by the Second Assembly.

2. His Majesty's Government would be glad to learn, at your Ministers' early convenience, their views as to signature and ratification on behalf of the Irish Free State of the protocol embodying the new amendment.

3. Whilst this amendment, if it comes into force, will replace the first amendment to Article 16 adopted by the Second Assembly, the position with regard to the second, third and fourth amendments to Article 16 adopted by the Second Assembly will not be affected. As your Ministers will see from the Secretary-General's letter C.L.117, 1924, V, of the 29th August,† the protocols embodying these amendments have already been ratified by His Majesty, the form of ratification being, however, worded in such a manner as to exclude the Irish Free State.

I have, &c.,
L. S. AMERY.

---

* No. 307. † Enclosure in No. 305. ‡ Nos. 304 and 307. § No. 308.

57694

No. 310.

NEW ZEALAND.

THE ACTING GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 12.15 p.m., 9th December, 1924.)

TELEGRAM.

9TH DECEMBER. Your telegram of 3rd December,* proposed amendment to Article XVI of Covenant of the League of Nations. My Government agrees to signature and ratification on its behalf of protocol embodying amendment and nominates the High Commissioner for New Zealand to sign on its behalf.—STOUT.

60005

No. 311.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2.40 p.m., 23rd December, 1924.)

TELEGRAM.

23RD DECEMBER. Your telegram of 3rd December.* Amendment of first paragraph of Article XVI of the Covenant of the League of Nations. Commonwealth Government approves of amendment adopted Fifth Assembly and desires that the British representative on the Council shall sign on its behalf.—GOVERNOR-GENERAL.

---

(3) Reduction of Armaments—Proposed Treaty of Mutual Assistance. (Cmd. 2200).

20417

No. 312.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 4.30 p.m., 23rd May, 1924.)

TELEGRAM.

[*Answered by Nos.* 314, 315, 316 *and* 317.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)

23RD MAY. Secret. My telegram of 23rd May, 1923.† His Majesty's Government have had under consideration League of Nations letter of 25th October, 1923,‡ submitting to Governments of Members of League draft Treaty of Mutual Assistance and documents relating thereto and propose to reply in following sense to Secretary-General:—

Begins: His Majesty's Government have examined with utmost care documents enclosed in League of Nations letter. There is no question to which they attach greater importance than reduction or limitation of armaments which is closely bound up with maintenance of peace, principal object of League. But very importance of these questions makes it vital that, before League makes any recommendation to Members, it should satisfy itself that scheme recommended is in all respects reliable and effective.

Principles of present scheme have obtained unqualified acceptance of only very few of twenty-six nations whose replies published by League. Criticisms are to be found in documents circulated to Members of League and fall under two main heads which can be expressed interrogatively.

---

* No. 308. † No. 245 in Dominions No. 88. ‡ See Cmd. 2200.

(1) Are guarantees offered by draft treaty sufficient to justify a State in reducing armaments?

(2) Are obligations involved such as can be conscientiously undertaken?

As regards first question, (*a*) effectiveness of scheme depends largely on ability of Council of League to determine by unanimous vote of all members not concerned in dispute which nation is aggressor.

This has to be settled within four days of notification of hostilities. Difficulties which might confront Council in reaching agreement within stipulated time and likelihood that unanimity might never be reached at all on really controversial issue fully discussed in documents circulated which also show impossibility of defining satisfactorily what constitutes act of aggression.

(*b*) Long delay liable to occur before forces at disposal of League can be brought into effective operation against aggressor, since (i) only after determination which State is aggressor, which is likely to occupy whole four days permitted, can Council begin to take steps for pressure, economic or military, on aggressor, (ii) economic pressure admittedly slow in operation, (iii) technical advisers of League agreed that no military assistance immediate and effective unless given in accordance with pre-arranged plan, and obvious that in case of general treaty of assistance plans can rarely be pre-arranged, and they would therefore have to be drawn up, after determination which State was aggressor, by officers designated by Council to command international forces. Experience of late war does not justify assumption that, where forces of several nations involved, immediate acceptance and rapid execution of plans of operations can be counted on, (iv) Council would have great difficulty in reaching unanimous decision on appointment of Higher Command.

(*c*) As measures necessary to carry general guarantee into effect are made dependent on explicit consent of each individual State called upon to render assistance, guarantee afforded by draft treaty is too precarious to justify any responsible Government in consenting to any reduction of armaments, and indeed scrupulous observance of obligations imposed by treaty would, in considered opinion of His Majesty's Government, involve increase rather than decrease in British armaments, and they cannot avoid belief that position would be same in other countries.

(*d*) Recognition of defects inherent in any general treaty has led to proposal to superimpose system of partial treaties between groups of countries. It has been urged that conclusion of such treaties by one group of States likely to bring about formation of competing groups, and that result would be reappearance of former system of alliances which in the past has proved such a serious menace to peace of world. Proposal to meet this objection by bringing partial treaties under control of League does not overcome difficulty, particularly so long as important nations remain outside League.

(*e*) Scheme for partial treaties would afford opening for conflict between Council and individual Governments, since under Article 4 of draft treaty it is duty of Council to decide which of two belligerents is aggressor, while under Article 8 parties to partial treaties will be at liberty to decide point for themselves before it is decided by Council.

As regards second question, (*a*) several countries whose opinions have been forwarded have been unable to accept obligations imposed by treaty, see especially Canadian Government's letter to Secretary-General of 19th June, 1923, page 27, League of Nations paper A.35, 1923, IX.

(*b*) Under Article 16 of Covenant Council can only recommend action. By Article 5 of draft Treaty Council authorized to decide to adopt measures. Council thus would become executive body with very large powers. In any case Council is most inappropriate body to control military forces in operation against particular State or States.

(*c*) Draft Treaty virtually amounts to extension of Article 10 of Covenant in its most stringent and now discarded interpretation. In so far as membership of League involved participation in Treaty, it would form insuperable barrier to entry of United States of America to League.

For above reasons His Majesty's Government consider draft Treaty offers no serious prospect of advantage compensating for its immense complication

of international relations, uncertainty of effect of its clauses, and consequent difficulty of conducting national policy. They therefore support view of third committee of Fourth Assembly that it is impossible to recommend adoption of text included in report. Study of question has, however, not been fruitless and is proof of desire of Members of League to find solution of question of reduction and limitation of armaments. Reports under consideration contain encouraging and suggestive passages as to other lines of inquiry which might have useful results, e.g., possibility of defining zones of demilitarization, and advance made South and Central America in direction of limitation of armaments. Mention must also be made of recommendations of Washington Conference. His Majesty's Government feel that it is on above lines that question of reduction of armaments should be pursued, that real force of League is moral rather than material, and that policy of League should aim at elimination of causes of friction, settlement on equitable lines of long-standing differences, prompt consideration and public ventilation of disputes before they have reached acute stage, and seizing of opportunities which its success in these respects gives to diminish armaments. *Ends.*

Before replying to League in above sense, His Majesty's Government would be glad to learn whether your Ministers concur. As it is desirable that views of His Majesty's Government should be communicated to Secretary-General in time to be presented at Assembly next September, should be glad to receive reply to this telegram as soon as possible.—THOMAS.

20417

No. 313.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by Nos.* 321 *and* 324.]

(Secret.)

SIR, Downing Street, 27th May, 1924.

I HAVE the honour to transmit to Your Excellency, to be laid before your Ministers, the accompanying copy of a telegram* to the Governors-General of Canada, the Commonwealth of Australia, New Zealand, and the Union of South Africa on the subject of the reply which His Majesty's Government propose to send to the letter from the Secretary-General of the League of Nations of the 25th of October, 1923,† submitting to Governments of Members of the League the draft Treaty of Mutual Assistance and documents relating thereto.

2. His Majesty's Government would be glad to learn at an early date whether your Ministers concur in the proposed reply.

I have, &c.,
J. H. THOMAS.

25958

No. 314.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6.32 a.m., 30th May, 1924.)

TELEGRAM.

SECRET. 30th May. Draft Treaty of Mutual Assistance. My Ministers entirely concur in proposed reply of His Majesty's Government to the Secretary-General of the League of Nations, effect of which is conveyed in your telegram 23rd May.* Further, they express the satisfaction which they feel in thus joining with His Majesty's Government in its attitude towards proposals which are obviously futile and endanger rather than assure the peace of the world.—JELLICOE.

---

* No. 312 † See Cmd. 2200.

26600

No. 315.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9.45 p.m., 2nd June, 1924.)

TELEGRAM.

2ND JUNE. Secret. Your telegram of the 23rd May, Secret.* Union Government, without expressing an opinion on the detailed argument(s) of the proposed reply of His Majesty's Government to Secretary-General of League of Nations, do not consider draft Treaty of Mutual Assistance a practical solution to the question of disarmament, and, whilst appreciating the work of the Temporary Mixed Commission for reduction of armaments, cannot give draft Treaty their support.—ATHLONE.

27059

No. 316.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6.15 a.m., 6th June, 1924.)

TELEGRAM.

6TH JUNE. Secret. Your Secret cable of 23rd May.* Treaty of Mutual Assistance. My Ministers support the attitude of His Majesty's Government outlined therein and concur in the sense of the proposed reply to the Secretary-General. —GOVERNOR-GENERAL.

28235

No. 317.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 11.40 p.m., 12th June, 1924.)

TELEGRAM.

[*Answered by No.* 322.]

12TH JUNE. Your telegram of 23rd May.* My Ministers concur generally in conclusions as to the draft Treaty of Mutual Guarantee expressed in the proposed communication to the Secretary-General of the League of Nations communicated in your telegram. My Government has prepared on the same subject the following proposed reply to the Secretary-General of the League of Nations, which will not be despatched, however, until His Majesty's Government has signified concurrence therein :—

Begins: Canadian Government has very earnestly considered the proposed Treaty of Mutual Assistance submitted to it by you in your communications of 23rd October, 1923, and 11th April, 1924, and has also examined the document(s) accompanying the draft. Realizing the vital importance of the subject and the devoted labour the formulation of the draft Treaty has entailed, and notwithstanding its profound sympathy with the objects sought to be attained, Canadian Government finds itself unable to conclude that these objects would be promoted by the arrangements suggested. It concurs generally with the conclusions on the subject expressed by the Government of Great Britain, and submits only the following brief observations.

Position of Canada in the British Empire is such that, in spite of the fact that the application of the Treaty to the Continent of North America is by its terms conditioned upon its ratification by the United States of America, question of Canadian adherence to it has more practical aspect than it would

---

* No. 312.

otherwise have, apart from indication that the Government of the United States of America was likely to find the plan acceptable in principle. Canada has already indicated disapproval of the interpretation of the terms of Article X of the Covenant as implying obligation upon her to intervene actively under that Article. Proposed Treaty creates obligation wider in its extent and more precise in its implication than any which Article X could be interpreted as imposing, and it proposes moreover to transfer the right to decide on the scope of action Canada should take from Canadian Parliament to the Council of the League of Nations. It is true that, for the purpose of deciding on assistance to be given by Canada, Council would include Canadian representative and that the draft limits the liability of the signatories in another Continent to measures not involving naval, military or air operations. But the presence of the Canadian representative on the Council would hardly compensate for (at least nominal) transfer of authority, and again Canada's position in the British Empire affects protection afforded her by the Continental limitations, of which in any event utility is uncertain, since it appears doubtful if hostile action can wisely or indeed safely be undertaken by any State upon the principle of limited liability.

For these reasons and those expressed in communication of the Government of Great Britain above referred to, the Canadian Government is of opinion that the nature of the proposed Treaty is such that so far as it purports to impose future obligations to take specific action in circumstances incapable of present definition it would be hopeless to expect the people of Canada to accept it, and it is also of opinion, even if these provisions of the draft were generally approved and brought into operation, their effect would neither be to minimize the danger of war nor to bring about any useful limitations of armaments.

On the other hand, the Canadian Government considers that every extension by general agreement of the facilities for formal, regular, early and informed public discussion of possible causes of war is to be welcomed. It omits to deal more at large with such of the provisions of the draft Treaty as appear to be designed to bring about such an extension only because it conceives that these would not appear in their present form if the draft were confined to provisions of that character. *Ends.*

—Byng.

28235

No. 318.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by Nos.* 321 *and* 324.]

(Secret.)

SIR, Downing Street, 23rd June, 1924.

WITH reference to my Secret despatch of the 27th May* on the subject of the draft Treaty of Mutual Assistance, I have the honour to request Your Excellency to inform your Ministers that His Majesty's Government are anxious to be in a position to reply to the Secretary-General of the League of Nations by the end of the present month, and that they would therefore be grateful for a very early expression of your Ministers' views.

2. The Governments of Canada, the Commonwealth of Australia, New Zealand, and the Union of South Africa have expressed their general concurrence in the sense of the proposed reply.

I have, &c.,
J. H. THOMAS.

---

* No. 313.

31551

No. 319.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 6.45 p.m., 3rd July, 1924.)

TELEGRAM.

[*Answered by Nos.* 321 *and* 324.]

SECRET. With reference to my despatch 23rd June, Secret,* draft Treaty of Mutual Assistance. Please inform your Ministers that His Majesty's Government do not think it possible to delay sending their reply to League of Nations after Saturday next, 5th July.—THOMAS.

31812

No. 320.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.30 a.m., 4th July, 1924.)

TELEGRAM.

4TH JULY. Secret. My telegram 6th June.† Treaty of Mutual Assistance. My Prime Minister is writing the Secretary-General of the League setting out objections of the Commonwealth Government similar to those stated by the British Government, and also pointing out that as regards application to Australia (which occupies whole continent) Article V (*b*) of the draft Treaty means that Australia would neither give nor receive any guarantee of assistance.—GOVERNOR-GENERAL.

31819

No. 321.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4.50 p.m., 4th July, 1924.)

TELEGRAM.

4TH JULY. With reference to your telegram of 3rd July.‡ Treaty of Mutual Assistance. My Ministers regret they have not been able to give adequate consideration to the draft Treaty. They will therefore be obliged if the Irish Free State is specifically excluded from Saturday's reply. *Ends.*—HEALY.

31391

No. 322.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 2.45 p.m., 5th July, 1924.)

TELEGRAM.

5TH JULY. Secret. His Majesty's Government concur in proposed reply of Canadian Government to Secretary-General, League of Nations, on subject of draft Treaty of Mutual Guarantee contained in your telegram 12th June.§

Since my telegram 23rd May,‖ some amendments have been made in draft reply of His Majesty's Government, of which following are principal:

(1) Comment (*c*) on second question beginning "draft Treaty virtually amounts" down to "entry of United States of America to League" has been omitted.

---

* No. 318. † No. 316. ‡ No. 319. § No. 317. ‖ No. 312.

(2) Concluding passage of reply beginning "e.g., possibility of defining" down to end of draft reply omitted and passage substituted, which may be summarized as follows:—

Begins: "It is policy of His Majesty's Government that at favourable opportunity Governments of world should meet in conference to devise schemes for reduction of armaments. Conference should include Governments of countries not yet members of League. Every suggestion for reduction of armaments would be open on its merits for full examination, including proposed Treaty, and His Majesty's Government have no intention to pre-judge further consideration of proposed Treaty by such conference. It is not within province of His Majesty's Government to attempt to formulate exhaustive list of proposals which might be brought before such conference. Among constructive proposals already discussed are those defining zones of demilitarization between States safeguarding special frontiers under some form of international control granting further powers to international court, and so on. His Majesty's Government believe they should keep themselves free to consider any and every practicable proposal and commit themselves at present only to a pledge to do everything in their power to bring about agreements that will have as an immediate effect substantial reduction in armaments." *Ends.*

Reply of His Majesty's Government being sent 5th July.—THOMAS.

31391

No. 323.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 2.45 p.m., 5th July, 1924.)

TELEGRAM.

SECRET. Your telegram 4th July,* Treaty of Mutual Assistance. Since my telegram 23rd May† . . . [*as in No.* 322] . . . being sent 5th July.—THOMAS.

33962

No. 324.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 17th July, 1924.)

(Secret.)

SIR, Vice Regal Lodge, Dublin, 16th July, 1924.

I HAVE the honour to acknowledge receipt of your Secret despatch of the 27th May and your telegram of the 3rd July‡ on the subject of the draft Treaty of Mutual Assistance.

2. My Ministers regret that owing to the pressure of parliamentary work they have not been able to give adequate consideration to this matter. They therefore would be obliged if the Irish Free State is specifically excluded from the reply to be sent to the League of Nations.

3. This despatch confirms my telegram of the 4th July§ addressed to you on this subject.

I have, &c.,
T. M. HEALY.

---

* No. 320. † No. 312. ‡ Nos. 313 and 319. § No. 321.

34232

No. 325.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 288.) — Dominions No. 340.)

[MY LORD,] [SIR,] Downing Street, [25th] [28th] July, 1924.

I HAVE the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, a copy of a letter* to the Secretary-General of the League of Nations on the subject of the draft Treaty of Mutual Assistance which was considered by the Fourth Assembly of the League. [*To Newfoundland and Southern Rhodesia only:* together with a copy of the Secretary-General's letter of the 25th October, 1923,† to which it is a reply.]

I have, &c.,
J. H. THOMAS.

34232

No. 326.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(New Zealand.
(Union of South Africa.
(Irish Free State. — Secret.)

[MY LORD,] [SIR,] Downing Street, 25th July, 1924.

IN connexion with my despatch Dominions No. 340 of the 25th July,‡ I have the honour to invite reference to Secret correspondence ending with your [telegram of the 30th May§] [telegram of the 2nd June.‖] [despatch of the 16th July.¶]

2. It will be observed that certain alterations were made in the reply from the draft communicated in my telegram of the 23rd May,** [*To Irish Free State only:* to the Governors-General of Canada, the Commonwealth of Australia, New Zealand, and the Union of South Africa, a copy of which was enclosed in my Secret despatch of the 27th May,††] the principal of these being:—

(i) that comment (*c*) on the second question, which appeared in the original draft after paragraph 12, was omitted; and

(ii) that the final passage of the draft reply was omitted and paragraph 15 substituted therefor.

[*To Irish Free State only:* 3. It will be seen that the reply as sent is general in its terms and does not in any way refer to the Irish Free State.]

I have, &c.,
J. H. THOMAS.

---

(4) Interpretation of Articles 12 to 15.

Report of Jurists' Commission.

23006

No. 327.

THE SECRETARY OF STATE to THE GOVERNORS.

(Newfoundland. No. 80.)
(Southern Rhodesia. No. 184.)

SIR, Downing Street, 27th May, 1924.

I HAVE the honour to transmit to you, for the information of your Ministers, the accompanying copy of a letter from the Secretary-General of the League of

---

* 34232/24: not printed here (see Cmd. 2200). † See Cmd. 2200. ‡ No. 325. § No. 314. ‖ No. 315. ¶ No. 324. ** No. 312. †† No. 313.

Nations regarding the Report by the Special Commission of Jurists on certain questions concerning the interpretation of the Covenant submitted by the Council of the League.

I have, &c.,
J. H. THOMAS.

Enclosure in No. 327.

(C.L. 44. 1924. V.)

INTERPRETATION OF THE COVENANT.

Report by the Special Commission of Jurists.

League of Nations, Geneva, 22nd March, 1924.

ON 28th September, 1923, the Council of the League of Nations requested a special Commission of Jurists to reply to certain questions concerning the interpretation of the Covenant and other points of international law.

This Commission met on 18th January, 1924, and concluded its work on 24th January. In a letter bearing the latter date, the Chairman of the Committee, His Excellency M. Adatci, informed the President of the Council of the replies upon which he and his colleagues had agreed.

The Council of the League considered these replies at its meeting on 13th March, 1924, and adopted the following resolution :—

"The Council, having noted the replies of the special Commission of Jurists to the questions raised in the resolution of the Council dated 28th September, 1923, approves these replies as a whole.

"It further decides that the text of the present resolution, together with the text of the replies, shall be communicated to all the States Members of the League of Nations."

I am forwarding herewith the text of these replies.

I also have the honour to enclose a copy of the minutes of the meeting of the Council at which the above resolution was adopted.

I have, &c.,

Secretary-General.

LEAGUE OF NATIONS.

(C.L. 44. 1924.)
(Translation.)

Replies given by the Special Commission of Jurists to the Questions submitted by the Council of the League of Nations on 28th September, 1923.

FIRST QUESTION : Is the Council, when seized at the instance of a Member of the League of Nations of a dispute submitted in accordance with the terms of Article 15 of the Covenant, by such a Member as "likely to lead to a rupture" bound either at the request of the other party or on its own authority, and before inquiring into any point, to decide whether in fact such description is well-founded?

REPLY : "The Council, when seized at the instance of a Member of the League of Nations of a dispute submitted, in accordance with the terms of Article 15 of the Covenant, by such a member as 'likely to lead to a rupture,' is not bound, either at the request of the other party or on its own authority, and before inquiring into any point, to decide whether in fact such description is well-founded.

The Council may at all times estimate the gravity of the dispute and determine the course of its action accordingly."

SECOND QUESTION : Is the Council, when seized of a dispute in accordance with Article 15, paragraph 1, of the Covenant, at the instance of a Member of the League of Nations, bound, either at the request of a party, or on its own authority, to suspend its inquiry into the dispute, when, with the consent of the parties, the settlement of the dispute is being sought through some other channel?

REPLY : "Where, contrary to the terms of Article 15, paragraph 1, a dispute is submitted to the Council on the application of one of the parties, where such a dispute already forms the subject of arbitration or of judicial proceedings, the Council must refuse to consider the application.

If the matter in dispute, by an agreement between the parties, has already been submitted to other jurisdiction before which it is being regularly proceeded with, or is being dealt with in the said manner in another channel, it is in conformity with the general principles of law that it should be possible for a reference back to such jurisdiction to be asked for and ordered."

THIRD QUESTION : Is an objection founded on Article 15, paragraph 8, of the Covenant the only objection based on the merits of the dispute on which the competence of the Council to make an inquiry can be challenged?

REPLY : "Where a dispute likely to lead to a rupture is submitted to the Council, on the application of one of the parties, in accordance with the provisions of Article 15, paragraph 1, the case contemplated in paragraph 8 of Article 15 is the only case in which the Council is not to inquire into the dispute.

In particular the reservations commonly inserted in most arbitration treaties cannot be pleaded as a bar to the proceedings.

The Commission considers it desirable to observe that, where the case arises, the Council should, in determining the course of its action, have regard to international engagements such as treaties of arbitration or regional understandings for securing the maintenance of peace."

FOURTH QUESTION : Are measures of coercion which are not meant to constitute acts of war consistent with the terms of Articles 12 to 15 of the Covenant when they are taken by one Member of the League of Nations against another Member of the League without prior recourse to the procedure laid down in those Articles?

REPLY : "Coercive measures which are not intended to constitute acts of war may, or may not, be consistent with the provisions of Articles 12 to 15 of the Covenant, and it is for the Council, when the dispute has been submitted to it, to decide immediately, having due regard to all the circumstances of the case and to the nature of the measures adopted, whether it should recommend the maintenance or the withdrawal of such measures."

FIFTH QUESTION : In what circumstances and to what extent is the responsibility of a State involved by the commission of a political crime in its territory?

REPLY : "The responsibility of a State is only involved by the commission in its territory of a political crime against the persons of foreigners, if the State has neglected to take all reasonable measures for the prevention of the crime and the pursuit, arrest and bringing to justice of the criminal.

The recognized public character of a foreigner and the circumstances in which he is present in its territory, entail upon the State a corresponding duty of special vigilance on his behalf."

LEAGUE OF NATIONS.

(C.L. 44. 1924. V.)

EXTRACT FROM THE MINUTES OF THE SIXTH MEETING (PUBLIC), HELD AT 3.30 P.M. ON 13TH MARCH, 1924.

Report of the Special Commission of Jurists on the Interpretation of the Covenant.

THE President reminded the Council that by a resolution of 26th September, 1923, it has instructed a special Commission of Jurists to reply to certain questions arising out of the interpretation of the Covenant, and other points of international law.

The following members were appointed to form the Commission of Jurists referred to in the above Resolution :—

Monsieur Adatci (Japan).
The Right Hon. Lord Buckmaster (British Empire).
Monsieur le Dr. Enrique Buero (Uruguay).
M. F. de Castello Branco Clark (Brazil).
Monsieur Fromageot (France).
Dr. van Hamel, Director of the Legal Section of the Secretariat of the League of Nations.
M. Vittorio Rolandi Rigoi (Italy).
Monsieur Oesten Unden (Sweden).
Marquis de Villa Urrutia (Spain).
Monsieur de Vissoher (Belgium).

The Commission of Jurists under the presidency of M. Adatci met for the first time on 18th January, 1924, and finished its work on 24th January. M. Adatci, in a letter dated 24th January, notified the President of the Council of the replies agreed upon by the Jurists. The questions and replies were as follows:—

I. "The Council, when seized at the instance of a Member of the League of Nations of a dispute submitted, in accordance with the terms of Article 15 of the Covenant, by such a Member as 'likely to lead to a rupture,' is not bound, either at the request of the other party or on its own authority, and before inquiring into any point, to decide whether in fact such description is well-founded.

The Council may at all times estimate the gravity of the dispute and determine the course of its action accordingly."

II. "Where, contrary to the terms of Article 15, paragraph 1, a dispute is submitted to the Council on the application of one of the parties, where such a dispute already forms the subject of arbitration or of judicial proceedings, the Council must refuse to consider the application.

If the matter in dispute, by an agreement between the parties, has already been submitted to other jurisdiction before which it is being regularly proceeded with, or is being dealt with in the said manner in another channel, it is in conformity with the general principles of law that it should be possible for a reference back to such jurisdiction to be asked for and ordered."

III. "Where a dispute likely to lead to a rupture is submitted to the Council, on the application of one of the parties, in accordance with the provisions of Article 15, paragraph 1, the case contemplated in paragraph 8 of Article 15 is the only case in which the Council is not to inquire into the dispute.

In particular the reservations commonly inserted in most arbitration treaties cannot be pleaded as a bar to the proceedings.

The Commission considered it desirable to observe that, where the case arises, the Council should, in determining the course of its action, have regard to international engagements such as treaties of arbitration or regional understandings for securing the maintenance of peace."

IV. "Coercive measures which are not intended to constitute acts of war may, or may not, be consistent with the provisions of Articles 12 to 15 of the Covenant, and it is for the Council, when the dispute has been submitted to it, to decide immediately, having due regard to all the circumstances of the case and to the nature of the measures adopted, whether it should recommend the maintenance or the withdrawal of such measures."

V. "The responsibility of a State is only involved by the commission in its territory of a political crime against the persons of foreigners, if the State has neglected to take all reasonable measures for the prevention of the crime and the pursuit, arrest, and bringing to justice of the criminal.

"The recognized public character of a foreigner and the circumstances in which he is present in its territory entail upon the State a corresponding duty of special vigilance on his behalf."

These replies were now before the Council, and it was for the Council to take a decision in regard to them.

The President then submitted to his colleagues the following draft resolution:

"The Council having noted the replies of the special Committee of Jurists to the questions raised in the resolution of the Council dated 28th September, 1923, approves these replies as a whole.

"It further decides that the text of the present resolution, together with the text of the replies, shall be communicated to all the States Members of the League of Nations."

The PRESIDENT asked his colleagues for their views on this resolution. It was understood that in approving it each of the Members of the Council was at liberty to make any declarations which he might judge to be advisable.

M. HANOTAUX spoke as follows:

"I accept as a whole the replies made by the jurists to the questions put to them by the Council, and the terms in which they are expressed."

M. SALANDRA spoke as follows:

"I adhere to the proposal that the Council should approve as a whole the conclusions of the special Commission of Jurists. As far as I am concerned, I do not wish to make any declaration or reservation. The Royal Government of Italy and the delegate who has the honour personally to represent the Royal Government hopes

that this attitude may be regarded as a proof of their loyal adhesion to the essential principles of the Covenant, and of their desire that the League of Nations shall develop still further its beneficent activities with the object of maintaining the best possible relations between civilized peoples, and of assuring the peace of the world.

It is not necessary for me to explain to the Council the important political reasons which justify the proposal not to admit any modification of the texts framed by the Commission of Jurists."

M. QUINONES DE LEON spoke as follows:

"On behalf of my Government I accept as a whole the replies made by the jurists to the questions put to them by the Council, and the terms in which they are expressed."

M. SOUZA DANTAS spoke as follows:

"On behalf of my Government I accept unreservedly the replies of the Commission of Jurists. I take this opportunity to remind the Council that the traditional policy of my Government is in favour of arbitration. Here at Geneva at the Assembly of the League in September, 1923, President Motta drew attention to this fact, and it is a pleasure to me to convey to him once more the thanks of Brazil. We are grateful to him for having done our country justice, and for having said, with the applause of the whole Assembly, that Brazil, the great State of South America, faithful to its national genius has once more proclaimed the idea of compulsory arbitration. Let us not forget that this idea had already been advanced at the Hague by M. Ruy Barboza. Brazil may have recourse to arbitration, or she may resort to a peaceful procedure as laid down in the treaties which she has signed, such as the 'Convention Fondra,' with a view to preventing and avoiding international disputes; this Convention was signed at the last Pan-American Conference, and Brazil was the first country to ratify it. Finally, Brazil may resort to one of the procedures laid down in the Covenant of the League of Nations, to which Brazil is a party, and the obligations of which Brazil intends faithfully to execute.

In conclusion, may I be permitted to remind the Council that Brazil is the only country in the world whose constitution requires compulsory resort to arbitration before affairs have reached the stage which the present Minister of Foreign Affairs of Brazil, M. Felix Pacheco, has termed in a remarkable speech, on the occasion of the centenary of the Monroe Doctrine, 'The abominable crime of war.' It is in this spirit that Brazil accepts and approves the replies of the Commission of Jurists."

M. BENES spoke as follows:—

"I agree with the other members of the Council in my appreciation of the work accomplished by the Commission of Jurists. I am persuaded that the opinions expressed by the Commission will facilitate the accomplishment of the difficult and important tasks which fall to the Council.

In consideration, however, of the subtlety of the legal formulas contained in the report of the Commission and the diversity of the cases which may be brought before the Council, as well as the fact that the precise legal meaning of the word 'approval' is not in this instance altogether clear to me, I would personally have preferred a formula to the effect that the Council takes note of the report. I admit, however, that in that case it might have been well to insert a clause expressing the firm conviction that the report would form a solid basis for the solution of questions with which the Council might be called upon to deal.

"Nevertheless, in the interests of unanimity, I associate myself with the votes of my colleagues and do not propose any modification of the formula adopted by them."

M. BRANTING spoke as follows:—

"I adhere to the resolution proposed by the President, but at the same time I have the honour on behalf of my Government to make the following declaration:

"'The Swedish Government has noted with the greatest satisfaction the replies of the Commission of Jurists to the first three questions concerning the competence of the Council. The Council, in adopting these replies, has affirmed the obligatory character of the system of mediation introduced by the Covenant, and has safeguarded the effectiveness of this system. I have no difficulty in accepting the reply to the fifth question.'

"As regards the reply to the fourth question, the Commission of Jurists has not indicated the cases in which coercive measures are legitimate and the cases in

which they are not. It is evident that the reply of the Commission might cover different opinions as to the legal character of certain coercive measures. In these circumstances my Government would have liked this question to be referred to the Permanent Court of International Justice in order that a clearer opinion might be obtained on this extremely important and very delicate problem.

"As, however, this suggestion has not been favourably received by my colleagues, I declare, in accordance with my instructions, that my Government maintains in its integrity the interpretation of the Covenant on this subject, an interpretation which was supported by me during the previous session of the Council, and that it therefore continues to be of opinion that the use of armed forces is not compatible with the Covenant in the circumstances indicated in the fourth question. I accept the fourth reply subject to this declaration."

M. MELOT spoke as follows:—

"My Government highly appreciates the excellent work accomplished by the Commission of Jurists. I accordingly support on its behalf, wholly and unreservedly, the proposal which is before us."

VISCOUNT ISHII spoke as follows:—

"On behalf of the Japanese Government, I approve and accept as a whole and unconditionally the replies of the Commission of Jurists to the questions which the Council has put to them. In the present condition of international law, no more perfect or satisfactory reply could be anticipated. It is in my opinion extremely advisable to rest satisfied with the replies of the Jurists in the form in which they are given.

"I accordingly propose a small addition to the draft resolution requesting the Secretary-General to transmit the thanks of the Council to the members of the Commission of Jurists for their excellent work."

The PRESIDENT said that in making this proposal Viscount Ishii had anticipated his own suggestion, as he had himself also desired to express on behalf of the Council his thanks to the Commission of Jurists for their excellent work.

LORD PARMOOR spoke as follows:—

"On behalf of the Government of Great Britain, I approve wholly of all the answers given by the Jurists to the questions submitted to them. I desire to make no reservation of any kind, and I should like to support the remarks of the representative of Japan, which have been referred to by the President, by saying that the British Government appreciates very highly the work done by the Jurists in giving these answers to the questions submitted to them."

The PRESIDENT spoke as follows:—

"Having heard the views of my colleagues, I wish to submit the following observations:—

"I may be permitted to pay a tribute to the spirit in which the replies have been drafted by the Commission of Jurists, as well as to the expressions of loyalty to the Covenant which have been made, and to associate myself with the desire that each day the activity and policy of the League of Nations may be strengthened.

"I would add that the Government of Uruguay would have preferred a clearer reply to the fourth question. It appeared desirable, for example, that the kind of measures described as measures of coercion not intended to constitute acts of war, should be more precisely defined. I have reason to think that, outside reprisals of a legal, economic or financial character, any other acts of force by one State against another should be excluded, without taking account of the description of these measures given by the State applying them.

"It might also be added that no measures of coercion of this last character should be contemplated before the peaceful means for settling disputes between States Members of the League of Nations, mentioned in Articles 12 to 15 of the Covenant, had been exhausted. These measures include diplomatic negotiation, arbitration, reference to the Permanent Court of International Justice, or the mediation procedure of the Council.

"I would point out to my colleagues that, in conflicts of this character which have arisen in the history of the American nations, the point of view adopted on this subject, even before the signature of the Covenant, clearly tended towards the exclusion of such measures of reprisal and towards the adoption of the settlement by arbitration of all international disputes.

"Having made these declarations, I accept the legal replies which have been submitted for our consideration. They represent, taken as a whole, an interpretation which is largely favourable to the competence of the Council to settle in the future any dispute between Members of the League, thus guaranteeing peace and goodwill between nations."

The Members of the Council supported the President's proposal that the formal declaration which had just been made be inserted in the Minutes.

The President, in conclusion, noted that his draft resolution was unanimously adopted by the Council, and that the replies of the Commission of Jurists were consequently approved *en bloc*. He was sure that the members of the Council were glad to note this happy result. It was due in large part to the work of the Commission of Jurists. He proposed to his colleagues as the Japanese representative had suggested, that they should express the thanks of the Council to the distinguished Jurists who had given such able and valuable assistance.

The proposal was adopted.

The President asked the Secretary-General to convey the message to the members of the Commission of Jurists.

---

(5) Geneva Protocol for Pacific Settlement of International Disputes.

38876

No. 328.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNOR.

[*Answered by Nos.* 334 *and* 335.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
Dominions No. 446. Confidential.)

[MY LORD,] [SIR,] Downing Street, 6th September, 1924.

As [Your Excellency's] [your] Ministers are aware, the Statute establishing the Permanent Court of International Justice (published in Treaty Series No. 23 of 1923, of which a copy was enclosed in my predecessor's despatch Dominions No. 435 of the 21st November, 1923*) contains provision in Article 36 under which, either at the time of signature or ratification of the Protocol to which the Statute is adjoined, or at a later moment, a declaration may be made that the Parties recognize as compulsory *ipso facto* and without special agreement in relation to any other Member of the League of Nations or State accepting the same obligation, the jurisdiction of the Court in certain specified classes of legal disputes.

2. No such declaration was, however, made on behalf of His Majesty's Government, either on the 16th of December, 1920, when the Protocol was signed by the Earl of Balfour or subsequently, nor has any declaration been made on behalf of any of the Dominion members of the League or of India.

3. Representations have been made recently to His Majesty's Government from Parliamentary and other quarters that the time has arrived when the matter should be reconsidered. The issues raised are, however, of great importance and complexity, particularly in relation to the position of the British Empire in time of war, when acceptance of the compulsory jurisdiction of the Court would enable any foreign country, if it were similarly bound, to contest before the Court the legality of naval measures.

4. In the circumstances His Majesty's Government desire to bring the whole question to the notice of the Dominion Governments. They will be glad to receive any observations which your Ministers may desire to offer upon it, with as little delay as may be possible.

I have, &c.,
(for the Secretary of State),
HENRY LAMBERT.

---

* 54900/23: not printed; it enclosed copies of the Treaty Series paper referred to.

38876

No. 329.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

[*Answered by No.* 335.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
Secret.)

[MY LORD,] [SIR,] Downing Street, 6th September, 1924.

WITH reference to my despatch Dominions No. 446, Confidential, of to-day,* I have the honour to request [Your Excellency] [you] to inform your Ministers that the question of the Optional Clause in relation to the Permanent Court of International Justice has been brought to the personal notice of the Prime Minister, and is receiving Mr. Ramsay MacDonald's sympathetic consideration.

2. Memoranda† on the subject have been prepared, of which copies are enclosed, as it is thought that these may be of assistance to your Ministers in considering the various aspects of the problem.

I have, &c.,
(for the Secretary of State),
HENRY LAMBERT.

45219

No. 330.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 3.30 p.m., 27th September, 1924.)

TELEGRAM.

[*Answered by No.* 332.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

27TH SEPTEMBER. Confidential. Following from Prime Minister for your Prime Minister:—

Begins: As you will know I raised at the Assembly of League of Nations question of acceptance of compulsory jurisdiction of Permanent Court of International Justice, referred to in Secretary of State's Confidential despatch 6th September, Dominions 446,* in connexion with general disarmament question. These matters have been since under examination by Committees of Assembly and as a result Protocol dealing with disarmament security and arbitration is being drawn up and contemplated that it will form subject of resolution by Assembly for which British Delegation will vote if document seems to them generally satisfactory. I should like to make it clear in advance that such a vote will in no way prejudice freedom of His Majesty's Government to sign or withhold signature of Protocol which will not be signed until after full consideration by His Majesty's Government in consultation with Dominion Governments and discussion in Parliament. This also applies to ratification. *Ends.*

—THOMAS.

---

* No. 328. † Not printed.

45219

No. 331.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Secret.)

SIR, Downing Street, 29th September, 1924.

I HAVE the honour, at the wish of the Prime Minister, to transmit to Your Excellency, for communication to the President of the Executive Council of the Irish Free State, a copy of a telegram* sent to the Governors-General of Canada, the Commonwealth of Australia, New Zealand and the Union of South Africa, and the Governor of Newfoundland, on the subject of the draft Protocol dealing with disarmament, security and arbitration now under discussion at the Assembly of the League of Nations.

I have, &c.,
J. H. THOMAS.

46286

No. 332.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2.0 p.m., 29th September, 1924.)

TELEGRAM.

29TH SEPTEMBER. Following for Prime Minister from my Prime Minister:—

Begins: Your telegram 27th September, Confidential,* received. I note that when Protocol becomes subject of resolution of Assembly of the League of Nations British Delegate will vote in favour if document seems to be generally satisfactory, and that such vote will in no way prejudice freedom of His Majesty's Government to sign or to withhold signature to Protocol which will not be signed until after full consideration by His Majesty's Government in consultation with the Dominion Governments and discussion in Parliament, and that this applies also to ratification. My Government assumes that it is not proposed to sign Protocol and that Assembly will confine itself to general resolutions and recommendations. Shall be glad to learn what procedure is suggested with regard to subsequent signature and ratification. In any event we would not consider Protocol binding until the ratification by our Parliament. *Ends.*

—FORSTER.

53375

No. 333.

EXTRACT FROM DAIL EIREANN PARLIAMENTARY DEBATES, VOLUME 9, No. 10, 6TH NOVEMBER, 1924.

SETTLEMENT OF INTERNATIONAL DISPUTES.

MAJOR BRYAN COOPER asked the Minister for External Affairs whether the Saorstát has signed the Protocol for the Pacific Settlement of International Disputes unanimously recommended by the Assembly of the League of Nations, and if this is not the case, whether the Executive Council accepts the principle embodied in the Protocol.

MINISTER FOR EXTERNAL AFFAIRS (Mr. Desmond Fitzgerald): The Executive Council are in full agreement with the general principle of the Protocol, namely, that arbitration should be substituted for armed force in international disputes, but before signing they wish to give serious consideration to each one of the Articles, and, if necessary, to submit the Protocol for the approval of the Oireachtas.

MAJOR COOPER: Is the Minister aware that at least twelve States, including France, have already signed the Protocol, and are we going to be the last?

MR. FITZGERALD: I am aware that twelve States have already signed, but we have until next May to sign, so that we need not necessarily be the last.

---

* No. 330.

53067

No. 334.

UNION OF SOUTH AFRICA.

The GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 11th November, 1924.)

(Confidential (2).)

Sir, Governor-General's Office, Pretoria, 22nd October, 1924.

I have the honour to transmit to you, herewith, with reference to your despatch Dominions No. 446, Confidential, of the 6th September, 1924,* copy of minute from Ministers on the subject of compulsory jurisdiction of the Permanent Court of International Justice.

I have, &c.,
ATHLONE,
Governor-General.

Enclosure in No. 334.

Prime Minister's Office, Pretoria, 20th October, 1924.

Minute No. 845.

With reference to His Excellency the Governor-General's Minute (Confidential) No. 37/360 of the 3rd October, 1924, enclosing copy of Dominions despatch No. 446, Confidential, dated 6th September, 1924, from the Secretary of State for the Colonies on the subject of compulsory jurisdiction of the Permanent Court of International Justice, Ministers have the honour to inform His Excellency the Governor-General that the matter is receiving the careful consideration of the Union Government, and Ministers have come to the conclusion that it is not necessary at this stage, at all events, for the Union Government to offer any observations on the question.

J. B. M. Hertzog.

53527

No. 335.

NEW ZEALAND.

The GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 12.50 p.m., 13th November, 1924.)

Telegram.

(Paraphrase.)

13th November. Your Confidential despatch Dominions No. 446 of 6th September and your Secret despatch of same date.† My Ministers advise me to the following effect: New Zealand Government strongly objects to the proposal that Great Britain should make a declaration under Article No. 36 of the Protocol establishing Permanent Court of International Justice recognizing as compulsory the jurisdiction of that Court in the classes of legal dispute defined in that Article. Upon a number of matters of International Law and in particular upon those relating to belligerent rights at sea it is clear that the view taken by Continental jurists conflicts with long-established principles and essential interests of Great Britain. New Zealand Government wholly dissents from the latest opinion expressed by Sir Cecil Hurst and emphatically agrees with the views expressed in Lord Balfour's [?Haldane's] memorandum and in the carefully-reasoned Foreign Office memorandum initialled "E. A. C." and the Prime Minister trusts that no such declaration will ever be made without most carefully reserving, so far as Great Britain is concerned, matters of vital interest from the jurisdiction of the Permanent Court since it is a foregone conclusion that the decision on such matters, if submitted to a Court constituted of a majority of foreign jurists, will be adverse to Great Britain.—Jellicoe.

---

* No. 328. † Nos. 328 and 329.

131

53271

No. 336.

The SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 473.) } Dominions No. 534.)

[My Lord,] [Sir,] Downing Street, 17th November, 1924.

I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of a Parliamentary Paper, Cmd. 2273, containing

(*a*) The General Report on Arbitration, Security and Reduction of Armaments, submitted to the Fifth Assembly of the League of Nations on behalf of the First and Third Committees.

(*b*) Resolutions adopted by the Assembly on the 6th of September and the 2nd of October, and

(*c*) The Protocol for the Pacific Settlement of International Disputes, adopted by the Assembly on the 2nd of October.

[*Not to New Zealand or Irish Free State:* 2. Further copies are being sent in Library despatch.]

I have, &c.,
L. S. AMERY.

54052

No. 337.

The SECRETARY OF STATE to the GOVERNORS-GENERAL.

(Sent 12.50 p.m., 21st November, 1924.)

Telegram.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)

21st November. With reference to letter* from Secretary-General, League of Nations, 11th October, C.L. 141 (*a*), letter has been sent by His Majesty's Government to Secretary-General 15th November in following terms:—

Begins: Owing to very recent accession to office His Majesty's Government will not be able for some time to form considered opinion on terms of Protocol for Pacific Settlement of International Disputes drawn up by Fifth Assembly nor will they be able to furnish proper instructions to their representative on Council for purpose of preparatory work for proposed Conference on reduction of armaments which it is contemplated should be undertaken by Council at next meeting. They find themselves therefore to their great regret obliged to request that this item of agenda of next meeting of Council may be postponed to later session when they will have been able to give it close attention which its great importance necessitates. *Ends.*

This step has been taken in order to allow His Majesty's Government more time to study exceedingly important problems involved and in particular on account of their desire to arrive at agreement with Dominion Governments before any further action taken in regard to Protocol.—Amery.

---

* 52210/24: not printed.

54052

No. 338.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 655.)

SIR, Downing Street, 21st November, 1924.

WITH reference to the letter from the Secretary-General of the League of Nations of the 11th October.* C.L., 141 (*a*), 1924, IX, I have the honour to transmit to Your Excellency, for the information of your Ministers, a copy of a letter from His Majesty's Government to the Secretary-General of the League of Nations regarding the Protocol for the Pacific Settlement of International Disputes, together with a copy of a telegram† to the Governors-General of Canada, the Commonwealth of Australia, New Zealand and the Union of South Africa.

I have, &c.,
L. S. AMERY.

(W. 9879/134/98.)

Enclosure in No. 338.

SIR, Foreign Office, S.W.1, 15th November, 1924.

I AM directed by the Secretary of State for Foreign Affairs to inform you that, owing to their very recent accession to office His Majesty's Government will not be able for some time to form a considered opinion on the terms of the Protocol for the Pacific Settlement of International Disputes drawn up by the Fifth Assembly. Nor will they be able to furnish proper instructions to their representative on the Council of the League for the purpose of the preparatory work for the proposed Conference on reduction of armaments, which it is contemplated should be undertaken by the Council at its next meeting. They find themselves, therefore, to their great regret obliged to request that this item of the agenda of the next meeting of the Council may be postponed to a later session when they will have been able to give to it the close attention which its great importance necessitates.

I am, &c.,
G. H. VILLIERS.

The Secretary-General of the League of Nations,
Geneva.

57820

No. 339.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

[*Answered by No.* 340.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
} Dominions No. 556. Confidential.)

Downing Street, 2nd December, 1924.

(Extract.)

* * * * * *

THERE is one pressing matter raising issues which affect the vital interests of the whole Empire, on which personal consultation is, in the view of His Majesty's Government, essential. I refer to the Protocol for the Pacific Settlement of International Disputes. With regard to the arrangements to be made for securing personal consultation His Majesty's Government hope to communicate with your Ministers at a very early date.

* * * * * *

---

* 52219/24: not printed. † No. 337.

57820

132

No. 340.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.0 a.m., 9th December, 1924.)

TELEGRAM.

(Extract.)

9TH DECEMBER. Following from my Prime Minister:—*Begins:* . . .

* * * * * *

We note, too, that you contemplate suggesting at an early date some method of personal consultation in connexion with the very important question of the Geneva Protocol. Public opinion in Australia, as you are doubtless aware, has already been considerably excited over this matter, and it is of the utmost importance to us that no action shall be taken by the British Government unless we have been fully consulted, and that such action when taken shall represent the considered opinion of the whole Empire. Until I hear further from you as to what you propose to ensure the fullest consultation and co-operation of the various parts of the Empire, my Government does not propose to take any further action in this connexion. *Ends.*

—FORSTER.

59996

No. 341.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

TELEGRAM.

(Sent 8.30 p.m., 19th December, 1924.)

[*Answered by Nos.* 347, 348, 350 *and* 351.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

CONFIDENTIAL. 19th December. Following from Prime Minister for your Prime Minister:—

Begins: We have now been able to give preliminary examination to terms of Geneva Protocol for Pacific Settlement of International Disputes and are greatly impressed with momentous character of question both in its scope and in its consequences. Not only does instrument itself raise issues of highest importance involving as they do such matters as the submission to compulsory arbitration even of vital interests and the imposition of sanctions of the most drastic character, but its consideration necessarily brings to the forefront far-reaching problems affecting the security of the Empire, and its future relations to the countries of Europe and the United States of America.

We conceive it to be essential that in regard to a problem of this magnitude the Empire should have a single policy, and we are equally convinced that such a policy can only be determined as a result of personal consultation between Ministers. The first question to be considered therefore is how soon can such consultation take place.

At recent session of Council of League of Nations, which as you know was attended by Secretary of State for Foreign Affairs, it became evident that it would be expected that at any rate some preliminary pronouncement should be made on behalf of British Empire at next meeting of Council in middle of March. We should like, therefore, if it is at all possible, to arrange a special meeting of Imperial Conference to discuss whole problem before that time. Character of issues is, in our opinion, such as to render presence of Prime Ministers highly desirable, and we greatly hope, therefore, that you may be able to attend in person. Would this be possible if Conference began in first week of March? If not, could you depute one of your

colleagues in the Government to take your place and what would be the earliest date at which he could reach London?

Similar message sent to other Dominion Prime Ministers. BALDWIN. *Ends.*

—AMERY.

59996

No. 342.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

TELEGRAM.

(Sent 11.55 p.m., 19th December, 1924.)

[*Answered by Nos.* 346 *and* 348.]

(Canada.)
*(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

(Paraphrase.)

19TH DECEMBER. Secret. Please communicate to your Prime Minister following message from Prime Minister which has been sent also to other Dominion Prime Ministers:—

Begins: Geneva Protocol. My telegram of to-day's date* was framed in such a way as to be suitable for publication eventually if necessary. I should add for your secret information that the problem has been discussed at two Meetings of Committee of Imperial Defence. Full reports of these Meetings will be sent to you. Secretary of State for the Colonies has sent to you already various memoranda prepared for these meetings by departments. Sub-Committee was appointed at second of these Meetings with terms of reference as follows:—

(1) How far Protocol is susceptible of being amended so as to meet the criticisms that have been directed against it,

and alternatively,

(2) what are the principles which should be adopted if it should be desired to substitute some other proposals for Protocol.

There is, therefore, already available, as you will observe, a considerable amount of material for study of problem and more will be ready before date proposed for Meetings. It really is not possible for me at the present moment to give you any indication of our own view on Protocol beyond saying that, in spite of the fact that criticisms of an extremely cogent character can be directed against its terms, we are of opinion that the rejection of the instrument without at least some attempt being made to formulate in substitution some positive policy to govern our future relations with Europe on the one hand and the United States on the other would be a mistaken policy and even a disastrous one. After you have had an opportunity of considering the papers which we are sending we should be very glad to receive any preliminary expression of opinion which you may be able to give.

You will be interested to know that Secretary of State for Foreign Affairs in the course of his visits recently to Paris and Rome gained the impression that, whilst Belgium cannot afford not to show enthusiasm for the Protocol and France is pledged to it, the Protocol is not regarded by either of these countries as forming a substitute for some kind of Defence Pact between themselves and Great Britain of the nature of those which received consideration some years ago.

Benes felt also that a Defence Pact to supplement the Protocol would be necessary. It was clear also that the difficulties which arise out of the instrument for the British Empire with interests in all parts of the world and corresponding obligations had not been fully comprehended by him. Mussolini had no enthusiasm for Protocol. The Foreign Secretary is making inquiries confidentially with a view to ascertaining the real views of United States Government on Protocol. BALDWIN. *Ends.*

—AMERY.

---

* No. 341.

59996

No. 343.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Confidential.)

SIR, Downing Street, 20th December, 1924.

I HAVE the honour at the instance of the Prime Minister to transmit to Your Excellency, for communication to the President of the Executive Council, a copy of a telegram* to the Governors-General of Canada, the Commonwealth of Australia, New Zealand and the Union of South Africa, and to the Governor of Newfoundland, regarding the summoning of a special meeting of the Imperial Conference (to be held, if possible at the beginning of March, 1925) in order to discuss the problems arising out of the Protocol for the Pacific Settlement of International Disputes, which was drawn up at the Fifth Assembly of the League of Nations.

2. The Prime Minister would be glad to know as soon as possible whether it would be convenient to the President of the Executive Council to attend the Imperial Conference if it were held at or about the time suggested in the telegram.

I have, &c.,
L. S. AMERY.

59996

No. 344.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Secret.)

SIR, Downing Street, 20th December, 1924

WITH reference to my Confidential despatch of even date,† I have the honour at the instance of the Prime Minister, to transmit to Your Excellency, for communication to the President of the Executive Council, a copy of a Secret telegram‡ to the Governors-General of Canada, the Commonwealth of Australia, New Zealand and the Union of South Africa, and the Governor of Newfoundland regarding the Protocol for the Pacific Settlement of International Disputes drawn up at the Fifth Assembly of the League of Nations.

I have, &c.,
L. S. AMERY.

59997

No. 345.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 8.45 p.m., 22nd December, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)

22ND DECEMBER. Please inform [*Not to Irish Free State:* your Prime Minister] [*To Irish Free State:* President of the Executive Council] that following statement will be issued to Press here on Tuesday, 23rd December, for publication on morning of 24th December:—

Begins: His Majesty's Government are in communication with the Governments of the Dominions and India with a view to ascertaining whether it will be possible to arrange a special meeting of the Imperial Conference in the early days of March, 1925, to discuss the questions arising out of the Protocol for the Pacific Settlement of International Disputes. *Ends.*

—AMERY.

---

* No. 341. † No. 343. ‡ No. 342.

60004

No. 346.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9.40 a.m., 23rd December, 1924.)

TELEGRAM.

(Paraphrase.)

23RD DECEMBER. Your Secret telegram of 19th December.* Following from my Prime Minister for Prime Minister :—

Begins: I note that the Committee of Imperial Defence have discussed the Protocol, that full reports which I await with interest are being forwarded, and that you are unable to give at this stage any indication of the views of the British Government. Although, therefore, I will give you the earliest possible indication of our attitude towards the proposed Conference, you will readily appreciate that it is impossible for my Government to express an opinion as to the necessity of such a Conference pending consultation with Sir Littleton Groom and receipt of all information.

I entirely concur in the view that it would be most unwise to reject the Protocol except for some cogent reasons or without endeavouring to formulate some positive alternative policy, but Australia on the other hand will not allow any abrogation of her rights with regard to immigration and is anxious that the policy pursued shall, if possible, be acceptable to the United States. I note in this connexion that Secretary of State for Foreign Affairs is endeavouring by confidential inquiries to ascertain the United States Government's real opinion on this subject, which I regard as a most essential preliminary to any discussion as to the British Empire's policy. *Ends.*

—FORSTER.

60094

No. 347.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 12.40 p.m., 23rd December, 1924.)

TELEGRAM.

[*Answered by No.* 349.]

23RD DECEMBER. Confidential. Following for Prime Minister from my Prime Minister :—

Begins: Your telegram of 19th December† setting out views of His Majesty's Government with regard to importance of issue involved in Geneva Protocol. Commonwealth Government agrees that it is of the utmost importance that on this difficult and delicate matter Empire should have a single policy and speak with a single voice.

Before expressing an opinion with regard to your suggestion that a Conference should be (*groups omitted*) held in March, however, my Government feels that it must await the return of Sir Littleton Groom, who is expected back on the 10th January. Up to the present the Government has received very little information as to what actually transpired at Geneva. Draft copy of the Protocol is to have (?hand), but the opinions of the British Government's legal expert(s) in regard thereto which apparently largely determined the attitude of the Empire's representative(s) have not been received and presumably will come with Sir Littleton Groom. In the circumstances the Commonwealth Government has refrained from any comment whatsoever, stating that on the return of its representative the whole position would be closely examined. This will be done immediately on Sir Littleton Groom's return, and my Government will then be in a position to communicate with you as to its views upon the Protocol and also as to necessity for personal consultation in order to enable a single Empire Policy

* No. 342. † No. 341.

to be evolved. As my Government sees the position at present it believes that consultation by cable should enable such a policy to be evolved and would welcome an indication of the views of His Majesty's Government and also of the other Governments of the Empire.

In the event of its being demonstrated that it is impossible to deal adequately with this matter by cable, it will be necessary for personal consultations to take place, but with regard to such consultations placed as I am I feel that it is practically impossible for me personally to attend, and grave difficulties are in the way of another Minister being sent in my place.

In view of this fact my Government urge very strongly that every effort should be made to deal with this matter by cable communications.

In this connexion I would point out that press cables have already indicated that a conference will be held in March to consider the Protocol. The form of these cables would appear to indicate that they have been inspired, but even if this were not so it appears clear that some leakage must have occurred. I would emphasize to you what an embarrassing position this places Dominion Governments in and how undesirable it is that such a question should be discussed in the public press when there are grave doubts that it will be possible for Dominion Prime Ministers to attend such a Conference. *Ends.*

—FORSTER.

60006

No. 348.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1.15 p.m., 23rd December, 1924.)

TELEGRAM.

SECRET. 23rd December. Following for Prime Minister from my Prime Minister :—

Begins: Replying to your two telegrams of 19th December,* am communicating with other Prime Ministers and will endeavour to arrange to comply with the request if they are able to attend in March. Though I consider the whole proposal mischievous and only possible of effect in minor issues between small nations, I recognize with you the difficulty in the way of Great Britain's refusal to concur in some form(s) of general international obligation to refer to arbitration. Early in January I will comply with your request indicating by cable the alterations in the Protocol which occur to me as essential. New Zealand Government must be largely guided by your Government in final decision. It is, however, my present opinion that whatever is done now will be rendered nugatory under Article XXI by inevitable failure of agreement concerning details of disarmament. *Ends.*

—FERGUSSON.

60094

No. 349.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 6.0 p.m., 23rd December, 1924.)

TELEGRAM.

CONFIDENTIAL. Following from Prime Minister for your Prime Minister :—

Begins: Your message† just received. You will have seen from Secretary of State's telegram of yesterday‡ which must have crossed your message terms of Communiqué which we propose to issue. As that telegram went to all Dominions I fear it is too late to stop announcement now, but you will see that latter is extremely guarded in its terms.

I will reply to other points in your message as soon as possible. BALDWIN. *Ends.*

—AMERY.

---

* Nos. 341 and 342. † No. 347. ‡ No. 345.

60381

No. 350.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 8.55 a.m., 25th December, 1924.)

TELEGRAM.

24TH DECEMBER. Confidential. Your telegram of 19th December.* Geneva Protocol. Understand from Prime Minister unlikely that he would be able to attend owing to sitting of Parliament, but will try to arrange to send representative.—ALLARDYCE.

60359

No. 351.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.45 a.m., 29th December, 1924.)

TELEGRAM.

29TH DECEMBER. Confidential. Following from Prime Minister for your Prime Minister:—

Begins: Your telegram 19th December.* Geneva Protocol. The Canadian Government has given question some preliminary consideration; it is now being examined by the Departmental Committee, and will in the immediate future be gone into in detail by the Cabinet. We agree that it is highly desirable that similar attitude should be adopted towards Protocol by countries of the British Empire which are Members of the League of Nations. The suggestion, however, to hold the Imperial Conference in London to be attended by Prime Ministers of Dominions as well as of Great Britain in March to discuss question does not appear practicable. Our Parliament has been called for the first week in February. It would be quite impossible for me to be absent from Canada for any length of time during the Session and pressure of legislative duties would also make it difficult for any of the Ministers particularly concerned to be similarly absent.

We would suggest interchange of opinions by cable and post with understanding that, if these means are found inadequate and if other Dominions consider it practicable to attend Conference in London, Canadian Government will be prepared to consider proposal again. *Ends.*

—BYNG.

---

(6) Registration of Treaties under Article 18.

18403

No. 352.

COMMONWEALTH OF AUSTRALIA.

MR. E. J. HARDING to SIR R. R. GARRAN.

DEAR GARRAN, Downing Street, 22nd May, 1924.

I HAVE been asked to write about certain points which have arisen in connexion with the registration of treaties with the League of Nations under Article 18 of the Covenant. The question arises primarily from the fact that the Foreign Office have received from the Secretary-General of the League a certificate of registration of a convention between the Commonwealth of Australia and the Federated Malay States for the exchange of money orders, signed at Kuala Lumpur on the 7th September, 1920, and at Melbourne on the 24th January, 1921.

* No. 341.

2. The question was raised by one of the Colonies not long ago whether postal conventions between different parts of the Empire were to be regarded as falling within the scope of Article 18 of the Covenant, and the reply returned by the Secretary of State, after consultation with the Foreign Office, was that agreements between different parts of the Empire, whether such parts individually are separate Members of the League or not, are not to be regarded as falling within the scope of Article 18, and are therefore not included among the Conventions which would be registered with the League. The Federated Malay States are, of course, not part of His Majesty's Dominions, but they are under His Majesty's protection, and their external relations with foreign countries are in our hands; so that for all international purposes they form part of the British Empire.

3. The Secretary of State would have sent an official despatch to the Governor-General in this sense, but it was thought advisable in the first instance to make private inquiries as to whether the Commonwealth Government had some special reason for registering this particular Convention.

4. Apart from this point, the question has recently arisen what is the most convenient procedure for the registration with the League of any Treaties and Conventions with foreign States especially affecting one of the Dominions.

5. The Foreign Office are anxious that the Treaty Series of Papers laid before Parliament should include such Treaties and Conventions as far as possible, since they attach importance to this Series of Papers being preserved as a complete record of all international agreements of consequence concluded by or on behalf of the various parts of the Empire, and their regular practice has hitherto been to publish such instruments in the Treaty Series and to register them with the League Secretariat as soon as they have been so published. They would be glad to continue this practice and to make the necessary arrangements for the inclusion of instruments particularly affecting Australia amongst those which they communicate themselves to the League Secretariat for registration, if this course would be of convenience to the Commonwealth Government. I may mention that this question was recently raised with the Canadian Government in connexion with the registration of the Italo-Canadian Commercial Convention, copies of which were enclosed in the Secretary of State's despatch Dominions No. 114 of the 12th March,* and the Canadian Government have asked that His Majesty's Government will include the Convention among those which they communicate to the League Secretariat for registration.

6. It had been suggested that we should ask the Commonwealth Government officially for their views on this question, but, having regard to the fact that the Commonwealth Government have themselves registered the Money Order Convention with the Federated Malay States, we should be grateful for your opinion first as to the advisability of our writing officially on the point.

7. I am sending this letter to you partly in your capacity as Commonwealth Secretary at the Imperial Conference, and partly because I am not sure who is now Secretary to the Prime Minister's Department.

Yours sincerely,
E. J. HARDING.

Note.—No reply to this letter had been received up to the end of 1924.

---

(7) Registration under Article 18 of Articles of Agreement for a Treaty between Great Britain and Ireland, 6th December, 1921.

31986

No. 353.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7th July, 1924.)

[*Answered by No.* 356.]

(No. 258.)

SIR, Vice Regal Lodge, Dublin, 5th July, 1924.

I HAVE the honour to inform you that in conformity with Article 18 of the Covenant of the League of Nations my Ministers have instructed their represen-

* 10634/24: not printed; it enclosed copies of the Convention (Treaty Series 1924, No. 10).

tative at Geneva to deposit for registration the Treaty concluded on the 6th December, 1921, between Ireland and Great Britain.

I have, &c.,
T. M. HEALY.

39674

No. 354.

FOREIGN OFFICE to COLONIAL OFFICE.

[Answered by No. 357.]

SIR, Foreign Office, S.W.1, 19th August, 1924.

I AM directed by Mr. Secretary Ramsay MacDonald to transmit, herewith, a copy of a letter from the Secretary-General of the League of Nations stating that the Government of the Irish Free State have communicated to him, for the purpose of registration, the Treaty concluded between Great Britain and Ireland on the 6th December, 1921, and that the Treaty has been registered under the terms of Article 18 of the Covenant of the League.

2. Mr. Ramsay MacDonald understands that the matter is already engaging the attention of the Secretary of State for the Colonies. He will be glad if Mr. Thomas's views as to the desirability of a reply to the Secretary-General, and the terms of any such reply may be communicated to him in due course.

I am, &c.,
G. H. VILLIERS.

Enclosure in No. 354.

(W 5958/5958/98.)
(No. 17/37039/37039.)

THE Secretary-General of the League of Nations has the honour to inform His Britannic Majesty's Government that the Representative of the Irish Free State, accredited to the League of Nations, has presented to him on behalf of his Government, for the purpose of registration, the Treaty concluded between Great Britain and Ireland on the 6th December, 1921.

Under the terms of Article 18 of the Covenant of the League of Nations, the above-mentioned Treaty was registered with the Secretariat on 11th July, 1924, and will be published in the League's "Treaty Series" as soon as possible.

A certificate of registration will be forwarded to His Britannic Majesty's Government in due course.

Geneva, 11th July, 1924.

The Secretary of State for Foreign Affairs,
Foreign Office, London, S.W.1.

38939

No. 355.

MEMORANDUM ON THE REGISTRATION OF THE IRISH "TREATY" WITH THE LEAGUE OF NATIONS.

A DESPATCH from the Governor-General of the Irish Free State was received on the 7th of July* stating that in conformity with Article 18 of the Covenant of the League of Nations his Ministers had instructed their representative at Geneva to deposit for registration the Treaty concluded on the 6th December, 1921, between Ireland and Great Britain. Intimation has since been received that the Treaty was registered by the Secretariat on the 11th July.

Article 18 of the Covenant of the League is as follows:—

> "Every treaty or international engagement entered into hereafter by any member of the League shall be forthwith registered with the Secretariat, and shall as soon as possible be published by it. No such treaty or international engagement shall be binding until so registered."

---

* No. 353.

No doubt one of the chief objects of the Free State Government's action was to enable them, if they should at any time think it expedient to do so, to bring the Boundary question before the League and possibly the Permanent Court of International Justice. It seems, however, to be destructive of the Empire to allow any question relating to the interpretation of the Articles of Agreement to be dealt with by the League as though it were a question arising between two independent and sovereign states. It has indeed always been the view of His Majesty's Government that the Covenant of the League is not intended to regulate the relations between the various parts of the British Empire which are members of the League.

It became necessary to consider what protest should be made against the registration of the Articles of Agreement and at what time.

The matter was submitted to the Secretary of State before he left for South Africa. On the one hand, Mr. Thomas was extremely anxious to do nothing which would tend further to excite political feeling in the Irish Free State, before the Boundary Commission Bill is passed. On the other hand, he felt that it was impossible to let the episode pass wholly *sub silentio*, as to do so might affect the whole constitutional position of the various parts of the British Empire in relation to the League.

Mr. Thomas therefore decided to instruct the Assistant Secretary in charge of the Irish Branch (who was visiting Dublin on other business) to explain personally to Mr. Cosgrave the position and the attitude of His Majesty's Government.

The correspondence annexed results from this interview and shows some misunderstanding on the part of President Cosgrave. The question of the registration of the Articles of Agreement may arise at Geneva, or attention may be drawn to it in the press.

It may be added that the Commonwealth Government recently took action which might conceivably be quoted as a precedent in registering with the League postal agreements with the Federated Malay States and Nauru. This action was probably *per incuriam*, and the attention of the Commonwealth authorities has been drawn to the matter privately.*

H. L.

22nd August, 1924.

Correspondence enclosed:—
From Mr. Whiskard to Mr. Cosgrave, 13th August.
From Mr. Cosgrave to Mr. Whiskard, 14th August.
From Mr. Whiskard to Mr. Cosgrave, 22nd August.

Enclosure 1 in No. 355.

DEAR MR. PRESIDENT, Downing Street, 13th August, 1924.

ALTHOUGH it was, I think, agreed that no formal despatches on the subject should be sent at present, it will probably be well to place on record in this informal way that the question of the registration of the Treaty with the League of Nations was mentioned at our interview last week. I then informed you, by direction of the Secretary of State, that inasmuch as the action of the Irish Free State Government raised questions of very great constitutional importance as to the relations between the component parts of the Empire, he thought that His Majesty's Government would feel bound, in order to make their own position clear, to inform the Secretariat of the League that they did not agree that the Treaty was an instrument proper to be registered under Article 18 of the Covenant.

I understood you to take the view that, in these circumstances, the matter was one which ought to be considered by the Imperial Conference; and I understood you further to agree that, for the present, the matter should, if possible, be left in abeyance.

I am placing this letter on confidential record at the Colonial Office, and will show it to the Secretary of State on his return so that he may be aware of what passed between us and of your desire that the subject should be noted for consideration at the next Imperial Conference.

Yours sincerely,
G. G. WHISKARD.

W. T. Cosgrave, Esq., T.D.

---

* No. 352.

[31986]

Enclosure 2 in No. 355.

The President's Office, Upper Merrion Street, Dublin,
14th August, 1924.

DEAR MR. WHISKARD,

I HAVE your letter of the 13th. I must say that it surprised me very much indeed. I understood you to say to me that there was no objection and would be none to the Registration of the Treaty, but that a formal communication to this effect was not a matter which the Secretary of State would like to send. I may say that if I were to have inferred from you that there was a likelihood of objection to Registration I would not have undertaken the responsibility of moving the first reading of the Bill on Tuesday.

Up to date of Mr. Henderson's and Mr. Thomas's visit we had understood that the Treaty was duly registered without objection.

In accordance with Article 18 of the Covenant it was obviously our duty to register the Treaty as the Treaty regulated the relations between two States members of the League. We accordingly submitted the Treaty for registration as we informed you on the 5th July, and we are informed the Treaty was duly registered on the 11th July.

Failure to register might rightly have been regarded as a breach of the Covenant.

I understood that I pointed out to you how much this matter affected us here, that the Treaty was a matter between two nations, and as such was regarded by those who supported it.

Yours sincerely,
W. T. COSGRAVE.

Enclosure 3 in No. 355.

c/o Mrs. Lartar, Palling-on-Sea, Norfolk,
22nd August, 1924.

DEAR MR. PRESIDENT,

YOUR letter of the 14th instant as to the registration of the Treaty with the League of Nations has been forwarded to me here; and I hasten to reply to it as well as I can away from the office.

I am much concerned that so considerable a misunderstanding should have arisen between us, and I am at a loss to know how it can have arisen, unless it be due to the fact that the matter was discussed at a moment when there was not much time available, and when, moreover, you had had no warning that it would be raised.

What I intended to say (on the direct instructions of the Secretary of State immediately before he left for South Africa), and what I certainly thought I had said, was this:—

The registration of the Treaty raised constitutional questions of such importance to the Empire that Mr. Thomas felt that he could not take the responsibility of acquiescing in it.

He felt, however, the weight of the political considerations in the Free State—considerations which you emphasized and with which, I think I may fairly say, he fully sympathizes. He therefore did not propose in present circumstances to enter any formal *objection* either to the League or to the Free State: but in order that the standpoint of the British Government might not be prejudiced hereafter, he thought it would be necessary to inform the League, without giving any reasons, that His Majesty's Government did not agree that the Treaty was a document proper to be registered.

I understood you to acquiesce in this position as leaving the matter open, and meanwhile to agree that, in present circumstances, it was undesirable that any formal despatches should pass between us or that the matter should be raised at the next Assembly of the League.

This is, of course, a very considerable expansion of my letter of the 13th; but that letter was only intended as the barest record of a conversation as to the purport of which I had hoped we were both agreed. I am indeed sorry to learn that this is not so.

My own feeling is that it would be best now for the whole matter to await Mr. Thomas's return—which will be some time before the 30th September. But as it is conceivable that the question might arise at the Assembly of the League, I

think I should add that, as I understand it, the British Government have consistently taken the view that neither the Covenant of the League of Nations nor Conventions negotiated under the auspices of the League are to be regarded as regulating the internal relations between the various parts of the British Empire. In fact, a provision designed to make this clear has been inserted in a number of such Conventions. (This has, if I remember rightly, been explained to the Free State Government in an official despatch from the Secretary of State some time in the early part of this year.) If therefore the question should arise at the Assembly, I am sure that the British representatives would feel compelled to adopt this attitude, though, as I mentioned at our interview, the view taken in London was that any public discussion of the matter at Geneva would be unfortunate.

Yours sincerely,
G. G. WHISKARD.

W. T. Cosgrave, Esq., T.D.

45639

No. 356.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 360.]

(No. 628.)

SIR,

Downing Street, 4th November, 1924.

I HAVE the honour to request Your Excellency to inform your Ministers that His Majesty's Government have had under consideration your despatch No. 258 of 5th July* notifying that, in conformity with Article 18 of the Covenant of the League of Nations, your Ministers had instructed their representative at Geneva to deposit for registration the Treaty concluded on the 6th of December, 1921, between Ireland and Great Britain.

2. Since the Covenant of the League of Nations came into force, His Majesty's Government have consistently taken the view that neither it, nor any Conventions concluded under the auspices of the League, are intended to govern the relations *inter se* of the various parts of the British Commonwealth. His Majesty's Government consider, therefore, that the terms of Article 18 of the Covenant are not applicable to the Articles of Agreement of 6th December, 1921, and are informing the Secretary-General of the League of Nations accordingly.

3. His Majesty's Government are communicating a copy of your despatch and of this reply to the Governments of Canada, the Commonwealth of Australia, New Zealand, the Union of South Africa and India.

I have, &c.,
J. H. THOMAS.

45639

No. 357.

COLONIAL OFFICE to FOREIGN OFFICE.

SIR,

Downing Street, 4th November, 1924.

WITH reference to your letter of the 19th August,† I am directed by the Secretary of State for the Colonies to transmit to you, to be laid before the Secretary of State for Foreign Affairs, a copy of despatches‡ exchanged with the Governor-General of the Irish Free State, in regard to the registration with the Secretariat of the League of Nations, at the instance of the Irish Free State Government, of the Articles of Agreement for a Treaty between Great Britain and Ireland, signed in London on the 6th December, 1921.

2. The concurrence of the Prime Minister was obtained in the terms of Mr. Thomas's despatch.

I am, &c.,
C. T. DAVIS.

---

* No. 353. † No. 354. ‡ Nos. 353 and 356.

45639

No. 358.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL.

(Canada. No. 480.)
(Commonwealth of Australia. No. 396.)
(New Zealand. No. 208.)
(Union of South Africa. No. 351.)

[MY LORD,] [SIR,] Downing Street, 6th November, 1924.

I HAVE the honour to transmit to Your Excellency, to be laid before your Ministers, a copy of despatches* exchanged with the Governor-General of the Irish Free State in regard to the registration with the Secretariat of the League of Nations, at the instance of the Irish Free State Government, of the Articles of Agreement for a Treaty between Great Britain and Ireland signed in London on the 6th December, 1921.

I have, &c.,
J. H. THOMAS.

1212

No. 359.

LEAGUE OF NATIONS to FOREIGN OFFICE.

(Received in Colonial Office, 9th Janauary, 1925.)

(C. 761. M. 261. 1924. V.)

(Communicated to the Members of the League.)

Geneva, 8th December, 1924.

REGISTRATION OF TREATIES.

Note by the Secretary-General.

THE Secretary-General has the honour to forward, for the information of the Members of the League of Nations, the following letter from the British Government.

Enclosure in No. 359.

To the Secretary-General.

SIR, Foreign Office, 27th November, 1924.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your communication of the 11th July last,† to the effect that at the request of the representative of the Irish Free State at Geneva "the Treaty concluded between Great Britain and Ireland on the 6th December, 1921,"‡ was registered on the 11th July with the Secretariat of the League of Nations.

2. Since the Covenant of the League of Nations came into force, His Majesty's Government have consistently taken the view that neither it, nor any Conventions concluded under the auspices of the League, are intended to govern the relations *inter se* of the various parts of the British Commonwealth. His Majesty's Government consider, therefore, that the terms of Article 18 of the Covenant are not applicable to the articles of agreement of 6th December, 1921.

ALEXANDER CADOGAN.

58941

No. 360.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 17th December, 1924.)

(No. 462.)

SIR, Vice Regal Lodge, Dublin, 16th December, 1924.

I HAVE the honour to refer to Mr. Thomas's despatch No. 628 of the 4th ultimo§ relative to the registration of the Treaty at the Secretariat of the League

* Nos. 353 and 356. † Enclosure in No. 354. ‡ See Treaty Series, Vol. XXVI, No. 730. § No. 356.

of Nations, and to state that Article 18 of the Convention of the League clearly imposes upon States' Members of the League an obligation to deposit for registration all Treaties and International engagements entered into by them.

2. Inasmuch as the Irish Free State is a member of the League and as the Treaty is the basis of the relations existing between the Irish Free State and the remaining members of the Commonwealth—also States Members of the League—my Ministers were and are convinced that, in pursuance of Article 18 of the Covenant, it was eminently their duty to deposit the Treaty for registration. Action to this effect was accordingly taken and the Treaty was duly registered on the 11th July of the present year.

3. As a condition of admission to membership of the League the Irish Free State gave guarantees of its sincere intention to observe its international obligations and to carry out all the obligations involved in membership of the League. In the opinion of my Ministers the view, expressed on behalf of the British Government in the despatch under reply, that the terms of Article 18 of the Covenant are not applicable to the Treaty, constitutes a disavowal of that Article of the Covenant and would, if accepted by my Ministers, involve a repudiation of their guarantees. My Ministers are, therefore, unable to accept that view.

I have, &c.,
T. M. HEALY.

58690

No. 361.

HOUSE OF COMMONS.

(17th December, 1924.)

IRISH FREE STATE AND LEAGUE OF NATIONS.

MR. ROSE asked the Secretary of State for Foreign Affairs why the British Government has given notice to the Secretariat of the League of Nations stating that matters affecting the Irish Free State are not in their opinion within the ambit of the League's authority; will he state the reasons which actuated His Majesty's Government in arriving at such a decision; whether any intimation of the Government's view has been circulated to the Governments which are members of the League; and what replies, if any, have been received?

MR. CHAMBERLAIN: His Majesty's Government have made no such statement. They have, however, informed the Secretary-General of the League of Nations that, in their opinion, the terms of Article 18 of the Covenant are not applicable to the articles of agreement for a Treaty between Great Britain and Ireland signed on the 6th December, 1921. The ground for this action as stated in the letter addressed by His Majesty's Government to the Secretary-General was that since the Covenant came into force His Majesty's Government have consistently taken the view that neither it, nor any Conventions concluded under the auspices of the League, are intended to govern the relations *inter se* of the various parts of the British Commonwealth. The letter from His Majesty's Government to the Secretary-General has been circulated to members of the League in the usual manner.

1212

No. 362.

LEAGUE OF NATIONS to FOREIGN OFFICE.

(Received in Colonial Office, 9th January, 1925.)

(C. 770 M. 272 1924.)

(Communicated to the Council and the Members of the League.)

Geneva, 23rd December, 1924.

REGISTRATION OF THE TREATY OF 6TH DECEMBER, 1921, BETWEEN GREAT BRITAIN AND IRELAND.

COMMUNICATION FROM THE GOVERNMENT OF THE IRISH FREE STATE.

Note by the Secretary-General.

THE following letter from the representative of the Irish Free State accredited to the League of Nations, enclosing a communication from the Government of the Irish Free State, is circulated to the Members of the League.

Enclosure in No. 362.

To the Secretary-General.

SIR, Geneva, 22nd December, 1924.

I AM directed by the Minister of External Affairs to present you with the enclosed communication, and to ask that you will be good enough to have it circulated to the Members of the League of Nations as early as possible.

I have, &c.,
M. MACWHITE.

IRISH FREE STATE.

SIR, Ministry of Foreign Affairs, 18th December, 1924.

I AM directed by the Minister for External Affairs to acknowledge the receipt of your communication of the 8th instant, enclosing copy of the letter addressed to you by the British Government concerning the Registration of the Treaty concluded between Great Britain and Ireland on the 6th December, 1921.

The Government of the Irish Free State cannot see that any useful purpose would be served by the initiation of a controversy as to the intentions of any individual signatory to the Covenant. The obligations contained in Article 18 are, in their opinion, imposed in the most specific terms on every member of the League and they are unable to accept the contention that the clear and unequivocal language of that Article is susceptible of any interpretation compatible with the limitation which the British Government now seek to read into it.

They accordingly dissent from the view expressed by the British Government that the terms of Article 18 are not applicable to the Treaty of 6th December, 1921.

I have, &c.,
J. P. WALSHE,
Secretary.

Attached 58941

No. 363.

MEMORANDUM ON THE REGISTRATION OF THE "ARTICLES OF AGREEMENT" OF 6TH DECEMBER, 1921, BY THE IRISH FREE STATE UNDER ARTICLE 18 OF THE COVENANT OF THE LEAGUE OF NATIONS.

THE following considerations bear on what may be called the formal side of the question raised by the Irish Free State Government:—

(1) If the Articles of Agreement come within the terms of Article 18 of the Covenant, it would appear, in view of the express terms of that Article, that the Articles of Agreement were not binding either upon Great Britain or upon the Irish Free State prior to 11th July last. His Majesty's Government have certainly never so regarded the Articles of Agreement; on the contrary, they have always regarded them as binding upon them in the fullest sense since they were given the force of law by the Irish Free State (Agreement) Act, 1922. That the Government of the Free State have regarded them as equally binding from the first has been repeatedly shown not only by their public statements but by their actions.

(2) If the Articles of Agreement are a "Treaty or International Engagement" within the meaning of Article 18 of the Covenant, it would have been the duty of the British Government to have registered them in December, 1921, the more so as at that date the Irish Free State, which was not then recognizable as a self-governing Dominion (see (3) *infra*) was incapable of doing so. The fact that the British Government did not then or subsequently register the Articles of Agreement is evidence that the view expressed in Mr. Thomas's despatch of 4th November,* namely, that neither the Covenant of the League nor any Conventions concluded under the auspices of the League, are intended to govern the relations *inter se* of the various parts of the British Commonwealth, is not a view invented to meet the situation created by the action of the Free State Government, but is one which was previously held by His Majesty's Government.

* No. 356.

In fact that view was enunciated even before December, 1921. Early in that year the question arose in connexion with the League of Nations Conference on Transit and Communications at Barcelona how best to indicate, in technical Conventions of the kind negotiated at that Conference, that the internal relations between different parts of the British Empire were not to be regarded as regulated by the terms of the Conventions. After a good deal of discussion, the question was settled by the insertion of the following clause in the Conventions relating to Freedom of Transit (Treaty Series 27 of 1923) and the régime of Navigable Waterways (Treaty Series 29 of 1923):—

> "It is understood that this Statute must not be interpreted as regulating in any way rights and obligations *inter se* of territories forming part or placed under the protection of the same sovereign State, whether or not these territories are individually members of the League of Nations."

The same Article appears in the Customs Formalities Convention negotiated at Geneva in October and November, 1923, and in the Conventions relating to railways, maritime ports, electric power and hydraulic power negotiated at the Conference on Transit and Communications held at Geneva in the autumn of 1923.

The insertion of the same or a similar Article has been considered in connexion with other Conventions (*e.g.*, that on Workmen's Compensation, negotiated at the International Labour Conference, 1924), but on the occasion of the latter Convention it was thought unnecessary to insist on the Article, and it does not appear in other Conventions, such as that on the Traffic in Women and Children (Treaty Series 26 of 1923) and on Obscene Publications. The main question to be considered in each case is whether the Convention simply contains provisions of an administrative character, or whether it may lead to arbitration or judicial decisions, *e.g.*, a reference to the Permanent Court of International Justice.

It may be added that an explanation of the interpretation of the Article in question has already been given to the Irish Free State in Mr. Thomas's despatch of the 27th March, 1924,* on the Customs Formalities Convention in the following terms:—

> "The inclusion of the Article to which your Ministers refer in international instruments negotiated under the auspices of the League of Nations is designed to make it clear that the internal relations between the various parts of the British Empire are not intended to be regulated by the terms of such instruments."

(3) The Articles of Agreement are not in themselves the fundamental instrument on which the existence of the Irish Free State is based. At the date of the signature of those Articles, and for some months thereafter, the Irish Free State had no *de jure* existence, and was neither recognized, nor capable of recognition, internationally as a self-governing Dominion. That status was created not by the Articles of Agreement but by the Irish Free State (Agreement) Act, 1922, which was passed on 31st March, 1922, by the Parliament of the United Kingdom of Great Britain and Ireland, which up to that date alone possessed internationally recognized legislative authority over the area which is now the Irish Free State.

That the Articles of Agreement were not valid in themselves but required legislation by the British Parliament to constitute the Free State is shown by No. 18 of the Articles themselves, which requires in terms that they shall be ratified "by the necessary legislation;" and that it was this legislation, and not the Articles of Agreement, which rendered the Free State eligible for membership of the League of Nations is borne out by the Report of the Sixth Commission of the 1923 Assembly of the League of Nations on the subject of the eligibility of the Free State for admission to the League, in which the Act of 1922 is referred to as "the fundamental law constituting the Irish Free State."

The Governor-General's despatch of 16th December, 1924,† raises, however, wider issues. It refers to the "relations between the Irish Free State and the remaining members of the Commonwealth—also States members of the League" as being based on the Articles of Agreement of December, 1921, and it seems necessary to examine this phraseology and its implications.

The words in Annex I to the Covenant of the League of Nations which set out the position of the British Commonwealth as regards membership are as follows:—

* No. 375. † No. 360.

British Empire—
Canada.
Australia.
South Africa.
New Zealand.
India.

As the Irish Free State became a member of the League, as a self-governing Dominion, in 1923, if the list of members in Annex I were to be reprinted so as to show the membership now existing, presumably the Irish Free State would appear after New Zealand, or possibly India. It is understood that there are no records to show how the words in this Annex relating to the British Commonwealth came to be adopted, but presumably they were designed to follow, as far as possible, the arrangements for representation of the British Empire at the Paris Peace Conference.

As they stand, the words seem to contemplate

(*a*) Membership of the League by the British Empire as a whole, and

(*b*) in addition, individual membership of the Dominions and India.

If this interpretation is correct, it follows that the United Kingdom is not itself a separate member of the League. The phraseology employed in the Irish Free State despatch quoted above, seems, accordingly, based on a misunderstanding of the position.

Assuming, however, that the exact meaning of the words in the Covenant is not insisted upon, and it is, of course, the fact that the words have been variously interpreted at different times since the Covenant came into force, and that for the practical purposes of the League the words "British Empire" are often treated as though they meant "United Kingdom," it remains to be considered what would be the result if it could be successfully maintained that the Covenant, and international agreements generally, signed and ratified on behalf of all or any of the Governments of the Empire, were binding as between those Governments.

In effect, the result would seem to be that the various parts of the British Empire would be held internationally to stand in relation to one another in the same position as the whole Empire, and to some extent the various parts of it, now stand in relation to foreign countries.

The following examples will show how such a situation would work out:—

(*a*) In matters of war and peace, the British Empire has, so far, been always treated internationally as a unit. If one part of the Empire is at war, the whole is held to be at war.*

But the Covenant of the League, and still more the Geneva Protocol of 1924, contain clauses regarding sanctions of an economic and military nature, to be directed in certain circumstances by members against one another, which, if deemed to be applicable as between the various parts of the British Empire *inter se*, could only result in the position that parts of the Empire might simultaneously be held to be:—

(1) From the international point of view at war against one another;

(2) From the Imperial point of view at war on behalf of one another.

(*b*) In the judicial sphere, the doctrine that the various parts of the British Empire were bound *inter se* by the provisions of the Covenant, and possibly the Geneva Protocol (should it ever come into force) would mean that the whole machinery of Council, Assembly, and Permanent Court of International Justice would be held applicable in the event of disputes between one part and another.

The Irish Free State might, indeed, welcome this as a means of settlement of the Boundary question; but how would the doctrine be viewed by, say, the Union of South Africa when it was realized that one of its effects might be to enable India to bring before the Assembly or the Council, under Article 11 of the Covenant, the question of Indian immigration into South Africa as a circumstance "threatening to disturb international peace."

(*c*) In the matter of commercial relations, the system of Imperial Preference is founded on the theory that, whilst His Majesty's Government and the Dominion Governments are each free to make such fiscal arrangements as they like with foreign countries, these arrangements, so long as they do not concede "national" treatment to foreign imports, do not operate to give to foreign countries the benefit of any special arrangements made with other parts of the Empire.

* That the correctness of this is admitted, even by the Irish Free State, would appear to be implied by Article XLIX of the Constitution.

It was because the Treaties with Belgium and Germany of 1862 and 1865 respectively included Articles giving "national" treatment in the Dominions to Belgian and German goods, that they were denounced in 1897 by His Majesty's Government on the ground that these Articles were inconsistent with the internal fiscal arrangements of the British Empire. Again, when, at the end of the War, the Belgian Government asked His Majesty's Government to concede to Belgian goods the benefits of any preferential tariff in force in the United Kingdom, His Majesty's Government declined on the ground that it would be impossible for them to comply with the request "without detriment to the whole inter-Imperial principle involved."

If, however, the Dominions and the United Kingdom were held to be, in relation to one another, in the same position as foreign countries are in relation to any of them, it would be necessary for the Governments concerned either to put an end altogether to special concessions to other parts of the Empire, or to extend the benefits of such concessions to any country entitled to "most-favoured-nation" treatment.

(*d*) It would seem difficult, if not impossible, to maintain the principle of the diplomatic unity of the British Empire in connexion with the representation of His Majesty at foreign capitals should it be held that the Dominions and the United Kingdom were for practical purposes independent nations. Yet this is a principle which the various Governments from time to time have declared to be of first-class importance.

Thus in the agreed public announcement made in Parliament here and in Canada in 1920, at the time when the appointment of a Canadian Minister at Washington had been settled between His Majesty's Government and the Canadian Government, it was stated:—

> "This new arrangement will not denote any departure, either on the part of the British Government or of the Canadian Government, from the principle of diplomatic unity of the British Empire."

When the arrangements for an Irish Free State Minister at Washington were under discussion early in 1924, the Commonwealth Government expressed the view that the new appointment proposed might lead to consequences having a serious effect on the principle of the diplomatic unity of the Empire. The Prime Minister of New Zealand recorded the view that it was "essential that all territories of the Crown should be united in their relations to foreign powers," and the belief that "union can only be maintained by a single representative of the Crown in every foreign capital."

His Majesty's Government stated to the Irish Free State Government that they assumed that it was the latter's intention that the appointment of a Minister at Washington should not denote any departure from the principle of the diplomatic unity of the British Empire. The Irish Free State Government replied that they did not apprehend that "the principle of diplomatic unity in the Commonwealth will be affected." The announcement made to the United States Government intimated that "the arrangements proposed by His Majesty's Government would not denote any departure from the principle of the diplomatic unity of the Empire."

(*e*) An illustration of the diplomatic unity of the British Empire as it now exists is found in the protection accorded by His Majesty's Representatives at foreign capitals to all British subjects irrespective of the part of the Empire with which they are connected; another illustration is found in the wording of Commercial Treaties negotiated on behalf of His Majesty's Government with foreign Governments whereby personal rights are secured for all British subjects in the foreign countries concerned.

It would seem difficult, if not impossible, to maintain the present practice in these respects, which depends on the principle of a common Imperial nationality, should the Dominions henceforward be treated as separate nations in relation to foreign countries. Yet the principle in question was described at the Imperial Conference of 1923, on behalf of His Majesty's Government, as "vital," and Imperial nationality as "one and indivisable."

Generally speaking, it seems not too much to say that the effect of acceptance of the doctrine put forward by the Irish Free State would be to destroy the whole conception of the British Empire as it is now understood.

(8) Protocol concerning Arbitration Clauses in Commercial Agreements.

(*Treaty Series* 1925, *No.* 4.)

40133

No. 364.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 356.) — Dominions No. 418.)

[My Lord,] [Sir,] Downing Street, 29th August, 1924.

[*To Newfoundland and Southern Rhodesia only:* With reference to my predecessor's despatch No. [129] [53] of the 16th of November, 1923,*] (*to all*) I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of the Arbitration Clauses (Protocol) Act, 1924† (14 and 15 Geo. V, Ch. 39).

I have, &c.,
(for the Secretary of State)
ARNOLD.

43031

No. 365.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

[*Answered by No.* 367.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 399.) — Dominions No. 459.)

[My Lord,] [Sir,] Downing Street, 16th September, 1924.

With reference to my despatch [Dominions No. 418] [No. 356] of the 29th of August,‡ I have the honour to request [Your Excellency] [you] to inform your Ministers that His Majesty's Government propose to advise His Majesty to ratify forthwith, on behalf of Great Britain and Northern Ireland, the Protocol concerning Arbitration Clauses in Commercial Agreements, signed at Geneva on the 24th of September, 1923.

[*To Newfoundland and Southern Rhodesia only:* 2. I should be glad to learn whether your Ministers desire that notification of adhesion under Article VIII of the Protocol should be made on behalf of [Newfoundland.] [Southern Rhodesia.]

3. I enclose copies of communications§ from the League of Nations, dated the 12th of June, the 1st and the 23rd of August, notifying the adhesion of Denmark to the Protocol and its ratification by the Finnish Republic and Italy respectively.]

I have, &c.,
(for the Secretary of State),
ARNOLD.

* No. 246 in Dominions No. 88. † Not printed here. ‡ No. 364. § Not printed; their purport was as stated in the despatch.

47909

No. 366.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 450.) — Dominions No. 508.)

[My Lord,] [Sir,] Downing Street, 24th October, 1924.

With reference to my despatch [*Not to Southern Rhodesia:* Dominions No. 459] [*To Southern Rhodesia:* No. 399] of the 16th of September,* I have the honour to request [Your Excellency] [you] to inform your Ministers that His Majesty's ratification of the Protocol concerning Arbitration Clauses was deposited with the Secretary-General of the League of Nations on the 27th of September.

I have, &c.,
J. H. THOMAS.

56362

No. 367.

SOUTHERN RHODESIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 1st December, 1924.)

(No. 341.)

Sir, Governor's Office, Salisbury (Rhodesia), 7th November, 1924.

I have the honour to refer to your despatch No. 399 of the 16th September* notifying that His Majesty's Government propose to advise His Majesty to ratify forthwith, on behalf of Great Britain and Northern Ireland the Protocol concerning Arbitration Clauses in Commercial Agreements, signed at Geneva on the 24th of September, 1923.

My Ministers desire that notification of adhesion under Article 8 of the Protocol may be made on behalf of Southern Rhodesia.

I have, &c.,
J. R. CHANCELLOR,
Governor.

(9) Customs Formalities Convention.

(*Treaty Series* 1925, *No.* 14.)

60439

No. 368.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

[*Answered by Nos.* 370, 374, 380, 382, 386, 387 *and* 388.]

(Canada. No. 37.)
(Commonwealth of Australia. No. 31.)
(New Zealand. No. 21.)
(Irish Free State. No. 45.)

[My Lord,] [Sir,] Downing Street, 19th January, 1924.

I have the honour to invite reference to the International Convention relating to the Simplification of Customs Formalities and the Protocol thereto, contained in

* No. 365.

League of Nations paper C.D.I.96 (1) 193, a copy of which was forwarded to the Members of the League of Nations in a letter from the Secretary-General C.L.131, 1923, V, of the 28th November. The Convention was negotiated at an International Conference in Geneva, at which [*To Canada only:* Canada was represented by the Hon. P. Roy.] [*To Australia only:* the Commonwealth of Australia was represented by Mr. C. A. B. Campion.] [*To Irish Free State only:* the Irish Free State was represented by Mr. C. J. Flynn.] [*To New Zealand only:* Mr. C. A. B. Campion, the representative of the Commonwealth of Australia, acted as observer on behalf of New Zealand.]

2. It is contemplated that the Convention should in due course be ratified by His Majesty, so far as concerns this country, the Colonies not possessing responsible Government, and British Protectorates. The position of Newfoundland, Southern Rhodesia and the Territories mandated to Great Britain is under consideration. It would be convenient to His Majesty's Government to learn, before the instrument of ratification is prepared, whether Your Excellency's Ministers desire that the Convention (with the Protocol) should be also ratified on behalf of [Canada,] [the Commonwealth of Australia,] [New Zealand,] [the Irish Free State,] and, if so, what arrangements they contemplate for its signature. [*Not to Irish Free State:* I should be obliged if your Ministers' views could be communicated by telegraph.]

[*To Australia and New Zealand only:* 3. It will be observed that Article 29 of the Convention provides that any State signing the Convention may declare, at the moment of signature or ratification, that its acceptance does not include any or all of its Colonies, Overseas Possessions, Protectorates, or Overseas Territories under its sovereignty or authority. In the event of your Ministers deciding to participate in the Convention but desiring that [Papua, Norfolk Island and the Mandated Territory of New Guinea] [Western Samoa] should be excluded, a decision would be necessary on the question whether a declaration under the Article should be made at the time of signature or postponed until ratification.]

[*To Australia only:* 4. The position of Nauru will also need consideration, and I shall be glad of your Ministers' observations as to the application of the Convention and Protocol to it.]

[*To Irish Free State only:* 3. Similar despatches are being sent to the other self-governing Dominions concerned.]

I have, &c.,
DEVONSHIRE.

60439

No. 369.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE ACTING GOVERNOR-GENERAL.

[*Answered by No.* 372.]

(No. 25.)

SIR, Downing Street, 19th January, 1924.

I HAVE the honour to invite reference to the International Convention relating to the Simplification of Customs Formalities and the Protocol thereto contained in League of Nations paper C.D.I. 96 (1) 193, a copy of which was forwarded to the Members of the League of Nations in a letter from the Secretary-General C.L. 131, 193, V, of the 28th November.

2. The Convention (with the Protocol) was signed on behalf of the Union of South Africa by Sir H. Llewellyn-Smith, and I should be glad to learn whether Your Excellency's Ministers would desire that it should be ratified on behalf of the Union. It would be convenient if your Ministers' decision could be communicated by telegraph.

3. It will be observed that Article 29 of the Convention provides that any State signing the Convention may declare, at the moment of signature or ratification, that its acceptance does not include any or all of its Colonies, Overseas Possessions, Protectorates or Overseas Territories under its sovereignty or authority. If your Ministers concur in ratification of the Convention, I should be glad to learn whether they would desire any such declaration to be made in respect of South-West Africa at the time of His Majesty's ratification.

I have, &c.,
DEVONSHIRE.

5621

No. 370.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5th February, 1924.)

[*Answered by No.* 375.]

(No. 43.)

SIR, Vice Regal Lodge, Dublin, 2nd February, 1924.

I HAVE the honour to refer to the Duke of Devonshire's despatch No. 45 of the 19th January* relating to the International Convention for the Simplification of Customs Formalities and the Protocol thereto.

2. My Ministers will be obliged if you can inform them at an early date of the exact interpretation of Article 21 of the Convention.

I have, &c.,
T. M. HEALY.

8169

No. 371.

SOUTHERN RHODESIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 19th February, 1924.)

(No. 27.)

SIR, Governor's Office, Salisbury (Rhodesia), 25th January, 1924.

I HAVE the honour to refer to the Duke of Devonshire's despatch No. 102 of the 6th December last† transmitting a copy of the Convention drawn up at the International Conference on Customs and other similar Formalities, held at Geneva during October and November, 1923, together with the Protocol to the Convention and the Final Act of the Conference.

2. I am informed by my Ministers that they have no objection to the acceptance of the Convention, and they ask me to inform you that a declaration under Article 29 excluding Southern Rhodesia is not desired.

I have, &c.,
J. R. CHANCELLOR,
Governor.

11007

No. 372.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 12.7 a.m., 7th March, 1924.)

TELEGRAM.

6TH MARCH. Your despatch of the 19th January, No. 25.‡ Ratification of the Customs Formalities Convention. Ministers state that they instructed the High Commissioner in London on the 1st February to ratify the Convention and Protocols on behalf of the Government of the Union of South Africa and Mandated Territory of South-West Africa.—ATHLONE.

12210

No. 373.

UNION OF SOUTH AFRICA.

OFFICE OF THE HIGH COMMISSIONER to THE SECRETARY OF STATE.

SIR, Trafalgar Square, London, W.C.2, 13th March, 1924.

I AM directed by the High Commissioner to refer to the International Convention for the Simplification of Customs Formalities, dated 3rd November, 1923,

* No. 368. † No. 247 in Dominions No. 88. ‡ No. 369.

and the Protocol bearing the same date which is to be regarded as forming an integral part of the Convention, drawn up by the International Conference which met at Geneva in October last under the auspices of the League of Nations. These documents were signed on behalf of the Union of South Africa by Sir Hubert Llewellyn Smith, and as his Government has now agreed to ratification of the Convention the High Commissioner would be grateful if the Secretary of State would kindly take the necessary action for this to be effected on behalf of the Union Government.

I am to add that ratification on behalf of the Union of South Africa should include the territory of South-West Africa.

I am, &c.,
R. A. BLANKENBERG,
Secretary.

13172

No. 374.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.30 a.m., 18th March, 1924.)

TELEGRAM.

18TH MARCH. Your despatch of 19th January, No. 21,* Customs Formalities Convention. My Government desires to adhere to the Convention on behalf of New Zealand and Western Samoa and the High Commissioner will be asked by telegraph to arrange the necessary formalities in consultation with the Colonial Office.—JELLICOE.

5621

No. 375.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Confidential.)

SIR, Downing Street, 27th March, 1924.

I HAVE the honour to acknowledge the receipt of Your Excellency's despatch No. 43 of the 2nd February,† inquiring as to the interpretation of Article 21 of the International Convention for the Simplification of Customs Formalities.

2. The Article in question is modelled on Articles which were included in the Statutes relating to Freedom of Transit negotiated at Barcelona in 1921 (*vide* Treaty Series Papers Nos. 27 and 28 of 1923). The circumstances leading to the inclusion of the Articles in those Statutes were explained in the Report of the British Delegate to the Barcelona Conference, an extract from which is enclosed.‡ Copies of the Report were communicated to the other Dominion Governments at the time.

3. It will be seen from the last paragraph of this extract that the inclusion of the Article to which your Ministers refer in international instruments negotiated under the auspices of the League of Nations, is designed to make it clear that the internal relations between the various parts of the British Empire are not intended to be regulated by the terms of such instruments.

I have, &c.,
J. H. THOMAS.

16262

No. 376.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5th April, 1924.)

[*Answered by No.* 378.]

THE Governor-General of New Zealand presents his compliments to the Secretary of State for the Colonies, and has the honour to request that the Secretary-

* No. 368. † No. 370. ‡ Enclosure in No. 112 in Dominions No. 81

General of the League of Nations may be informed that the Prime Minister has received his letter of the 28th November, 1923 (C.L.131. 1923. V.), covering a certified copy of the Convention, Protocol, and Final Act approved by the International Conference on Customs and other Similar Formalities (Annex C.D.I. 96 (1), 1923).

The Secretary-General's offer of assistance in respect of formalities connected with the signature and ratification of the Convention is much appreciated by the New Zealand Government who desire to adhere to the Convention.

The Prime Minister of New Zealand states that the High Commissioner will be authorized to arrange for formal signature and ratification on behalf of the Government of this Dominion.

Government House,
Wellington,
26th February, 1924.

20192

No. 377.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 11.45 p.m., 26th April, 1924.)

TELEGRAM.

26TH APRIL. Your telegram 22nd February,* Customs Convention. My Government does not desire that Newfoundland should be included.—ALLARDYCE.

19358

No. 378.

NEW ZEALAND.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 75.)

MY LORD, Downing Street, 3rd May, 1924.

I HAVE the honour to acknowledge the receipt of Your Excellency's note of the 26th of February,† and to transmit to you, for the information of your Ministers, the accompanying copy of a letter to the Secretary-General of the League of Nations regarding the signature on behalf of New Zealand of the International Convention for the Simplification of Customs Formalities.

I have, &c.,
J. H. THOMAS.

Enclosure in No. 378.

SIR, Foreign Office, S.W.1, 22nd April, 1924.

I AM directed by Mr. Secretary Ramsay MacDonald, at the instance of the Prime Minister of New Zealand, to inform you that Mr. Massey has received your letter No. C.L.131. 1923. V. of the 28th November last forwarding a certified copy of the Convention, Protocol and Final Act approved by the International Conference on Customs and other Similar Formalities (Annex C.D.I. 96 (1) 1923).

2. Your offer of assistance in respect of formalities connected with the signature and ratification of the Convention is much appreciated by the Government of New Zealand. That Government desire the Convention to be signed on their behalf and are authorizing their High Commissioner in London to arrange for its formal signature on behalf of New Zealand (including Western Samoa).

I am, &c.,
ALEXANDER CADOGAN.

The Secretary-General
of the League of Nations,
Geneva.

---

* 1441/24: not printed; reminder. † No. 376.

22688

No. 379.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 13th May, 1924.)

(No. 43.)

SIR, Government House, St. John's, 25th April, 1924.

I HAVE the honour to acknowledge the receipt of your predecessor's despatch No. 139 of the 7th December, 1923,* on the subject of the Convention drawn up at the International Conference on Customs and other similar Formalities held at Geneva during October and November, 1923.

2. My Ministers desire to point out that while they have adopted the Regulations with regard to Travellers' Baggage and Commercial Travellers' Samples, as well as some other matters set forth in the Convention, there are points in the present Convention which could not be adopted without very great inconvenience and some expense. For these reasons, therefore, my Ministers do not desire that Newfoundland should be included in the said Convention.

I have, &c.,

W. L. ALLARDYCE.

24404

No. 380.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6.35 p.m., 21st May, 1924.)

TELEGRAM.

21ST MAY. Your despatch 19th January 37.† Minute Privy Council approved 17th May to effect that Canada does not adhere to the International Convention relating to Simplification of Customs Formalities. Despatch follows by mail.—BYNG.

25525

No. 381.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 28th May, 1924.)

[*Answered by No.* 383.]

THE Governor-General of New Zealand presents his compliments to the Secretary of State for the Colonies, and has the honour to request that the Secretary-General of the League of Nations, Geneva, may be informed, in reply to his letter (No. C.L. 24, 1924, V.) of the 4th February 1924, addressed to the Prime Minister of New Zealand, that the High Commissioner for New Zealand at London has been asked by telegraph to ratify, on behalf of New Zealand and Western Samoa, the International Convention relating to the Simplification of Customs Formalities.

Government House,
Wellington,
17th April, 1924.

26283

No. 382.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2nd June, 1924.)

(No. 223.)

SIR, Government House, Ottawa, 22nd May, 1924.

WITH reference to the Duke of Devonshire's despatch No. 37 of the 19th January,† on the subject of the ratification by Canada of the International

* No. 247 in Dominions No. 88. † No. 368.

Convention relating to the Simplification of Customs Formalities, I have the honour to transmit, herewith, a copy of the Approved Minute of the Privy Council for Canada, upon which my telegram of the 21st instant* was based.

I have, &c.,

BYNG OF VIMY.

Enclosure in No. 382.

CERTIFIED COPY OF A MINUTE OF A MEETING OF THE COMMITTEE OF THE PRIVY COUNCIL, APPROVED BY HIS EXCELLENCY THE GOVERNOR-GENERAL ON THE 17TH MAY, 1924.

(P.C. 744.)

THE Committee of the Privy Council have had before them a Report, dated 28th April, 1924, from the Secretary of State for External Affairs, with reference to a communication from the Acting Secretary-General of the League of Nations, dated 28th November, 1923, forwarding certain documents in regard to the International Convention relating to the Simplification of Customs Facilities, and stating that the said Convention, the Protocol and the Final Act of the Conference would remain open for signature until the 31st of October, 1924.

The Minister, with the concurrence of the Minister of Customs and Excise, recommends that the above-mentioned Convention (with the Protocol) be not ratified on behalf of Canada for the following, among other reasons:—

1. Generally the Convention appears to be framed to apply to countries situated differently from Canada.

2. Article 10. Commercial Travellers' Samples, Regulations similar to those here stated are at present applied by Canada to the United Kingdom, British Colonies and Possessions and to the several countries accorded most-favoured-nation treatment in tariff matters by Canada.

It is inadvisable to extend such treatment to all countries, some of which would be able to benefit therefrom to an extent out of all proportion to reciprocal benefit to Canada.

3. Article 13. This provision if binding on Canada would complicate the administration of the Canadian Customs Tariff which provides only for Canadian analysis and test where necessary.

4. Article 16. Canada cannot be guided by principles laid down in the annex to this Article applying to goods imported or exported to undergo a manufacturing process, and to apparatus and articles employed for experiments or demonstrations and to samples, packing cases and wrappings, as such principles are entirely contrary to the Canadian Customs Tariff and practice.

The Minister observes that Mr. Philippe Roy, Commissioner-General for Canada in France, attended the Conference as Delegate for Canada but was not authorized to sign the Convention.

The Committee concur in the foregoing and on the recommendation of the Secretary of State for External Affairs, advise that a copy hereof, be forwarded to the Secretary-General of the League of Nations, and to the Right Honourable the Secretary of State for the Colonies, in reply to Colonial Office despatch dated 19th January, 1924.

All of which is respectfully submitted for Your Excellency's approval.

E. J. LEMAIRE,
Clerk of the Privy Council.

25525

No. 383.

NEW ZEALAND.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 384.]

(No. 118.)

MY LORD, Downing Street, 27th June, 1924.

I HAVE the honour to acknowledge the receipt of Your Excellency's official Note of the 17th April† regarding the ratification of the International Convention relating to the Simplification of Customs Formalities.

* No. 380. † No. 381.

2. This Convention is likely to be ratified by His Majesty on behalf of this country at an early date, and it is proposed, in accordance with the procedure followed in the case of the Convention for the Suppression of Obscene Publications (*vide* my telegram of the 23rd April and your reply of the 7th May*), that the instrument of ratification should include ratification on behalf of New Zealand and Western Samoa. It will be made clear to the Secretary-General of the League of Nations when the instrument of ratification is forwarded that it includes ratification on behalf of New Zealand and Western Samoa.

I have, &c.,
J. H. THOMAS.

43955

No. 384.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 16th September, 1924.)

(No. 164.)

SIR, Government House, Wellington, 18th August, 1924.

WITH reference to your despatch No. 118 of the 27th June,† I have the honour to inform you my Ministers have asked me to convey to you their best thanks for arranging to ratify on behalf of New Zealand and Western Samoa the International Convention relating to the Simplification of Customs Formalities.

I have, &c.,
JELLICOE,
Governor-General.

49721

No. 385.

THE SECRETARY OF STATE to THE GOVERNORS.

(Newfoundland. No. 159.)
(Southern Rhodesia. No. 451.)

SIR, Downing Street, 25th October, 1924.

WITH reference to my despatch [Dominions No. 272] [No. 212] of the 19th of June,‡ I have the honour to transmit to you, for the information of your Ministers, the accompanying copy of a letter from the Secretary-General of the League of Nations notifying the ratification by His Majesty of the International Convention relating to the Simplification of Customs Formalities and of the Protocol relating thereto.

I have, &c.,
J. H. THOMAS.

Enclosure in No. 385.

C.L. 125. 1924. V.

LEAGUE OF NATIONS.

INTERNATIONAL CONVENTION RELATING TO THE SIMPLIFICATION OF CUSTOMS FORMALITIES AND PROTOCOL RELATING THERETO, OPENED FOR SIGNATURE AT GENEVA, 3RD NOVEMBER, 1923.

RATIFICATION BY HIS BRITANNIC MAJESTY.

Geneva, 6th September, 1924.

I HAVE the honour to inform you that the Right Honourable the Secretary of State for Foreign Affairs of His Britannic Majesty has transmitted to me the instrument of ratification by His Majesty of the International Convention relating to the simplification of Customs Formalities and of the Protocol relating thereto, opened for signature at Geneva, 3rd November, 1923.

* Nos. 451 and 455. † No. 383. ‡ 25789/24: not printed; it enclosed copies of [Cmd. 2143].

This ratification has been given on behalf of the British Empire, including the Union of South Africa and the Dominion of New Zealand. It is stated in the instrument of ratification that this ratification shall not be deemed to apply in the case of the Dominion of Canada, the Commonwealth of Australia (or any territory under its authority) or the Irish Free State or in the case of India, and that, in pursuance of the power reserved in Article XXIX of the Convention, it shall not be deemed to apply in the case of the Island of Newfoundland or of the territories Irak and Nauru, in respect of which His Britannic Majesty has accepted a mandate. This statement has been made without prejudice, however, to the right of subsequent ratification or accession on behalf of any or all of the above Dominions or territories.

It is further stated that this ratification does not apply to the Sudan.

The instruments of ratifications of this Convention by Denmark and Italy having been deposited on 17th May and 13th June, 1924, respectively, and that of His Britannic Majesty (for the British Empire, including the Union of South Africa and the Dominion of New Zealand) on 29th August, 1924, the entry into force of this Convention and of its Protocol will take place, in accordance with Article XXVI of the Convention, on 27th November, 1924.

I have, &c.,
For the Secretary-General:

Director of the Legal Section.

55698

No. 386.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 11.15 a.m., 27th November, 1924.)

TELEGRAM.

27TH NOVEMBER. YOUR despatch of 19th January, No. 31.* Convention relating to Simplification of Customs Formalities. Order in Council approving ratification passed on 20th August. Further Order in Council passed on 8th October with a view to issue of Letters Patent to the Right Honourable Sir Joseph Cook, High Commissioner for Australia, London, authorizing him to sign on behalf of the Commonwealth Government Convention, Protocol and the Instrument of Ratification, excluding Papua, Norfolk Island, New Guinea and Nauru. Please see my despatches of 6th November and 24th November Nos. 315 and 332.†—FORSTER.

58371

No. 387.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 15th December, 1924.)

(No. 315.)

SIR, Governor-General's Office, Melbourne, 6th November, 1924.

I HAVE the honour, at the instance of my Prime Minister, to inform you that on 20th August, 1924, I, with the advice of the Federal Executive Council, approved of the ratification on behalf of the Commonwealth Government of the International Convention relating to the Simplification of Customs Formalities, negotiated at the League of Nations Conference on Customs and other similar Formalities, held at Geneva in 1923.

On 8th October, 1924, a further Order in Council was passed with a view to the issue by His Majesty the King of Letters Patent to the Right Honourable Sir Joseph Cook, P.C., G.C.M.G., High Commissioner of the Commonwealth in London.

* No. 308. † Nos. 387 and 388.

authorizing him to sign, on behalf of the Commonwealth of Australia, the Convention, Protocol and Instrument of Ratification of the Convention. A copy of the Order is forwarded herewith.

I should be glad if you would be so good as to take the necessary steps to move His Majesty to issue the Letters Patent to Sir Joseph Cook.

My Prime Minister informs me that a notification has been sent to the Secretary-General of the League of Nations that ratification of the Convention on behalf of the Commonwealth of Australia has been authorized; and that Sir Joseph Cook has been furnished with a copy of the Order in Council.

I have, &c.,
FORSTER,
Governor-General.

Enclosure in No. 387.

ORDER.

By His Excellency the Governor-General of the Commonwealth of Australia.

Commonwealth of Australia to wit.
Forster,
Governor-General.

WHEREAS an International Conference on Customs and other similar Formalities was convoked in accordance with resolutions of the Council of the League of Nations and met at Geneva on the fifteenth day of October in the year One thousand nine hundred and twenty-three:

AND WHEREAS the Commonwealth of Australia was represented at the said Conference:

AND WHEREAS an agreement was arrived at by the said Conference and embodied in a Convention known as the International Convention relating to the Simplification of Customs Formalities with Protocol attached:

AND WHEREAS by Article twenty-four of the said Convention it is provided that the Convention is subject to ratification:

AND WHEREAS it is desirable that the said Convention and Protocol and the instrument of ratification should be ratified on behalf of the Commonwealth of Australia:

AND WHEREAS it is expedient to invest a fit and proper person with full powers to sign, on the part of His Majesty the King in respect of the Commonwealth of Australia, the said Convention, Protocol and the instrument of ratification:

NOW THEREFORE, I, Henry William, Baron Forster, the Governor-General aforesaid, acting with the advice of the Federal Executive Council, do hereby order that His Majesty the King be humbly moved to issue letters patent to the Right Honourable Sir Joseph Cook, P.C., G.C.M.G., the High Commissioner of the Commonwealth of Australia in London, authorizing him to sign on behalf of the Commonwealth of Australia, the Convention, Protocol and instrument of ratification of the International Convention relating to the Simplification of Customs Formalities made by the Conference on Customs and other similar Formalities convoked in accordance with the resolutions of the Council of the League of Nations and held at Geneva in the year One thousand nine hundred and twenty-three.

GIVEN under my Hand and the Seal of the Commonwealth at Melbourne, this eighth day of October, in the year of our Lord one thousand nine hundred and twenty-four, and in the fifteenth year of His Majesty's reign.

(L.S.),

By His Excellency's Command.
LL. ATKINSON,
for Prime Minister.

GOD SAVE THE KING.

60368

No. 388.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 29th December, 1924.)

(No. 332.)

Governor-General's Office, Melbourne,
24th November, 1924.

SIR,

WITH reference to the Duke of Devonshire's despatch dated 19th January, 1924. No. 31,* and in continuation of mine dated 6th November, 1924, No. 315,† on the subject of the International Convention relating to the Simplification of Customs Formalities, I have the honour to inform you that I am advised by my Prime Minister that the Commonwealth Government does not deem it desirable that the terms of the Convention should be made to apply to Papua, Norfolk Island, or the Mandated Territories of New Guinea and Nauru.

The High Commissioner for Australia in London has, therefore, been requested to sign the Convention, Protocol and Instrument of Ratification, with a reservation to the effect that his signature does not include the Territories in question.

I have, &c.,
FORSTER,
Governor-General.

LIECHTENSTEIN.

Application of Commercial Treaties with Switzerland.

(*Treaty Series* 1924, *No.* 20.)

22642

No. 389.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia No. 186.) — Dominions No. 242.).

[MY LORD,] [SIR,] Downing Street, 28th May, 1924.

[*Not to Irish Free State or Southern Rhodesia:* With reference to Mr. Bonar Law's despatch No. [757] [567] [440] [628] [413] of the 11th of August, 1915,‡] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of correspondence with the Swiss Minister relative to the application to the Principality of Liechtenstein of commercial agreements in force between Switzerland and Great Britain.

[*To Southern Rhodesia only:* 2. As will be seen from my predecessor's despatch No. 20 of the 19th of October, 1923,§ the Treaty with Switzerland of the 6th of September, 1855, applies to Southern Rhodesia.]

I have, &c.,
J. H. THOMAS.

Enclosure 1 in No. 389.

MONSIEUR LE PRÉSIDENT, Legation de Suisse, le 28 mars 1924.

PAR note du 4 novembre 1919, mon prédécesseur a porté à la connaissance de Son Excellence Monsieur le Marquis Curzon de Kedleston que le Conseil Fédéral

* No. 368. † No. 387. ‡ No. 35943/15: not printed. § No. 395 in Dominions No. 88.

Suisse avait consenti à assumer, à l'étranger, par l'intermédiaire de sa représentation diplomatique et consulaire, les intérêts de la Principauté de Liechtenstein.

En faisant suite à cette communications et d'ordre de mon Gouvernement, j'ai l'honneur de communiquer à Votre Excellence ce qui suit :

Au printemps 1919, la Principauté de Liechtenstein, aux prises avec de sérieuses difficultés, demanda au Conseil Fédéral Suisse de l'assister dans la sauvegarde de ses intérêts économiques. Celui-ci ne refusa pas l'aide que sollicitait le petit pays voisin, dont la superficie est de 159 kilomètres carrés et qui compte à peine 12,000 habitants. Des pourparlers furent engagés en vue de la conclusion entre les deux pays d'accords relatifs aux postes et aux douanes. En vertu d'une convention signée le 10 novembre, 1920, la Confédération Suisse a assumé l'exploitation du service postal, télégraphique et téléphonique dans la Principauté.

Ensuite, le 29 mars 1923, est intervenu entre la Suisse et la Principauté de Liechtenstein un traité réunissant la Principauté au territoire douanier suisse. Ce traité est entré en vigueur le 1er janvier 1924. Depuis cette date, toutes les dispositions réglementant les relations commerciales entre la Grande-Bretagne et la Suisse sont appliquées à la Principauté. Pendant la durée du Traité du 29 mars 1923, la Principauté de Liechtenstein ne peut négocier, de son propre chef, aucune convention de commerce et de douane avec un État tiers, mais il appartient à la Confédération Suisse de passer de telles conventions avec pleins effets pour la Principauté.

Le Conseil Fédéral croit pouvoir admettre que, vu les conditions très particulières de la Principauté de Liechtenstein, le Gouvernement de Sa Majesté consentira à appliquer à celle-ci, tant et aussi longtemps qu'elle constituera une partie intégrante du territoire douanier suisse, les dispositions réglementant les relations commerciales entre la Grande-Bretagne et la Suisse.

Votre Excellence m'obligerait beaucoup en voulant bien prèndre note de ce qui précède et en me donnant connaissance de l'attitude que le Gouvernement de Sa Majesté sera en mesure d'adopter par rapport à cet arrangement entre la Suisse et la Principauté de Liechtenstein.

Veuillez agréer, etc.,
C. R. PARAVICINI.

Son Excellence
le Très-Honorable Ramsay MacDonald,
Président du Conseil,
Secrétaire d'Etat pour les Affaires Etrangères,
Foreign Office.

Enclosure 2 in No. 389.

SIR, Foreign Office, S.W.1, 26th April, 1924.

IN your note of the 28th ultimo you inquired whether His Majesty's Government would agree to the application to the principality of Liechtenstein of commercial agreements in force between Switzerland and Great Britain.

2. In reply, I have the honour to inform you that His Majesty's Government are prepared to agree to this arrangement.

I have, &c.,
(For the Secretary of State).
G. H. VILLIERS.

Monsieur C. R. Paravicini,
&c., &c., &c.

LOCUSTS.

International Convention for the Suppression of:

24728

No. 390.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

(No. 192.)

SIR, Downing Street, 5th June, 1924.

I HAVE the honour to transmit to you, to be laid before your Ministers, the accompanying copy of the International Convention of the 31st of October, 1920,* for the suppression of locusts, together with a copy of a note from the Italian Ambassador reporting the present position with regard to the Convention.

2. It will be observed that the only part of the Empire which has so far adhered is Australia, but the Convention may possibly be of interest to the Government of Southern Rhodesia.

I have, &c.,
J. H. THOMAS.

[18284]

Enclosure in No. 390.

(Translation.)
(No. 934.)

SIR, Italian Embassy, London, 20th March, 1924.

WITH reference to my note No. 3247 of the 28th December last, I have the honour to inform you that the decree No. 2465 of the 15th October, 1923, giving effect in Italy and her Colonies to the Convention of the 31st October, 1920, for the combating of locusts was published in the *Italian Official Gazette* on the 30th November last.

In communicating the above to Your Excellency, for the purpose of ratification by Italy, I have the honour to inform you that the Convention in question should now be held to be in force in the following States in addition to Italy:—France, French West Africa, Algeria, Indo-China, Madagascar, Morocco (French Zone), Tunis (which countries ratified the Convention on the 3rd January, 1922), Spain (which adhered thereto on the 7th February, 1921), Australia (which adhered on the 30th June, 1921), and Egypt (which adhered on the 1st November, 1923.)

On the other hand the ratifications of the other contracting States, namely, Bulgaria, Cuba, Mexico, the Serb-Croat-Slovene State, Hungary and Uruguay have not yet been received.

Certain of these States have, however, already conveyed the information that the Convention in question was in the process of being approved, and the Argentine Government have reported the approval of the Convention by that Republic, though they have not yet deposited the corresponding instrument of ratification.

I shall be grateful if Your Excellency will be good enough to communicate the foregoing to the Governments of the British Dominions also.

I have, &c.,
TORRETTA.

The Right Honourable
James Ramsay MacDonald, M.P.,
&c., &c., &c.

---

* Not printed here.

MANDATES.
(1) Attitude of United States Government.
(a) "B" Mandates.

44193

No. 391.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa. } Confidential.)

MY LORD, Downing Street, 22nd September, 1924.

WITH reference to my predecessor's Confidential despatch Dominions Treaty No. 46 of the 6th of December, 1923.* [*Not to Canada:* and to my Confidential despatch of the 6th of September,†] I have the honour to transmit to Your Excellency, for the information of your Ministers, the accompanying copy of correspondence with the United States Ambassador on the subject of the proposed treaties with the United States of America respecting the former German territories in Central Africa now administered by His Majesty's Government under mandate on behalf of the League of Nations.

I have, &c.,
(for the Secretary of State),
ARNOLD.

[11833]

Enclosure 1 in No. 391.

(No. 54.)

SIR, London, 18th February, 1924.

IN reply to the note, dated 26th November, 1923, of your predecessor, Lord Curzon of Kedleston, concerning the position of your Government with regard to the proposed Anglo-American treaties affecting the former German territories in Central Africa now administered by His Majesty's Government under mandate on behalf of the League of Nations, I have the honour, under instructions of my Government, to make the following statement:

The Government of the United States understands that except as to the text of the preambles there is now complete agreement between it and His Majesty's Government with respect to the terms of the proposed treaties affecting the former German territories in Central Africa now administered by His Majesty's Government under mandate on behalf of the League of Nations.

As explained in its previous notes on this subject, the Government of the United States, in proposing the text of the preambles in question, followed substantially the same form as has been accepted in the treaties with Belgium and France covering territories in Tropical Africa under mandates to those Governments, and in the Treaty with Japan covering the former German territories in the North Pacific Ocean under mandate to that Government, believing it to be desirable in the interest of uniformity to incorporate in the treaties proposed for negotiation between Great Britain and the United States substantially the same preambles as those incorporated in the other treaties mentioned above.

The Government of the United States adheres to the position it has heretofore taken, namely, that the right to dispose of the overseas possessions of Germany was acquired only through the victory of the Allied and Associated Powers and that there can be no valid or effective disposition of these territories without the assent of the United States as one of the participants in that victory. This position of the United States is not opposed but is confirmed by the Treaty of Versailles by which Germany renounced in favour of the principal Allied and Associated Powers, of which the United States was one, all her rights and titles over her overseas possessions. It may further be observed that, in providing (Article 440) that the Treaty, when ratified by Germany and three of the principal Allied and Associated Powers, should come into force between the ratifying Powers, it was manifestly not the intention that on such ratification by three Powers there should still remain in Germany any undivided share of right, title or sovereignty in the overseas

* No. 248 in Dominions No. 88. † No. 392.

possessions described. It would seem to be clear that the renunciation set forth in Article 119 of the Treaty was not intended to be divisible. In consequence, had the Treaty come into force on the ratification by only three of the principal Allied and Associated Powers, the renunciation would still have been completely effective, disposing of the entire interest of Germany, and Article 119 would necessarily have thus become effective according to its express terms—that is, in favour of the five principal Allied and Associated Powers, and not otherwise. The three ratifying Powers could have claimed no greater right or title than the Treaty gave and no exclusive right or title which the Treaty by its terms did not confer. There was the same result on the actual ratification of the Treaty and the failure of the United States to ratify did not qualify the terms of Germany's renunciation. Any different terms would necessarily require the agreement of the parties concerned, including Germany herself, and no such agreement was made. Subsequently, it may be added, Germany, by her Treaty with the United States, confirmed to the United States the rights and benefits accruing to it under Article 119 of the Treaty of Versailles. Thus it must be insisted that, both by virtue of the participation of the United States in the common victory, and by the explicit terms of Germany's renunciation of her overseas possessions, no valid disposition of the territories in question can be made without the consent of the United States and, as has already been pointed out, this consent can only be granted through a duly negotiated Treaty ratified with the advice and consent of the Senate of the United States. The Government of the United States cannot depart from this fundamental position and consequently is unable to admit that four of the five principal Allied and Associated Powers can accord to themselves or to others any privileged position or any advantages not equally accorded to the United States in the former German overseas possessions, title and right to which, as a result of the common victory, were renounced by Germany in favour of the five principal Allied and Associated Powers.

Although, as stated above, the Government of the United States believes that it would be desirable in the interest of uniformity if the preambles of the treaties which it is negotiating with His Majesty's Government could follow substantially the form of the preambles accepted by the Governments of Belgium, France and Japan in the treaties concluded between those countries and the United States, nevertheless the Government of the United States, while it maintains unqualifiedly the position it has taken with regard to its rights in mandated territories, is not disposed to insist unduly upon the mere form of the preambles heretofore suggested for incorporation in the pending treaties with Great Britain. Accordingly the Government of the United States submits for the consideration of His Majesty's Government the following alternative form of preamble which it is hoped satisfactorily meets the objections of the latter Government:

> "Whereas His Britannic Majesty has accepted a mandate for the administration of part of the former colony of . . . the terms of which have been defined by the Council of the League of Nations as follows (*insert terms of mandate except for preamble*).
>
> And,
>
> Whereas the Government of the United States of America and the Government of His Britannic Majesty are desirous of reaching a definite understanding as to the rights of their respective Governments and of their nationals in the said territory:
>
> The President of the United States of America and His Britannic Majesty have decided to conclude a Convention to this effect and have nominated as their plenipotentiaries, . . . etc."

The Government of the United States is willing to proceed immediately to the signature of these proposed treaties with the preambles modified as suggested herein.

I have the honour further to state that, should His Majesty's Government approve the form of preamble quoted above, I have no doubt that I shall be empowered to sign the treaties on behalf of my Government.

I have, &c.,
FRANK B. KELLOGG.

The Right Honourable
J. Ramsay MacDonald,
&c., &c., &c.

Enclosure 2 in No. 391.

YOUR EXCELLENCY, Foreign Office, S.W.1, 29th July, 1924.

You recently inquired whether His Majesty's Government were in a position to reply to Your Excellency's note of the 18th February last, regarding the proposed treaties affecting the former German territories in Central Africa now administered by His Majesty's Government under mandate on behalf of the League of Nations, and to proceed to the conclusion of those treaties.

2. I have the honour to state that His Majesty's Government would prefer to postpone their final answer to the note in question until a more advanced stage has been reached in the negotiation of the Treaty relating to the British mandate in Palestine. Their views on the latest proposals of the United States Government in regard to that matter were communicated to you in my note of the 17th instant.

I have, &c.,
(for the Secretary of State),
G. H. VILLIERS.

His Excellency
The Honourable
Frank B. Kellogg,
&c., &c., &c.

(b) "C" Mandates.

34234

No. 392.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL.

[*Answered by Nos.* 394, 395 *and* 397.]

(Commonwealth of Australia,
(New Zealand,
(Union of South Africa, Confidential.)

MY LORD, Downing Street, 6th September, 1924.

WITH reference to [Your Excellency's Confidential despatch of the 7th April, 1923,*] [Your Excellency's Confidential despatch of the 2nd November, 1922,†] [Mr. Churchill's Confidential despatch of the 18th August, 1922,‡] I have the honour to request Your Excellency to inform your Ministers that the United States Ambassador has inquired whether he may shortly expect a reply to the representations of the United States Government as to the position of the United States in relation to British "C" mandated territories.

2. As your Ministers are aware, consideration of the reply to the United States Government was deferred pending discussion at the Imperial Conference of 1923. The question was referred to a Committee of the Conference including the Prime Ministers of the Commonwealth of Australia, New Zealand, and the Union of South Africa. At a meeting of this Committee on the 23rd October, 1923, it was agreed that no reply need be sent to the United States Government on the general question raised by them, unless and until they brought the matter forward again, and that there should be further consultation as to the exact terms of the reply, though certain conclusions were reached as to the general nature of the reply which might be returned, should the United States Government raise the matter again and press for an answer. An extract§ from the conclusions of the Committee is enclosed.

3. On the 25th October, 1923, the United States Ambassador communicated to the Secretary of State for Foreign Affairs a further note,‖ of which a copy is enclosed. This note was circulated to the members of the Imperial Conference Committee referred to in the preceding paragraph, and a draft reply¶ was prepared by His Majesty's Government as a basis for discussion and circulated to the Prime Ministers of the Commonwealth, New Zealand, and the Union. A copy of this draft is enclosed. The Prime Minister of the Commonwealth intimated that he

* No. 249 in Dominions No. 88. † No. 201 in Dominions No. 87. ‡ No. 190 in Dominions No. 87. § No. 250 in Dominions No. 88. ‖ Enclosure in No. 251 in Dominions No. 88. ¶ No. 253 in Dominions No. 88.

concurred in the draft reply. The Prime Minister of New Zealand stated* that he was not in a position to give a considered opinion until he had had an opportunity of consulting the New Zealand Cabinet. The Prime Minister of the Union thought† that an answer might be sent that, in so far as the Union Government were concerned, they were on the whole sympathetic with the view of the United States Government and that, while there were certain administrative difficulties to be overcome, they would be prepared to act in the same way as His Majesty's Government had acted in regard to "B" mandates.

4. As regards the negotiations with the United States on the subject of "B" mandates, to which allusion was made in General Smuts' reply, I would invite reference to the correspondence ending with the Duke of Devonshire's Confidential despatch of the 6th December, 1923, Dominions Treaty No. 46.‡ Agreement has now been reached upon all points except the preamble to the proposed draft treaties, and the United States Government have submitted a revised form of preamble which His Majesty's Government are disposed to accept. A final reply to the United States Government as regards "B" mandates has, however, been deferred pending further progress in the negotiation of a proposed treaty relating to the British "A" mandate for Palestine. These negotiations are now nearing completion.

5. In the circumstances, His Majesty's Government are inclined to think that a reply to the United States Government on the subject of "C" mandates might well be deferred until the questions at issue as regards "A" and "B" mandates have been definitely settled but that, when a settlement of these questions has been reached, it might be advisable, if all the Dominion Governments concerned agreed, to send an answer on the lines of the draft referred to in paragraph 3 (subject to some slight alterations of form necessitated by the lapse of time since it was prepared). They would be glad to learn whether your Ministers would concur in such an answer being sent to the United States Government when the occasion arises.

6. I am sending a similar despatch to the Governors-General of [*To Australia only:* New Zealand and the Union of South Africa.] [*To New Zealand only:* the Commonwealth of Australia and the Union of South Africa.] [*To Union of South Africa only:* the Commonwealth of Australia and New Zealand.]

I have, &c.,
(for the Secretary of State),
HENRY LAMBERT.

54399

No. 393.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL.

(Sent 2.10 p.m., 27th November, 1924.)

TELEGRAM.

(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)

[*Answered by Nos.* 394, 395 *and* 397.]

27TH NOVEMBER. My despatch 6th September, Confidential.§ Convention regulating position of United States in relation to Palestine about to be signed, and so far as is known there is no further obstacle to conclusion of proposed Convention regarding "B" Mandates. Hence communication to Government of United States as to "C" Mandates now thought desirable as soon as terms of such communication settled. As United States Ambassador is pressing for answer should be grateful for reply to my despatch by telegraph.—AMERY.

* No. 259 in Dominions No. 88. † No. 255 in Dominions No. 88. ‡ No. 248 in Dominions No. 88. § No. 392.

55943

No. 394.

NEW ZEALAND.

THE ACTING GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.48 a.m., 28th November, 1924.)

TELEGRAM.

28TH NOVEMBER. Confidential. Your telegram of 27th November.* Mandate(s). My despatch of 5th November, Confidential,† expresses concurrence of my Ministers in course proposed in paragraph 3 of your despatch of 6th September, Confidential.‡

With respect to special treaty rights claimed by United States Government in ex-German Samoa under the Convention signed in Washington on 2nd December, 1899, my Ministers invite reference to correspondence with United States Government which was enclosed in your despatch Confidential of 21st July last.§

56590

No. 395.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 11.20 p.m., 1st December, 1924.)

TELEGRAM.

1ST DECEMBER. Confidential. Your despatch of 6th September, Confidential, and telegram of 27th November,‖ United States and "C" Mandates. Following is text of Minute I have received from my Ministers with the exception of the first paragraph, which contains simple reference and preamble:—

Begins: Ministers have given their serious consideration to the Secretary of State's despatch and desire to draw the attention of His Excellency to the fact that the claims raised by the United States of America in respect of "C" Mandates, in so far as they relate to the South-West African Mandated territory, affect matters with which the Government of the Union alone are concerned as mandatories of that territory, and that in such matters solely concerning the Union and its Government, foreign Powers should recognize that the proper authority to approach and with whom to discuss and settle such questions is the Government of the Union.

For reasons on which it is not necessary here to dwell the Government of the Union are unanimous in feeling that it is highly undesirable that they should be party to any procedure or negotiations which will tend to strengthen the erroneous impression under which the Government of the United States is apparently labouring that matters such as these now sought to be brought under discussion by it are to be disposed of by the British Government.

Ministers cannot but regret that the attention of the British Government was not drawn at an earlier stage to the point now raised by them; which, however, they feel to be one of such a grave nature that, if they were to allow negotiations to continue without intervening, a precedent would be established which might eventually be the cause of the very greatest prejudice to the interest of the Union and the Commonwealth.

Ministers cannot, therefore, but impress upon the British Government the necessity of immediately bringing to the notice of the United States Government that the Union Government are the proper authority to whom any claim respecting South-West Africa is to be submitted, and that this Government will at any time be prepared to give the fullest consideration to such claim. *Ends.*

—ATHLONE.

---

* No. 393. † 57680/24: not printed; its purport was as stated in this telegram. ‡ No. 392. § No. 418. ‖ Nos. 392 and 393.

56589

No. 396.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.15 p.m., 1st December.)

TELEGRAM.

(Paraphrase.)

PRIVATE and Personal. 1st December. My Confidential telegram of 1st December.* Following views expressed by Prime Minister in conversation regarding negotiations with the United States in connexion with South-West Africa may help by throwing light on motives for the action taken.

There does not appear to be any wish to raise at this moment question of diplomatic unity of the Empire, but the Prime Minister feels that, while the status of the Dominions as equal nations has been recognized by the British Government in every possible way, Foreign Powers have been reluctant to do so, and that it is now time to insist on their independent position. He maintains that "C" mandate questions are domestic to the mandatory Dominion and should therefore be dealt with directly by that Dominion. He stated that the Union Government had not decided on the channel through which negotiations with the United States of America should be conducted, but that they felt it necessary to make clear their position, and I have reason for believing that advice on this point would be welcome. He assured me that the Government in dealing with mandatory questions would never lose sight of the special interests of other parts of the Empire, and that His Majesty's Government and other Dominions would be kept fully informed.

I am inclined to believe, though the Prime Minister did not say as much, that the Government here feel aggrieved that the question of "C" Mandates should be regarded as at all dependent on the result of the discussion now proceeding in regard to "B" Mandates, and that the United States should have failed to recognize that the Union as mandatory are in a special position and responsible only to the League of Nations for fulfilment of the terms of the mandate.—ATHLONE.

56588

No. 397.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 11.40 a.m., 2nd December, 1924.)

TELEGRAM.

2ND DECEMBER. Your telegram of 27th November.† "C" Mandates. Commonwealth Government agree to the terms of the draft note to the United States Government forwarded with your despatch of 6th September, Confidential.‡—FORSTER.

---

(2) Position of Mandated Territories in relation to Treaties.

(a) Generally.

58711

No. 398.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 46.)

MY LORD, Downing Street, 23rd January, 1924.

I HAVE the honour to acknowledge the receipt of Your Excellency's despatch No. 341 of the 20th October,§ regarding certain recommendations of the Permanent

---

* No. 395. † No. 393. ‡ No. 392. § No. 261 in Dominions No. 88.

Mandates Commission of the League of Nations on the subject of the application of treaties to Mandated Territories.

2. As regards the first point (viz., the application of special International Conventions), His Majesty's Government propose to inform the Secretary-General of the League, so far as territories administered under "B" Mandates are affected, that (*a*) in Commercial Treaties with foreign Powers recently negotiated by them provision has been made for the accession of Mandated Territories, and it is proposed to make similar provision in subsequent Treaties, while steps are also being taken to insert in Extradition Treaties, when negotiated, a provision under which they may be made applicable to Mandated Territories; (*b*) in the case of earlier Treaties which do not apply to Mandated Territories and contain no provision for extension to such Territories, His Majesty's Government will be satisfied to take up the question with the particular foreign Power concerned in any individual case where action appears desirable.

3. It will be observed that the first part of the above reply is also applicable to the case of Nauru, whilst action in the direction suggested in the second part of the reply could doubtless be taken, should necessity arise.

4. It is not clear whether the Commission has realized that the extension of a General Commercial Treaty between this country and a foreign Power to a Mandated Territory would not of itself have the effect of entitling the native inhabitants of the Territory to enjoy the personal privileges conferred by the Treaty on British subjects generally. A special arrangement would be needed, the position in this respect as regards Mandated Territories being the same as that which obtains in the case of Protectorates. It will be recollected that, where an Extradition Treaty either applies to, or is framed with a view to possible application to, Protectorates and Mandated Territories, special provision is inserted for assimilating the position of native inhabitants of Protectorates and Mandated Territories, to which the Treaty is applicable, to that of British subjects under the Treaty. Further, the Commission is apparently under the impression that Commercial Treaties between this country and foreign Powers apply to all British Colonies and Protectorates. This is, of course, not the case.

5. As regards the second point (viz., the application of General International Conventions), the position is that no such Conventions have hitherto been applied to Nauru, even in cases where provision is contained for adhesion, if desired. It would seem best to answer the Permanent Mandates Commission accordingly, and to deal with individual cases as they arise.

I have, &c.,
DEVONSHIRE.

36485

No. 399.

C 321. M.98. 1924 VI. C.P.M. 140.

OBSERVATIONS OF THE GOVERNMENT OF THE COMMONWEALTH OF AUSTRALIA ON THE REPORT OF THE PERMANENT MANDATES COMMISSION ON THE WORK OF ITS THIRD SESSION FORWARDED BY THE COUNCIL.

(Circulated by Secretary-General under cover of note dated 6th June, 1924.)

Extract from letter dated 30th April, 1924, from Department of External Affairs, Commonwealth of Australia, to the Secretary-General, League of Nations.

(Received from Foreign Office 1st August, 1924.)

DEAR SIR,

WITH reference to your letter of the 22nd December,* I have by direction to inform you that special consideration has been given to the recommendations of the Permanent Mandates Commission, and that the views of the Commonwealth Government in regard thereto are as follows:—

A. Recommendations of a General Character.

III and V. The extension to the Territories under Mandate of special and general international Conventions.

It is not desirable that a definite direction should be given with regard to the question of the application of conventions and treaties to the Mandated Territories as it is considered that each particular case should be dealt with as it arises.

* No. 520/23 in Miscellaneous No. 362.

In arriving at a decision with regard to the extension to the Territory of New Guinea of any particular convention, the Commonwealth Government will be guided by considerations of whether any necessity exists for the application of the convention, whether any advantage would be derived by the Territory from adherence to the convention, and whether machinery can be provided for effectively carrying out the provisions of the convention. Where it is clear that the extension of a convention to New Guinea would be of advantage to the Territory, or where it is desirable that a particular convention should be extended to New Guinea to enable the Commonwealth Government to effectively carry out its obligations thereunder, the necessary steps will immediately be taken to signify adherence on behalf of the Territory. If, however, it is evident that the extension of a convention to New Guinea would merely entail the passage of legislation which it might never be necessary to enforce, and the performance of duties and the submission of reports and returns which would be of no interest or assistance to the adhering States but would impose unnecessary work upon the officers of the Territory, no steps would be taken to apply that particular convention.

I may add, for the information of the Council, that this is the policy adopted by the Commonwealth Government in regard to the application of Treaties and Conventions to the Territories of Papua and Norfolk Island.

* * * * * * *

36485

No. 400.

OBSERVATIONS OF THE NEW ZEALAND GOVERNMENT ON THE REPORT OF THE PERMANENT MANDATES COMMISSION ON THE WORK OF ITS THIRD SESSION FORWARDED BY THE COUNCIL.

(Circulated by Secretary-General under cover of note dated June, 1924.)

Extract from letter from the Prime Minister of New Zealand to the Secretary-General, League of Nations, Geneva, dated 30th May, 1924.

(Received from Foreign Office, 1st August, 1924.)

* * * * * *

III. The Extension to the Territories under Mandate of Special International Treaties.

THE New Zealand Government has not so far found it necessary in any commercial treaty negotiated with a foreign Power to make provision for the accession of its Mandated Territory. The question of extending such treaties to Samoa is, however, always considered, and the New Zealand Government will be willing, in respect of any treaty that may be negotiated in the future, to take up the question with the particular foreign Power concerned where this action appears desirable. Steps have recently been taken to apply all Extradition Treaties which are now in force in the Dominion of New Zealand to the Mandated Territory of Samoa.

* * * * * *

36485

No. 401.

C 320. M 97. 1924. VI. C.P.M. 139.

OBSERVATIONS OF THE BELGIAN GOVERNMENT ON THE REPORT OF THE PERMANENT MANDATES COMMISSION ON THE WORK OF ITS THIRD SESSION, FORWARDED BY THE COUNCIL.

(Circulated by Secretary-General under cover of note dated June, 1924.)

(Translation.)

Extract from letter dated 7th June, 1924, from the Belgian Minister for Foreign Affairs to the Secretary-General, League of Nations.

(Received from Foreign Office 1st August, 1924.)

* * * * * * *

Two further points are dealt with in the present letter:

The first relates to the possibility of extending to the territories under "B" mandates the advantages which are conferred upon the contiguous colonies and

protectorates of the mandatory State by special treaties and conventions entered into by that State with any other Member of the League of Nations, on the understanding that reciprocity will only be recognized if it does not in any way infringe the principles of economic equality.

In all cases in which the decision rests solely with the Royal Government, the latter will extend to the Ruanda-Urundi territories all the advantages derived by Belgium, on behalf of the Belgian Congo, from the special conventions and treaties to which Belgium already is a party. In all cases in which the extension of these advantages to the Ruanda-Urundi territory depends upon the consent of the other Powers which are parties to these conventions, the Royal Government will endeavour to obtain such consent.

The Belgian Government will further endeavour to secure that any special conventions which it may conclude in the future shall be made applicable to the Ruanda-Urundi territory on the same terms as to the Belgian Congo. The Belgian Government makes this promise, however, on the understanding that it reserves freedom of action should any special situation arise in the Belgian Congo or in the Ruanda-Urundi territory.

* * * * * * *

52161

No. 402.

LEAGUE OF NATIONS.

C.611. M.214. 1924. C.P.M. 185.

Communicated to the Council, to the Members of the League, and to the Members of the Permanent Mandates Commission.

OBSERVATIONS OF THE JAPANESE GOVERNMENT REGARDING THE REPORT ON THE WORK OF THE THIRD SESSION OF THE PERMANENT MANDATES COMMISSION, WHICH WAS COMMUNICATED TO THAT GOVERNMENT BY THE COUNCIL.

Extract from letter dated 21st October, 1924, from the Japanese League of Nations' Office to the Secretary-General, League of Nations.

(Received from Foreign Office, 6th November, 1924.)

(Translation.)

Japanese League of Nations' Office,
9, Rue La Pérouse,

SIR, Paris, 21st October, 1924.

IN your letter dated 22nd December, 1923, you were good enough to communicate to the Japanese Government the Resolution adopted by the Council of the League of Nations on the Report drawn up at the Third Session of the Permanent Mandates Commission.

In reply, on behalf of my Government, I have the honour to communicate to you its point of view on the two questions dealt with in this Resolution.

* * * * * *

2. *Extension of Special International Conventions to the Mandated Territories.*

As regards the application of special Conventions and Treaties, in particular of commercial treaties, the Japanese Government is of opinion that it is very desirable that these should be applied to mandated territories, and that the application of such Treaties as are already in force in other Colonies be extended to these territories.

I have, &c.,
MATSUDA,
Head of the Japanese League of Nations' Office.

(b) Extradition Treaties.

45464

No. 403.

NEW ZEALAND.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 3.0 p.m., 23rd October, 1924.)

TELEGRAM.

[*Answered by No.* 404.]

IN connexion with Samoa Extradition Order enclosed in your despatch 23rd June, 114,* it would seem advisable for arrangements to be made with foreign States concerned for formal extension to Western Samoa of existing extradition treaties. On learning that your Ministers agree His Majesty's Government will take necessary action.—SECRETARY OF STATE FOR THE COLONIES.

51099

No. 404.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5.10 a.m., 30th October, 1924.)

TELEGRAM.

30TH OCTOBER. Samoa Extradition Order. My Ministers would be glad if you would take action on the lines indicated in your telegram of 23rd October.† —JELLICOE.

51720

No. 405.

COMMONWEALTH OF AUSTRALIA.

THE DEPUTY GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4th November, 1924.)

[*Answered by No.* 408.]

(Extract.)
(No. 268.)

SIR, Governor-General's Office, Melbourne, 24th September, 1924.

I HAVE the honour, at the instance of the Prime Minister, to inform you that the Commonwealth Government considers it desirable that all existing and future extradition treaties entered into by Great Britain should be applied to New Guinea, Papua and Norfolk Island.

---

* 35256/24: not printed: the Order contained the following sections:

* * * * * *

2. The provisions of the Imperial Acts cited together as the Extradition Acts, 1870 to 1906 (hereinafter called the said Acts) shall be in force and apply to the Territory of Western Samoa as if that Territory were a British Possession subject to the modifications and alterations hereinafter mentioned.

3. All treaties with foreign States to which the said Acts have been or may be applied by His Majesty shall be deemed to apply and to be effective in the Territory of Western Samoa.

* * * * * *

† No. 408.

I should be glad, therefore, if you would be so good as to arrange for all existing extradition treaties to be applied to New Guinea, if necessary by supplementary treaties, and for notice of adherence to be given on behalf of Papua and Norfolk Island to all existing extradition treaties which do not already apply to those Territories.

* * * * * *

I have, &c.,
STRADBROKE,
Deputy of the Governor-General.

51720

No. 406.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 2.35 p.m., 2nd December, 1924.)

TELEGRAM.

[Answered by No. 407.]

2ND DECEMBER. My despatch 27th January, 1921. Confidential.* and connected correspondence. At request of Commonwealth Government and New Zealand Government, it is proposed to approach foreign States concerned, with a view to arranging for formal extensions of existing extradition treaties to New Guinea and Western Samoa. It has been suggested that opportunity might be taken to include in any such arrangement "B" and "C" mandated territories generally. Would your Ministers concur as regards South-West Africa?

59408

No. 407.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9.45 p.m., 18th December, 1924.)

TELEGRAM.

18TH DECEMBER. Confidential. Your telegram of 2nd December.† Extension of the existing Extradition Treaties to "B" and "C" Mandated Territories generally. My Ministers state that they are unable without further information than is contained in your telegram to concur in the suggestion made therein as regards South-West Africa.

They assume that to carry out the suggestion it would be necessary that the Extradition Acts 1870 and 1879 of Parliament of the United Kingdom be amended inasmuch as those Acts can only be extended by order of the King in Council to British possessions and no Mandated Territory can be regarded in law as a British possession. Such legislation they consider would involve a recognition so far as South-West Africa is concerned of the authority of the Imperial Parliament to legislate in respect of a territory the sole responsibility for which is vested in the Union Government as Mandatory under the Treaty of Versailles.

If contrary to the above assumption it is not proposed to amend the Extradition Act on the lines indicated, but the idea is that each Government in the British Empire which holds a mandate for ex-enemy territory should attempt to negotiate an agreement with some foreign State for extending extradition treaties to cover extradition between the possessions of that foreign State and the territory in respect of which the mandate is held, then it would seem that the Mandatory Government should itself directly negotiate agreement (s).

In connexion with the foregoing paragraph Ministers draw attention to their minute of 29th November in relation to the attitude of the United States Government to certain matters in South African "C" Mandated Territories (see my telegram of

* No. 93 in Dominions No. 81. † No. 406.

1st December, Confidential*) and state that the principles enunciated in that minute seem to apply in respect of the matter referred to in your telegram under reply.

Ministers add that they have for some time had under consideration a Bill for introduction into the Union Parliament next session enabling the Union Government to enter into agreement with foreign States for extradition as between such States and the mandated territory of South-West Africa.

51720

No. 408.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Extract.)
(No. 452.)

MY LORD, Downing Street, 31st December, 1924.

I HAVE the honour to acknowledge the receipt of Lord Stradbroke's despatch No. 268 of the 24th of September,† relative to the application of extradition treaties to New Guinea, Papua and Norfolk Island.

2. As regards pre-War extradition treaties, all those which are of general application already apply to Papua and Norfolk Island as parts of His Majesty's Dominions, and no special arrangements are required as regards those territories. Steps will be taken to approach the foreign States concerned with a view to the formal extension of existing extradition treaties to the mandated Territory of New Guinea.

3. With regard to treaties in the form of the present model draft (*vide* my predecessor's despatch Dominions No. 47 of the 6th February‡), of which only that with Finland has been ratified and those with Latvia and Czechoslovakia signed but not ratified, accession in respect of the Commonwealth of Australia under Article 17 will include accession in respect of Papua and Norfolk Island, while extension to New Guinea can always be arranged under Article 19.

* * * * * *

I have, &c.,
L. S. AMERY.

---

(3) Nauru Report, 1923.

649

No. 409.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 47.)

MY LORD, Downing Street, 23rd January, 1924.

WITH reference to my predecessor's despatch No. 373 of the 20th of October, 1922,§ regarding the annual report on the administration of Nauru, I have the honour to transmit to Your Excellency, to be laid before your Ministers, copies of letters from the Secretary-General of the League of Nations, dated the 22nd‖ and 29th of December, 1923, on the subject of the resolutions adopted by the Council of the League in connexion with the reports of the Third Session of the Permanent Mandates Commission, together with copies of the Report of the Commission (C.519),¶ M. Branting's Report‖ thereon to the Council, and an extract from the Minutes** of the Fourth Meeting of the Twenty-seventh Session of the Council, held on the 12th of December, 1923.

I have, &c.,
DEVONSHIRE.

---

* No. 395. † No. 405. ‡ No. 125. § No. 211 in Dominions No. 87. ‖ No. 520/24 in Miscellaneous No. 362. ¶ No. 48000/23 in Miscellaneous No. 362. ** No. 520/24 in Miscellaneous No. 362.

Enclosure in No. 409.

(W 23/23/98.)
1/32827/16466.
Société des Nations.

League of Nations, Geneva, 29th December, 1923.

My Lord,

The Council of the League of Nations, at its session of the 12th December, 1923, considered the resolution adopted by the Fourth Assembly relating to the reports presented by the Permanent Mandates Commission on the work accomplished at its third session.

The Council instructed me to communicate for your consideration paragraph (*c*) of this resolution which, as the British Government is aware, reads as follows:—

"The Fourth Assembly, having taken cognizance of the reports of the Permanent Mandates Commission and of the observations of the accredited representatives of Australia, Great Britain, Japan, New Zealand, and the Union of South Africa,

* * * * * *

(*c*) Expresses the confident hope that the Commission will continue to enjoy the co-operation of the mandatory Powers in the work of effecting a continuous improvement in the moral and material condition of the natives, and, in particular, of the women and children, by means of the organization of general and professional education, the improvement of public health, the equitable remuneration of native labour, and the final abolition within as short a time as possible of slavery in all its forms, including its domestic forms."

I have, &c.,
Eric Drummond,
Secretary-General.

The Secretary of State for Foreign Affairs,
Foreign Office, London, S.W.1.

649

No. 410.

NEW ZEALAND.

The SECRETARY OF STATE to the GOVERNOR-GENERAL.

(No. 27.)

Downing Street, 23rd January, 1924.

My Lord,

With reference to my predecessor's despatch No. 218 of the 20th of October, 1922,* I have the honour to transmit to Your Excellency, for the information of your Ministers, a copy of a despatch† to the Governor-General of the Commonwealth of Australia on the subject of the resolutions adopted by the Council of the League of Nations in connexion with the Report of the Third Session of the Permanent Mandates Commission.

I have, &c.,
DEVONSHIRE.

---

(4) Western Samoa: Preferential Tariff.

18066

No. 411.

NEW ZEALAND.

The SECRETARY OF STATE to the GOVERNOR-GENERAL.

(Sent 5.20 p.m., 19th April, 1924.)

Telegram.

[*Answered by No.* 412.]

Your telegram 6th November, 1922.‡ Preferential Tariff, Western Samoa. United States Government have reverted to question and are pressing for early

* No. 212 in Dominions No. 87. † No. 409. ‡ No. 222 in Dominions No. 87.

reply. Matter was discussed in Committee of Imperial Conference and subsequently draft note to United States Ambassador was sent to your Prime Minister's Private Secretary, 30th November.* Your Prime Minister decided to reserve matter for further consideration by New Zealand Government on his return.

Should be glad to learn as soon as possible whether your Government concur in terms of draft note referred to above.—Secretary of State for the Colonies.

21955

No. 412.

NEW ZEALAND.

The GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 8.15 a.m., 8th May, 1924.)

Telegram.

[*Answered by No.* 413.]

8th May. Confidential. Your telegram 19th April.† Preferential tariff, Western Samoa. My Ministers are not entirely satisfied with the terms of paragraph 4 of draft note but are content that the note as drafted should be sent to the United States Ambassador provided there is despatched therewith the following as a communication received by His Majesty's Government from the New Zealand Government.

1. The New Zealand Government, acting by His Majesty's delegation as mandatory authority of Western Samoa, regrets any apparent delay in reply to the representation of the United States Government on the subject of British preferential duties in Western Samoa.

2. This Government had, however, believed that the United States Government understood the points of difference and this Government were awaiting an intimation from the United States Government that the Tripartite Treaty of 1899 prevented the United States from restrictions upon British shipping in American Samoa.

3. The New Zealand Government has recognized that the question whether obligations of Tripartite Treaty are still imposed on Western Samoa, notwithstanding its transition from German sovereignty to mandatory authority, is one to be determined by the Law Officers of the Crown in England and in deference to their advice has not contended that it is free from those obligations.

4. But this Government has maintained that Tripartite Treaty is equally binding upon the Government of American Samoa and therefore that restrictions upon British shipping in American Samoa are at least as inconsistent with Tripartite Treaty as are the British preferential duties in Western Samoa.

5. If the Government of the United States definitely concede that New Zealand ships and all British ships are entitled to carry goods and passengers between American ports and ports of American Samoa, and that British shipping will receive exactly the same treatment in all other respects in such trade as American ships both in American Samoa and in United States ports, then the New Zealand Government will reciprocally legislate to place American imports in the same position as the British imports in Western Samoa. *Ends.*

My Ministers trust that no exception will be taken by either Colonial Office or the Foreign Office to transmission of this statement of New Zealand Government's position in its exact terms to the American Ambassador.—Jellicoe.

32813

No. 413.

NEW ZEALAND.

The SECRETARY OF STATE to the GOVERNOR-GENERAL.

(Confidential.)

Downing Street, 21st July, 1924.

My Lord,

With reference to my telegram of the 19th of April,† and to Your Excellency's telegraphic reply of the 8th of May,‡ I have the honour to transmit

* Enclosure 1 in 56282/23: not printed; see enclosure 1 in No. 413 for Note as sent. † No. 411. ‡ No. 412.

to you, to be laid before your Ministers, the accompanying copy of a note, which has been addressed to the United States Ambassador on the subject of the Preferential Tariff in Western Samoa. In accordance with their request, the communication in your telegram of 8th May has been appended to this note.

2. Copies of an *aide-mémoire*, which was handed by the United States Ambassador to the Secretary of State for Foreign Affairs on the occasion of the conversation referred to in the first paragraph of the note, and of the letter from the United States Ambassador mentioned in paragraph 6, are also enclosed.

I have, &c.,
J. H. THOMAS.

Enclosure 1 in No. 413.

(No. A 3920/2287/45.)

YOUR EXCELLENCY, Foreign Office, S.W.1, 30th June, 1924

WITH reference to our conversation on the 10th April last, I have the honour to inform Your Excellency that His Majesty's Government have discussed with the Government of New Zealand the question dealt with in previous correspondence ending with Mr. Harvey's note No. 1071 of the 25th October, 1923, with regard to the rights claimed by the United States in Western Samoa under Article 3 of the Convention concluded at Washington on the 2nd December, 1899, between the United Kingdom, Germany and the United States.

2. You will observe that it is provided in the same article of that Convention that each of the three signatory Powers shall continue to enjoy in respect of their commerce and commercial vessels in all the islands of the Samoan group privileges and conditions equal to those enjoyed by the sovereign Power in all ports which may be open to the commerce of either of them. It will be remembered that in 1911 the United States authorities had exercised some discrimination against British ships trading between Pago Pago and Leone in Tutuila. On that occasion inquiries were made of your Government, who stated that Leone was not a port of entry; but in the course of the correspondence which ensued the United States Government admitted that British ships were entitled to the same treatment as United States and German ships in this respect (in this connexion, I would refer you to the note from the State Department to His Majesty's Ambassador at Washington of the 5th February, 1912, et cetera). In the same year also a complaint was made by a British firm that bills of health were being issued gratis by the United States Consul at Apia to United States vessels trading between Apia and Pago Pago, while a charge was made for similar bills of health issued to British vessels trading on the same route. This complaint being brought to the notice of the United States Government, it was decided by the State Department in 1913 that the exaction of fees from British vessels while United States vessels were exempt was contrary to Article 3 of the Convention of 1899, and instructions were accordingly given for the collection of such fees to be discontinued (see note from the State Department to His Majesty's Ambassador at Washington, 15th October, 1913). The United States Government were thus, in 1913, of opinion that the Convention prevented preference in this respect being given to United States ships trading with American Samoa.

3. The Government of New Zealand have also called my attention to the fact that, owing to the operation of the United States coast-wise laws, British ships trading from New Zealand to San Francisco are no longer able to call at Honolulu and to carry goods and passengers between that port and San Francisco. Consequently, British ships can no longer call at Honolulu except those on the Vancouver mail service. It is, therefore, a matter of considerable importance to the Government of New Zealand that British ships trading between New Zealand and the United States should be able to call at Tutuila and, if necessary, to carry goods and passengers between that port and the United States under the same conditions as United States ships.

4. In the circumstances, the Government of New Zealand would be willing to consider the request of the United States Government for national treatment for their commerce and commercial vessels in Western Samoa, provided the United States Government on their part are willing to give a specific assurance of their understanding that Article 3 of the Convention of 1899 ensures to British commerce and commercial vessels national treatment in that part of Samoa under United States administration.

5. At the request of the Government of New Zealand, I have the honour to append a communication received from them by His Majesty's Government stating their position in this matter.

6. I beg leave further to refer you to your personal letter to me of 10th April, giving the only case which you have been able to trace of any case of discrimination against British vessels in ports of Samoa under United States administration. In this connexion, I have the honour to point out that the discrimination of which complaint is made by His Majesty's Government is rather that involved by the extension to American Samoa of the coast-wise laws restricting trade between United States ports to vessels of United States registry, which was provided for by Section 21 of the United States Merchant Marine Act of 5th June, 1920.

7. With regard to the statement contained in the *aide-mémoire* which you were so good as to leave with me on 10th April last, to the effect that an Order in Council of 25th September, 1923, admits the entry free of duty into Western Samoa of German and Austrian goods, I have the honour to enclose herein a copy of the Order in Council in question, and of that of the 3rd September, 1923, which it amended. You will observe that the Order in Council of the 25th September only dispensed with the necessity for a licence in respect of German and Austrian goods imported into Western Samoa after 1st April, 1924, and did not provide for their entry free of duty.

I have, &c.,
(for the Secretary of State),
G. R. WARNER.

His Excellency
The Honourable Frank B. Kellogg,
&c., &c., &c.

TELEGRAM FROM THE GOVERNOR-GENERAL OF NEW ZEALAND TO THE SECRETARY OF STATE FOR THE COLONIES.

1. THE New Zealand Government, acting by His Majesty's delegation as mandatory authority of Western Samoa, regrets any apparent delay in reply to the representation of the United States Government on the subject of British preferential duties in Western Samoa.

2. This Government had, however, believed that the United States Government understood the points of difference, and this Government were awaiting an intimation from the United States Government that the Tripartite Treaty of 1899 prevented the United States from restrictions upon British shipping in American Samoa.

3. The New Zealand Government has recognized that the question whether obligations of Tripartite Treaty are still imposed on Western Samoa, notwithstanding its transition from German Sovereignty to mandatory authority, is one to be determined by the Law Officers of the Crown in England and in deference to their advice has not contended that it is free from those obligations.

4. But this Government has maintained that Tripartite Treaty is equally binding upon the Government of American Samoa and, therefore, that restrictions upon British shipping in American Samoa are at least as inconsistent with Tripartite Treaty as are the British preferential duties in Western Samoa.

5. If the Government of the United States definitely concede that New Zealand ships and all British ships are entitled to carry goods and passengers between American ports and ports of American Samoa, and that British shipping will receive exactly the same treatment in all other respects in such trade as American ships, both in American Samoa and in United States ports, then the New Zealand Government will reciprocally legislate to place American imports in the same position as the British imports in Western Samoa.

Enclosure 2 in No. 413.

(A 2287/2287/45.)

AIDE-MÉMOIRE.

BY a New Zealand Order in Council taking effect the first day of May, 1920, all goods imported into Western Samoa not exempted from duty, excepting cigars,

cigarettes and tobacco, were made subject to increased Customs duty, which amounted to 15 per cent. on all British goods and 22½ per cent. on all other goods. A discrimination against American goods of 7½ per cent. was thus established.

Immediately after the promulgation of this Order the American Government protested against this discrimination as a violation of the Tripartite Convention between Great Britain, Germany and the United States, dated 2nd December, 1899, which provides by Article 3:—

> "It is understood and agreed that each of the three signatory Powers shall continue to enjoy, in respect to their commerce and commercial vessels, in all the islands of the Samoan group privileges and conditions equal to those enjoyed by the Sovereign Power, in all ports which may be open to the commerce of either of them."

Despite repeated requests which the American Embassy had made of the British Government for an indication of their attitude with respect to the preferential tariff now in effect in Samoa, no replies have been received except that the British Government have the matter under consideration and that it would be dealt with as quickly as possible. The last word from the British Government was on 2nd June, 1922—nearly two years ago—to the effect that the Colonial Office would be pressed for an early decision.

The American Government now learns that the New Zealand Order in Council of 3rd September, 1923, which modified Customs regulations in Samoa, reiterates the position of the New Zealand Government with respect to American goods, which, by the above-mentioned Order, are subjected to the same duties as all goods of origin other than British. Furthermore, an Order in Council of 25th September, 1923, admits the entry free of duty of German and Austrian products. The American Government has consistently objected to this discrimination against United States products. At present, articles of British origin enjoy seven and a-half per cent. preference in tariff over American goods.

It is further suggested that the position taken by the New Zealand Government is in conflict with the principles enunciated by the Government of the United States regarding the administration of mandate territories, a position which, it is understood, has been conceded by the British Government. The then Secretary of State for Foreign Affairs, Lord Curzon, in a note dated 30th September, 1922,* relating to mandates of certain ex-German territories in East Africa, stated to the then American Ambassador:—

> "His Majesty's Government have not the slightest intention to discriminate against United States nationals or institutions by subjecting their operations to restrictions not equally applicable to British nationals or institutions."

It is obviously desirable that this matter be adjusted at the earliest possible moment, in view of the severe losses resulting to American firms having business with Samoa.

Embassy of the United States of America,
London,
April, 1924.

[18066]

Enclosure 3 in No. 413.

Embassy of the United States of America.

My Dear Mr. MacDonald, London, 10th April, 1924.

Referring to our conversation to-day in reference to the discriminatory tariff against American goods by the New Zealand Government, you said that you understood that New Zealand had some claim of discrimination against British vessels in the Samoan ports.

The only thing I find in the correspondence is in a report on the subject of preferential tariffs by Mason Mitchell, American Consul in Samoa, made 19th May, 1920, a copy of which report I enclose. This shows the charges made against British vessels were refunded as in violation of the Tripartite Treaty of 1899.

I am, &c.,
Frank B. Kellogg.

The Right Honourable
J. Ramsay MacDonald,
&c., &c., &c.

---

* Enclosure in No. 191 in Dominions No. 87.

American Consulate, Apia, Samoa,
19th May, 1920.

Subject: Preferential tariff against American goods.

Sir,

I have the honour to report by the "Samoa Customs Order, 1920," taking effect on the first day of May, 1920, all goods imported into Western Samoa not exempted from duty, except cigars, cigarettes and tobacco, are subject to an increased customs duty which amounts to 15 per cent. on all British goods and 22½ per cent. on all other goods. The former tax being 12½ per cent. on all goods irrespective of their origin.

Enclosed are copies of correspondence with the "Administrator of Western Samoa," in which is quoted the Convention in Berlin, which concluded and signed a general Act on the 14th day of June, 1899, by the three Protectorating Powers of Samoa, America, Great Britain and Germany, whereby in Article III of the aforesaid Act states:—

> "It is understood and agreed that each of the Signatory Powers shall continue to enjoy, in respect to their commerce and commercial vessels, in all of the islands of the Samoan group, privileges and conditions equal to those enjoyed by the Sovereign Power, in all parts which may be open to the commerce of either of them."

As the aforesaid Samoa Customs Order of 1920, a preferential tariff had been enacted against American goods and no notice received of the cessation of this agreement, I respectfully requested to be informed if it was null and void.

In reply the Administrator stated that the point raised by self had been referred to the New Zealand Government and soon as a reply was received would have the pleasure of again communicating with me.

If this tariff is carried out as it stands, in conjunction with the present rate of exchange whereby the Pound Sterling is quoted $3·91, it will inevitably ruin the trade from America to Western Samoa.

It may be noted by instructions received from the Department No. 56, dated 27th January, 1912, I was empowered to collect a fee of $5 for the insurance of a consular bill of health to foreign vessels clearing from Apia to Pago Pago.

This fee was paid until 15th October, 1913, when owing to the decision of the Controller of the Treasury that, as American vessels were free from the payment of this fee between the ports of Apia and Pago Pago, the payment of the fee by British vessels was not in accordance with the Treaty of 1899 and the Auditor for State and other Departments refunded to British subjects the amount of fees paid for consular bills of health from Apia to Pago Pago.

Am enclosing a protest from the American firm of John Rothschild and Company, of San Francisco, who have a branch house in Apia. Other American firms intend entering protests against this preferential tariff.

I have, &c.,
Mason Mitchell,
Consul.

The Honourable
The Secretary of State,
Washington.

---

(5) Treaty with 'Iraq.

(*Treaty Series* 1925, *No.* 17.)

53579

No. 414.

The SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.

Dominions No. 531.)

[My Lord,] [Sir,] Downing Street, 14th November, 1924.

With reference to my predecessor's despatch Dominions No. 226 of the 16th May,* I have the honour to request [Your Excellency] [you] to inform your

---

* 22184/24: not printed; it enclosed copies of the Treaty.

Ministers that the Instrument of His Majesty's Ratification of the Anglo-'Iraq Treaty of the 10th October, 1922, together with the Protocol of the 30th April, 1923, and Subsidiary Agreements, has been prepared and has been forwarded to the High Commissioner for 'Iraq with a view to exchange against a similar Instrument signed by King Feisal.

I have, &c.,
L. S. AMERY.

MEMEL.

Convention for transfer of Sovereignty to Lithuania.

(*Treaty Series* 1925, *No.* 48.)

39019

No. 415.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. } Dominions No. 410).

[My Lord,] [Sir,] Downing Street, 27th August, 1924.

[*Not to Irish Free State:* With reference to my predecessor's despatch Dominions No. 416 of the 13th November, 1923*], I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, a copy of a Convention† providing for the transfer to Lithuania of the territory of Memel, and for the future constitutional position and the administration of the Memel territory.

2. The instrument was negotiated, on the British side, partly by His Majesty's Ambassador at Paris as a member of the Council of Ambassadors, and partly by the British Representative on the Council of the League of Nations after reference of the matter to the Council—see League of Nations paper C. 159. M.39. 1924. VII. [*To Newfoundland only:* (of which a copy is enclosed).‡]

I have, &c.,
(for the Secretary of State)
ARNOLD.

40038

No. 416.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. } Dominions No. 433.)

[My Lord,] [Sir,] Downing Street, 2nd September, 1924.

With reference to my despatch Dominions No. 410 of the 27th of August,§ I have the honour to request [Your Excellency,] [you,] to inform your Ministers that His Majesty's Minister at Riga has reported that the President of the Lithuanian Republic signed the instrument of ratification of the Convention providing for the transfer of the territory of Memel to Lithuania on the 14th of August.

I have, &c.,
(for the Secretary of State)
HENRY LAMBERT.

---

* No. 292 in Dominions No. 88. † Not reprinted: see Cmd. 2235 for the text. ‡ Not printed here.
§ No. 415.

44022

No. 417.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. } Dominions No. 463.)

[My Lord,] [Sir,] Downing Street, 16th September, 1924.

With reference to my despatch Dominions No. 410 of the 27th of August,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of a Parliamentary Paper, Cmd. 2235, containing the Convention respecting the Memel Territory and the Statute of the Memel Territory, signed at Paris on the 8th of May, 1924.

I have, &c.,
(for the Secretary of State)
ARNOLD.

42885

No. 418.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. } Dominions No. 515.)

[My Lord,] [Sir,] Downing Street, 31st October, 1924.

With reference to my despatch Dominions No. 410 of the 27th August and Dominions No. 463 of the 16th September,† I have the honour to request Your Excellency to inform your Ministers that it is now proposed to arrange for the ratification by His Majesty of the Convention of the 8th May, 1924, providing for the transfer to Lithuania of the territory of Memel.

I have, &c.,
J. H. THOMAS.

Note.—His Majesty's ratification of the Convention had not been deposited at the end of 1924.

METRIC SYSTEM. INTERNATIONAL CONVENTION RELATING TO:

Position of Irish Free State.

39822

No. 419.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 527.)

Sir, Downing Street, 6th September, 1924.

I have the honour to request Your Excellency to inform your Ministers that the seventh General Conference of the International Bureau of Weights and Measures will probably be held in 1925, when the amount of the total "endowment" of the Bureau and the contributions thereto of the participating States will come

---

* No. 415. † Nos. 415 and 417.

up for reconsideration; and in this connexion, His Majesty's Government are desirous of ascertaining the wishes of the Government of the Irish Free State in the matter of their adherence to the International Metric Convention of the 6th of October, 1921. A copy of the Convention (Cmd. 1982) is enclosed, and attention is invited in particular to the provisions contained therein as to the contributions of participating States, which are set out on pages 5 and 9 of the print.

2. It will be observed that the endowment of the Bureau consists of two parts, one fixed and the other supplementary. The fixed part, which at present amounts to 250,000 francs, is paid (on a population basis) by the States which had acceded to the original Convention of 1875 prior to the Sixth General Conference in 1921, when the new Convention was adopted. The supplementary part consists of the contributions of States adhering to the Convention after that date.

3. The question to be considered is (i) whether the Free State Government would prefer to exercise their right, as a self-governing Dominion, of adhering independently to the Bureau and paying the appropriate subscription, or (ii) whether they would prefer to remain outside the Convention of 1921 altogether. If the first alternative is adopted, the amount of the subscription to which the Irish Free State would become liable is not clear, but it would probably be not much (if at all) in excess of the minimum (at present francs 1,250) prescribed by the Convention.

4. His Majesty's Government will be glad to learn at an early date which of the two courses your Ministers desire to adopt. Should they desire any further information beyond what is contained in the Convention and in this despatch before they come to a decision, His Majesty's Government will be glad to furnish it, if available.

I have, &c.,
(for the Secretary of State),
HENRY LAMBERT.

MOROCCO.

Request for surrender of British capitulatory rights.

27978

No. 420.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.

Dominions No. 277. Confidential.)

[MY LORD,] [SIR,] Downing Street, 21st June, 1924.

I HAVE the honour to request [Your Excellency,] [you,] to inform your Ministers that the French Government have formally requested the surrender of British capitulatory rights in the French Protectorate of Morocco.

2. Now that the Tangier Convention has been ratified by both His Majesty and the French Government (see my despatch Dominions No. 266 of the 13th June*), this request on the part of the latter is not unexpected, and the Secretary of State for Foreign Affairs is disposed to think that the surrender of these rights should be agreed to, subject to the provision of satisfactory safeguards for British trade and commerce in Morocco. This aspect of the question is now receiving consideration.

I have, &c.,
J. H. THOMAS.

Note.—No further developments occurred during 1924.

---

* No. 675.

MOTOR CARS: INTERNATIONAL CONVENTION, 1909, RELATIVE TO THE CIRCULATION OF:

Position of Irish Free State.

15478

No. 421.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1st April, 1924.)

[*Answered by No.* 422.]

(No. 112.)

SIR, Vice Regal Lodge, Dublin, 31st March, 1924.

MY Ministers, being desirous that the Royal Irish Automobile Club should be recognized internationally, request me to ask you to be good enough to inform the French Government that the Government of the Irish Free State considers itself bound by the International Convention of the 11th October, 1909, relative to the Circulation of Motor Cars, owing to the adhesion thereto of the then United Kingdom, and that the identification letters of the Irish Free State for use on the registration plaque will be "S.E."

I have, &c.,
T. M. HEALY.

19187

No. 422.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 252.)

SIR, Downing Street, 25th April, 1924.

I HAVE the honour to acknowledge the receipt of Your Excellency's despatch No. 112 of the 31st March,* and to transmit to you, to be laid before your Ministers, copy of a despatch addressed by the Secretary of State for Foreign Affairs to His Majesty's Ambassador at Paris, regarding the international recognition of the Royal Irish Automobile Club under the terms of the International Convention of 1909.

I have, &c.,
J. H. THOMAS.

Enclosure in No. 422.

(No. 1247.)

MY LORD, Foreign Office, S.W.1, 16th April, 1924.

I TRANSMIT, herewith, a copy of a letter from the Colonial Office regarding the desire of the Government of the Irish Free State that the Royal Irish Automobile Club should receive international recognition under the terms of the International Convention of 1909 relative to the Circulation of Motor Cars.

2. I shall be glad if Your Lordship will address the French Government in the sense desired by the Free State Government.

I am, &c.,
(for the Secretary of State),
G. H. VILLIERS.

His Excellency The Most Honourable
The Marquess of Crewe, K.G.,
&c., &c., &c.

---

* No. 421.

27742

No. 423.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 371.)

Downing Street, 16th June, 1924.

SIR,

WITH reference to my despatch No. 252 of the 25th April,* I have the honour to transmit to Your Excellency, to be laid before your Ministers, copies of notes addressed by His Majesty's Ambassador at Paris to the French Government on the subject of the position of the Irish Free State in relation to the Convention with respect to the International Circulation of Motor Vehicles of 1909.

I have, &c.,
J. H. THOMAS.

Enclosure 1 in No. 423.

British Embassy, Paris,
18th April, 1924.

MONSIEUR LE PRÉSIDENT DU CONSEIL,

I HAVE the honour, under instructions from His Majesty's Principal Secretary of State for Foreign Affairs, to inform Your Excellency that the Government of the Irish Free State, being desirous that the Royal Irish Automobile Club should be recognized internationally, considers itself bound by the International Convention of 11th October, 1909, relative to the Circulation of Motor Cars, owing to the adhesion thereto of the United Kingdom of Great Britain and Ireland.

I have the honour to add that the identification letters of the Irish Free State for use on the registration plaque will be "S.E."

I have, &c.,
CREWE.

His Excellency
Monsieur Raymond Poincaré, etc.

Enclosure 2 in No. 423.

(No. 223/2/1924.)

ON 18th April, His Majesty's Ambassador had the honour to address a note to His Excellency the President of the Council, informing him that the Government of the Irish Free State considered itself bound by the International Convention of 11th October, 1909, relative to the Circulation of Motor Cars.

His Majesty's Embassy has the honour to inquire whether it may report to His Majesty's Government, for the information of the Government of the Irish Free State, that the arrangements for the latter's adherence to this Convention are complete.

British Embassy, Paris,
29th May, 1924.

30465

No. 424.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[Answered by No. 425.]

(No. 403.)

Downing Street, 1st July, 1924.

SIR,

WITH reference to my despatch No. 371 of the 16th June,† I have the honour to transmit to Your Excellency, to be laid before your Ministers, copies of a note received by His Majesty's Ambassador at Paris stating that the French Government has no objection to the Irish Free State Government considering itself bound to the International Convention of the 11th October, 1909, relative to the Circulation of Motor Vehicles.

I have, &c.,
J. H. THOMAS.

---

* No. 422. † No. 423.

Enclosure in No. 424.

République Française.

LE Ministère des Affaires Etrangères a l'honneur de faire connaître à l'Ambassade Britannique, en réponse à sa communication du 18 avril et 29 mai, que le Gouvernement français n'a pas d'objection à ce que l'Etat Libre de l'Irlande se considère lié à la Convention Internationale du 11 octobre, 1909, relative à la Circulation des Automobiles.

Le Ministère va porter cette décision à la connaissance des pays signataires de la Convention.

Paris, le 24 juin 1924.
Ambassade de Grande Bretagne à Paris.

46551

No. 425.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1st October, 1924.)

[Answered by No. 426.]

(No. 380.)

Vice Regal Lodge, Dublin, 30th September, 1924.

SIR,

WITH reference to your despatch No. 403 of the 1st July* transmitting a copy of a note from the French Foreign Office to the effect that the French Government had no objection to the Irish Free State considering itself bound by the International Convention of the 11th October, 1909, relative to the Circulation of Motor Vehicles, I have the honour to request that His Majesty's Ambassador at Paris may be asked to ascertain from the French Government if the letters "S.E." for use on the registration plaque have been accepted, and also if the accession of the Irish Free State is governed by Article 13 of the Convention.

I have, &c.,
T. M. HEALY.

55144

No. 426.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 675.)

Downing Street, 2nd December, 1924.

SIR,

WITH further reference to Your Excellency's despatch No. 380 of the 30th September,† I have the honour to transmit to you, to be laid before your Ministers, a copy of a Note from the French Ministry for Foreign Affairs regarding the accession of the Irish Free State to the International Convention of 1909 relative to the Circulation of Motor Vehicles.

I have, &c.,
L. S. AMERY.

Enclosure in No. 426.

République Française.

LE Ministère des Affaires Etrangères a l'honneur de faire connaître à l'Ambassade de Grande Bretagne, en réponse à sa note du 1er novembre, que le Gouvernement français n'a aucune objection à ce que l'Etat Libre d'Irlande adopte les lettres S.E. pour la plaque destinée à la circulation internationale des automobiles.

L'adhésion de l'Etat Libre à la Convention du 11 octobre 1917 est réglée, comme pour les autres Puissances, par l'article 13 de la Convention.

Paris, le 15 novembre 1924.
Ambassade Britannique à Paris.

---

* No. 424. † No. 425.

MUSCAT.

Anglo-Muscat Treaty, 1891.

(Treaty Series 1892, *No.* 9.)

22099

No. 427.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

[*Answered by No.* 428.]

(Canada. No. 222.)
(Commonwealth of Australia. No. 191.)
(Irish Free State. No. 329.)

[MY LORD,] [SIR,] Downing Street, 28th May, 1924.

[*Not to Irish Free State:* With reference to my predecessor's despatch No. [221 of the 12th May, 1923,*] [397 of the 22nd October, 1923,†]] I have the honour to transmit to Your Excellency, for the information of your Ministers, the accompanying copy of a document prolonging for one year from the 11th February, 1924, the Commercial Treaty with Muscat of 1891, [*To Irish Free State only:* (Treaty Series No. 9 of 1892)] [*To Australia only:* together with a copy of the notice of the withdrawal of the Commonwealth of Australia from participation in the Treaty, and of the acknowledgment thereto.]

[*To Irish Free State only:* 2. This Treaty, which was (under Article XXIII), subject to revision after 12 years, is at present being renewed from year to year pending the negotiation of a new Treaty. If such a new Treaty were negotiated, a Clause would be inserted in it providing, not only that its stipulations should not be applicable to any of the self-governing Dominions unless notice to that effect were given, but also that it might be terminated separately in respect of any Dominion to which it had been made applicable.

3. It would also be possible, if such a course were desired by your Ministers, to propose the insertion in any future agreement extending the present Treaty for a further period, of a Clause giving the Irish Free State separate liberty of withdrawal. I should be glad to learn whether your Ministers would desire such a course, or whether they would think it sufficient that the matter should remain in abeyance until a new Treaty is negotiated.

4. In this connexion I would observe that the Governments of the other Dominions to which the 1891 Treaty applied, were consulted in 1922 as to the insertion of such a Clause in their cases. The Governments of Canada and the Commonwealth of Australia wished arrangements to be made to enable them to withdraw at any time on notice being given, and the Commonwealth Government has in fact withdrawn. The Governments of the Union of South Africa and Newfoundland thought that the matter might remain in abeyance pending the negotiation of a new Treaty. The Government of New Zealand had not acceded under Article XXI of the Treaty of 1891.]

I have, &c.,
J. H. THOMAS.

Enclosure 1 in No. 427.

BRITISH CONSULATE AND POLITICAL AGENCY, MUSCAT.

Note.

WE, the undersigned, have agreed to what follows:—That the Treaty of Friendship, Commerce and Navigation between Great Britain and Maskat, signed on the eighth day of Shaban 1308 H., corresponding to the 19th March, 1891, will be prolonged by this writing notwithstanding all, or any, correspondence between His late Highness Saiyid Faisal bin Turki and the Glorious British Government in the matter of the revision of that Treaty. And it will remain in force for a period of one year from this eleventh day of February, 1924, corresponding to the 5th Rajab 1342 H., unless a suitable Treaty by agreement between His Highness the Sultan of Maskat and Oman and the Glorious British Government be substituted for that ancient Treaty aforesaid. It is also understood that it shall be open to the Dominion of Canada to withdraw from the aforesaid Treaty at any time on notice being given to that effect by His Majesty's Representative at Maskat.

* No. 293 in Dominions No. 88. † No. 295 in Dominions No. 88.

It is also understood that the Commonwealth of Australia have withdrawn from participation in the aforesaid Treaty, as per notice given by His Majesty's Representative at Maskat in his letter No. 6, dated 3rd December, 1923.

In confirmation thereof, we, that is, I, Taimur bin Faisal, Sultan of Maskat and Oman, with my own hand, and I, Major R. G. Hinde, duly authorized Agent for that purpose on behalf of the Glorious British Government, have signed this writing and five copies, and have affixed our seal thereto.

Done at Maskat this eleventh day of February, 1924, corresponding to the 5th Rajab 1342 H.

R. HINDE,
Major,
Political Agent, Muscat.

Enclosure 2 in No. 427.

(No. 6 of 1923.)

Muscat, the 3rd December, 1923.

To The Council of Ministers to
His Highness the Sultan of Muscat and Oman, Muscat.

MUSCAT COMMERCIAL TREATY OF 1891.

After Compliments,

IN continuation of the agreement concluded with His Highness the Sultan of Muscat and Oman on the 11th day of February, 1923, corresponding to 24th Jamadi-al-Akhir 1341 H., His Majesty's Government have now instructed me to inform you that it is the desire of the Commonwealth Government of Australia to withdraw from participation in the Commercial Treaty of 1891. In the circumstance, I have the honour to inform Your Honours to consider this letter as notice of withdrawal of the Commonwealth of Australia from participation in the Muscat Commercial Treaty of 1891.

This is what had to be said and salaams.

R. HINDE.
Major.
Political Agent and
His Britannic Majesty's Consul, Muscat.

Enclosure 3 in No. 427. [*To Australia only.*]

(No 4.)

Dated [7th Rajab, 1342.] [13th February, 1924.]

From the Council of Ministers to His Highness the Sultan of Maskat and Oman, Maskat, to Major Hinde, His Britannic Majesty's Consul, Maskat.

After Compliments,

WE received your letter dated 11th February, 1924, in which you invite our attention to your letter No. 6, dated 3rd December, 1923, with regard to the agreement concluded with His Highness the Sultan of Maskat and Oman on the 11th day of February, 1923, corresponding to 24th Jamadi-al-Akhir 1341. In that letter you mentioned that you received instructions from His Britannic Majesty's Government to inform us that it is the desire of the Commonwealth Government of Australia to withdraw from participation in the Maskat Commercial Treaty of 1891. We considered your said letter and regarded it as notice of withdrawal of the Commonwealth Government of Australia from participation in the Commercial Treaty, as is understood from the note made on the 11th February, 1923, that it will be open to them to withdraw from participation in the said Treaty at any time after notice being given to that effect by His Britannic Majesty's Representative at Maskat. Now we inform Your Honour to report to the Glorious Government, that after receipt of this notice our relations with the Commonwealth Government of Australia will be like other Governments with whom we have no Commercial Treaty relations.

In the end we renew our best salutations and salaams.

NADIR (with his own hand).
MUHAMMAD BIN AHMAD (with his own hand).
RASHID (with his own hand).
ZUBAIR (with his own hand).

32288

No. 428.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8th July, 1924.)

[*Answered by No.* 429.]

(No. 259.)

SIR, Vice Regal Lodge, Dublin, 7th July, 1924.

I HAVE the honour to acknowledge the receipt of your despatch No. 329 of the 28th May,* transmitting a copy of a document prolonging for one year, from the 11th February, 1924, the Commercial Treaty with Muscat of 1891.

2. My Ministers desire me to inform you that in any future agreement extending the present Treaty they would wish arrangements to be made to enable the Irish Free State to withdraw at any time, on notice being given.

I have, &c.,
T. M. HEALY.

35120

No. 429.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 457.)

SIR, Downing Street, 30th July, 1924.

I HAVE the honour to acknowledge the receipt of Your Excellency's despatch No. 259 of the 7th of July,† regarding the Commercial Treaty with Muscat of 1891, and to transmit to you, for the information of your Ministers, the accompanying copy of a letter to the Government of India on the subject.

I have, &c.,
J. H. THOMAS.

Enclosure in No. 429.

MUSCAT COMMERCIAL TREATY; INSERTION OF A CAVEAT REGARDING THE WITHDRAWAL OF THE IRISH FREE STATE.

India Office, Whitehall, London, S.W.1, 24th July, 1924.

SIR,

WITH reference to correspondence resting with your letter of the 3rd April, No. 43-X, regarding the renewal of the Commercial Treaty with Muscat, I am directed by the Secretary of State to enclose a copy of a letter‡ from the Colonial Office, and to request that when the renewal of the Treaty is next under consideration provision may be made therein, as in the case of the Dominion of Canada, for the withdrawal of the Irish Free State from the Treaty at any time on notice being given to that effect by His Majesty's Representative at Muscat.

I have, &c.,
L. D. WAKELY.

The Foreign Secretary to the
Government of India.

---

* No. 427. † No. 428. ‡ 32288/24: not printed; it enclosed copy of No. 428.

INTERNATIONAL ARRANGEMENTS AND TREATY RELATIONS.

POSITION OF THE SELF-GOVERNING DOMINIONS AND SOUTHERN RHODESIA.

CORRESPONDENCE, 1924

(in Two Parts).

PART II—Index to Parts I and II.
Serial Numbers 430 to 858.

(*In continuation of Dominions Nos.* 75, 76, 78, 80, 81, 87 *and* 88; *continued by Dominions No.* 94.)

CORRESPONDENCE, 1924.
(In Two Parts).

INDEX TO PARTS I. AND II.

PART I.

PAGE IN PART I.

Aerial Navigation Convention, 1919.
(Treaty Series 1922, Nos. 2 and 11).
(1) Article 5: Postponement of Application and Amendment of Article. (Treaty Series 1925, No. 12) 1
(2) Article 5: Application for Derogation by Great Britain 3
(3) Amendment of Article 34. (Treaty Series 1925, No. 13) 5

Aerial Warfare
(*See under* Laws of War).

Albania.
(*See under* Extradition Treaties).

Antarctic. 8

Anti-Diphtheritic Serum.
Proposed Agreement for Control of 9

Arbitration Agreements.
(1) Norway. (Treaty Series 1925, No. 30) 11
(2) Portugal. (Treaty Series 1925, No. 41) 11
(3) Sweden. (Treaty Series 1925, No. 28) 11
(4) Spain. (Treaty Series 1924, No. 16) 17
(5) United States (Treaty Series 1924, No. 8) 18

Arbitration in Commercial Contracts.
Protocol regarding
(*See under* League of Nations).

Armaments, Limitation of
(1) Proposed agreement relating to Naval Disarmament 18
(2) Proposed Treaty of Mutual Assistance
(*See under* League of Nations).
(3) Geneva Protocol
(*See under* League of Nations).

Australia.
Registration of Australian Trade Marks in Finland
(*See under* Industrial Property Conventions).

Austria.
(1) Commercial Treaty, 1924. (Treaty Series 1925, No. 21). 22
(2) Agreement respecting the Customs Clearance of Commercial Travellers' Samples. (Treaty Series 1923, No. 9, and 1925, No. 27) 26

Belgium.
(1) Commercial Convention with Canada. (Treaty Series 1925, No. 7) 29
(2) Convention relating to Legal Procedure in Civil and Commercial Matters. (Treaty Series 1924, No. 13) 34
(3) Extradition Treaty
(*See under* Extradition Treaties)

Brazil.
(*See under* Extradition Treaties).

Canada.
(1) Commercial Convention with Belgium
(*See under* Belgium)
(2) Commercial Treaty with Italy
(*See under* Italy).
(3) Commercial Convention with the Netherlands
(*See under* Netherlands).
(4) Commercial negotiations with Spain
(*See under* Spain: Commercial Treaty, 1922).
(5) Treaties with the United States regarding Smuggling.
(*See under* United States).

34151. Wt. 3544/1651. 30. 10/26. J. J. K. & Co., Ltd.

Channel Islands.
Application of Treaties to
(*See under* Great Britain and Northern Ireland).

Commercial Treaties.
(1) Bearing on Immigration Restrictions
(*See under* Poland).
(2) Most-favoured-nation clause: attitude of United States
(*See under* United States: Treaty-making Policy).

Customs Formalities Convention.
(*See under* League of Nations).

Customs Tariffs.
International Convention for the Publication of 41

Czechoslovakia.
(1) Commercial Treaty. (Treaty Series 1924, No. 35) 45
(2) Agreement on Commercial Travellers' Samples 49
(Treaty Series 1923, No. 19, and 1924, No. 14).
(3) Convention relating to Legal Procedure in Civil and Commercial Matters ... 53
(4) Extradition Treaty
(*See under* Extradition Treaties).
(5) Enquiry as to constitutional position of Irish Free State
(*See under* Irish Free State).
(6) Proposed Convention relating to Legal Procedure
(*See under* Italy).

Dawes Plan.
(*See under* Reparation).

Egypt and the Sudan. 59

Esthonia.
Proposed Commercial Treaty 62

Exploration of the Sea, International Council for the.
Admission of the Irish Free State 63

Extradition Treaties.
(1) Albania 66
(2) Belgium (Treaty Series 1924, No. 1) 67
(3) Brazil 71
(4) Czechoslovakia... 75
(5) Finland. (Treaty Series 1925, No. 22) 76
(6) Latvia. (Treaty Series 1925, No. 44) 78
(7) United States 79
(8) Extension to Mandated Territories.
(*See under* Mandates.)

Finland.
(1) Commercial Treaty. (Treaty Series 1924, No. 34) 93
(2) Tonnage Measurement Agreement. (Treaty Series 1924, No. 30). 102
(3) Extradition Treaty
(*See under* Extradition Treaties).
(4) Registration of Australian Trade Marks
(*See under* Industrial Property Conventions).

Flags of Inland States.
(*See under* Freedom of Transit).

France.
(1) Convention relating to Legal Procedure in Civil and Commercial Matters (Treaty Series 1922, No. 5) 103
(2) Proposed Commercial Convention with Irish Free State 105
(3) Denunciation of Agreement of 1899 for free delivery and attestation of Certificates of Origin 106

Freedom of Transit.
(1) Declaration as to Flags of Inland States (Treaty Series 1923, No. 29). 112
(2) Conventions adopted by the Second General Conference on the Freedom of Communications and Transit held at Geneva, 1923. (Treaty Series 1925, Nos. 23, 24, 25 and 26). 114

Full Powers.
(1) Issue to Plenipotentiaries at Lausanne Conference
(*See under* Turkey).
(2) Issue to Canadian Plenipotentiaries
(*See under* Belgium, Netherlands and United States: Treaties with Canada).

Geneva Protocol.
(*See under* League of Nations: Protocol for the Pacific Settlement of International Disputes.)

Germany.
(1) Commercial Treaty, 1924. (Treaty Series 1925, No. 45) 118
(2) Suggested prolongation of operation of Article 276, Treaty of Versailles... ... 125
(3) Agreement with Union Government relating to South West Africa. (Treaty Series 1924, No. 27) 127
(*See also under* Property, Rights and Interests and Reparation).

Great Britain and Northern Ireland.
Method of signature of Treaties on behalf of 133

Greece.
Termination of existing Commercial Treaties 133

Guatemala.
Proposed Commercial Treaty 135

Immigration.
Bearing of Commercial Treaties upon restrictions on
(*See under* Poland).

Industrial Property Conventions, 1883 and 1911.
(1) Accession of Canada 135
(2) Registration of Australian Trade Marks in Finland 136

International Labour Conference.
(1) Amendment of Article 393, Treaty of Versailles. (Treaty Series 1925, No. 6). ... 140
(2) Position of Irish Free State in relation to International Labour Conventions ... 142

International Radiotelegraph Convention, 1912.
Accession of Irish Free State 144

International Refrigeration Convention, 1920. 145
(Treaty Series 1923, No. 6).

International Sanitary Convention, 1912.
(Treaty Series 1921, No. 2).
and **International Office of Public Health.** 147

International Veterinary Bureau: Convention for Creation of 153

'Iraq Treaty
(*See under* Mandates).

Irish Free State.
(1) Constitutional position as regards the conclusion of International Treaties ... 156
(2) Ratification of Certain Conventions 159
(3) Registration of Articles of Agreement of 6th December, 1921
(*See under* League of Nations).
(4) Admission to the International Council for the Exploration of the Sea
(*See under* Exploration of the Sea).
(5) Proposed Commercial Convention with France
(*See under* France).
(6) Accession to International Radiotelegraph Convention
(*See under* International Radiotelegraph Convention).
(7) Position in relation to International Metric Convention
(*See under* Metric System).
(8) Position in relation to Convention dealing with Circulation of Motor Cars
(*See under* Motor Cars).
(9) Position in relation to International Labour Conventions
(*See under* International Labour Conference).
(10) Voting Power at Postal Congress
(*See under* Postal Convention).
(11) Position in relation to Real and Personal Property Convention with United States
(*See under* United States).

Isle of Man.
Application of Treaties to
(*See under* Great Britain and Northern Ireland).

Italy.
(1) Commercial Treaty with Canada. (Treaty Series 1924, No. 10). 162
(2) Proposed Convention relating to Legal Procedure in Civil and Commercial Matters 165
(3) Convention relating to Jubaland
(*See under* Jubaland).

Japan.
(1) Abrogation of Article 8 of Commercial Treaty of 1911 and Supplementary Commercial Convention, 1925. (Treaty Series 1924, No. 31). 166
(2) Agreement regarding Loadlines. (Treaty Series 1924, No. 12). 171

Jubaland.
Anglo-Italian Treaty regarding cession of. (Treaty Series 1925, No. 29) 171

Latvia.
Extradition Treaty
(*See under* Extradition Treaties).

Laws of War.
Report of Commission of Jurists on proposed revision of 173

League of Nations.
(1) Ratification of Amendments to Covenant. (Treaty Series 1923, No. 4, and 1924, No. 4). 173
(2) Amendment of Article 16. (Treaty Series 1924, No. 32). 182
(3) Reduction of Armaments: Proposed Treaty of Mutual Assistance). (Cmd. 2200) ... 188
(4) Interpretation of Articles 12 to 15. Report of Jurists' Commission 195
(5) Geneva Protocol for the Pacific Settlement of International Disputes 201
(6) Registration of Treaties under Article 18 212
(7) Registration under Article 18 of Articles of Agreement for a Treaty between Great Britain and Iceland, 6th December, 1921 213
(8) Protocol concerning Arbitration Clauses in Commercial Agreements. (Treaty Series 1925, No. 4). 224
(9) Customs Formalities Convention. (Treaty Series 1925, No. 14) 225

Legal Proceedings in Civil and Commercial Matters.
(*See under* Belgium, France and Italy).

Liechtenstein.
Application of Commercial Treaties with Switzerland (Treaty Series 1924, No. 20) ... 235

Liquor Traffic Regulation.
Convention with United States
(*See under* United States).

Lithuania.
Memel Convention
(*See under* Memel).

Locusts.
International Convention for the Suppression of 237

London Conference on Dawes Plan. 1924.
(*See under* Reparation).

Mandates.
(1) Attitude of United States Government
(a) B Mandates 238
(b) C Mandates 240
(2) Position of Mandated Territories in relation to Treaties
(a) Generally 243
(b) Extradition Treaties 247
(3) Nauru Report, 1923 249
(4) Western Samoa: Preferential Tariff 250
(5) Treaty with 'Iraq. (Treaty Series 1925, No. 17) 255

Memel.
Convention for Transfer of Sovereignty to Lithuania. (Treaty Series 1925, No. 48) ... 256

Metric System, International Convention relating to
Position of Irish Free State. 257

Morocco.
Request for Surrender of British Capitulatory Rights... 258

Motor Cars, International Convention, 1909, relative to the circulation of.
Position of Irish Free State 259

Muscat.
Anglo-Muscat Treaty, 1891 (Treaty Series 1892, No. 9) 262

Mutual Guarantee, Treaty of
(*See under* League of Nations).

PART II.

Naval Disarmament.
Suggestions for International Agreement
(*See under* Armaments: Limitation of)-

Negotiation, Signature and Ratification of International Agreements.
Resolution of the Imperial Conference of 1923 1

Netherlands.
Commercial Convention with Canada. (Treaty Series 1925, No. 50) 8
(*See also under* Territorial Waters).

New Zealand.
Voting Power at Postal Congress
(*See under* Postal Convention).

Norway.
(1) Proposed Commercial Agreement with Australia 10
(2) Agreement for the Reciprocal Exchange of Information concerning Lunacies ... 10
(3) Negotiations relating to Territorial Waters
(*See under* Territorial Waters)
(4) Renewal of Arbitration Agreements
(*See under* Arbitration Agreements)

Obscene Publications. International Convention, 1923 13

Permanent Court of International Justice.
Compulsory jurisdiction
(*See under* League of Nations: Protocol for the Pacific Settlement of International Disputes).

Persia.
Agreement, 1920, Modifying the Commercial Convention of 1903. (Treaty Series 1920, No. 17.) 17

Poland.
Commercial Treaty 1923. (Treaty Series 1924, No. 26). Bearing of Commercial Treaties upon restrictions on Immigration 18

Portugal.
(*See under* Arbitration Agreements)

Postal Convention, 1924. 21

Property Rights and Interests.
Agreement under Article 297 Treaty of Peace with Germany. (Treaty Series 1921, No. 6) 33

Radio, Control of, in time of War.
(*See under* Laws of War.)

Reparation.
(1) London Conference on the Dawes Report. (Cmd. 2105, Cmd. 2191, Cmd. 2259 and Cmd. 2270)... 34
(2) Conference of Financial Experts in Paris 72

Representation of Dominions at International Conferences.
(*See under* Reparations, Turkey)

Rhine Navigation Certificates.
Convention relating to. (Treaty Series 1925, No. 46) 76

Russia.
(1) *De jure* recognition of the Soviet Government 77
(2) Anglo-Soviet Conference, 1924, and Treaties of 8th August, 1924. (Cmd. 2116 and 2215) 83
(3) Extent of Territorial Waters
(*See under* Territorial Waters).

Salvador.
Proposed Commercial Treaty 104

Serb-Croat-Slovene State.
(*See under* Territorial Waters)

Siam.
Revision of Commercial Treaties 105

Spain.
(1) Commercial Treaty, 1923. (Treaty Series 1924, No. 21) 110
(2) Agreement respecting treatment of Companies. (Treaty Series 1924, No. 25) ... 121
(3) Extent of Territorial Waters
(*See under* Territorial Waters).
(4) Renewal of Arbitration Agreement
(*See under* Arbitration Agreements.)

Spitzbergen.
Treaty of 1920 (Treaty Series 1924, No. 18) 122

PAGE IN PART II.

Sweden.
(*See under* Arbitration Agreements and Territorial Waters)

Tangier.
Convention, 1923. (Treaty Series 1924, No. 23) 123

Territorial Waters.
(1) Conclusions of Imperial Conference, 1923 126
(2) Netherlands attitude 133
(3) Norway. Limits of Territorial Waters 133
(4) Russia. Extent of Territorial Waters 150
(5) Serb-Croat-Slovene State. Visits of Foreign Warships 152
(6) Spain. Arrest of British feluca "Menajaro" 154
(7) United States. Extent of Jurisdiction over Cook Inlet 155
(8) United States. Liquor Treaty
(*See under* United States.)

Turkey.
(1) Treaties of Lausanne (Cmd. 1929) Ratification 158
(2) Lausanne Conference. Issue of Full Powers 198
(3) Proposed Convention to regulate the admission of British subjects in Turkey and of Turkish citizens in the United Kingdom to the various forms of commerce, professions and industries 198

United States.
(1) Treaty regulating Liquor Traffic (Treaty Series 1924, No. 22) 201
(2) Pacific Halibut Fishery Treaty (Treaty Series 1925, No. 18) 227
(3) Treaties with Canada regarding the Suppression of Smuggling on the International Boundary and Extradition for Narcotic Offences. (Treaty Series 1925, Nos. 39 and 40) 233
(4) Real and Personal Property Convention, 1899. (Treaty Series 1900, No. 17.) Position of Irish Free State 252
(5) Treaty-making Policy. Suggested new Commercial Treaty with Great Britain ... 253
(6) Treaty of 1899 relating to Western Samoa
(*See under* Mandates: Western Samoa)
(7) Jurisdiction over Cook Inlet
(*See under* Territorial Waters).
(8) Renewal of Arbitration Convention
(*See under* Arbitration Agreements).
(9) Proposed Extradition Treaty).
(*See under* Extradition Treaties).

Venereal Disease among Seamen.
International Agreement 258

Voting Power of Dominions at International Conferences.
(*See under* Postal Convention).

Weihaiwei.
Proposed Convention for retrocession of 264

Western Samoa.
(1) Preferential Tariff
(*See under* Mandates).
(2) Application of Lausanne Treaties to
(*See under* Turkey: Treaties of Lausanne).

PART II.

TABLE OF CONTENTS.

NEGOTIATION, SIGNATURE AND RATIFICATION OF INTERNATIONAL AGREEMENTS.

Resolution of the Imperial Conference of 1923.

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
430 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland Dominions 11 ... ... January 10	Transmits copy of extract from the Summary of Proceedings of the Imperial Conference, 1923, regarding a resolution passed as to the negotiation, signature and ratification of international agreements, and enquires whether Ministers are prepared to accept procedure set out therein 1
431 The Governor-General Canada 30 ... January 31 (Rec. Feb. 18)	States with reference to No. 430 that procedure set out therein meets with the acceptance of the Canadian Government 3
432 The Governor-General Union of South Africa 40 ... ... February 7 (Rec. Feb. 26)	Transmits copy of Ministers' Minute stating that Union Government accepts procedure detailed in No. 430 3
433 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 88 ... ... February 29	Transmits copy of a despatch to the Viceroy of India forwarding official summary of the proceedings of the Imperial Conference relative to treaties, and requesting that the procedure laid down may be adopted in future 4
434 The Governor Newfoundland 32 ... March 15 (Rec. April 7)	Accepts the procedure detailed in No. 430 5
435 The Governor-General New Zealand 53 ... March 17 (Rec. May 3)	Ditto 5
436 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 212 ... ... May 10	Transmits copies of Nos. 435, 432, and 434 5
437 The Governor-General Irish Free State 198 May 22 (Rec. May 23)	States with reference to No. 430 that Ministers desire a detailed explanatory note on the existing practice as regards agreements mentioned in the first paragraph of Part II of the Resolution 6
438 The Governor-General Commonwealth of Australia 98 ... ... April 29 (Rec. June 12)	States in reply to No. 430 that the Commonwealth Government accepts the recommendation of the Conference 6
439 To the Governor General Commonwealth of Australia 226 ... ... June 28	States that copies of No. 438 have been sent to the other Dominions and India 6

Serial No., From or to whom, Despatch No., &c., and Date.		Subject and Page No.	
	1924		
440	To the Governors-General and Governor Canada 262, New Zealand 114, Union of South Africa 198, Irish Free State 383, Newfoundland 94 ... ... June 23	Transmits copy of No. 438	7
441	To the Governor-General Irish Free State 445 ... July 26	Transmits copy of a memorandum explaining the existing practice as regards the agreements referred to in the first paragraph of Part II of the Resolution ...	7

NETHERLANDS.

Commercial Convention with Canada.

	1924		
442	The Governor-General Canada 142 ... ... April 7 (Rec. April 21)	Transmits copies of a Privy Council Minute appointing the Hon. J. A. Robb and the Hon. T. A. Low to negotiate on behalf of Canada a Treaty of Trade and Commerce between Canada and the Netherlands, and requests that the necessary Full Powers be given to these gentlemen	8
443	To the Governor-General Canada 252 ... ... June 19	Transmits Full Powers authorizing the Hon. J. A. Robb and the Hon. T. A Low to negotiate and sign Treaty with the Netherlands	9

NORWAY.

(1) Proposed Commercial Agreement with Australia.

	1924		
444	To the Governor-General Commonwealth of Australia, Telegram December 30	States that a note has been received from the Norwegian Government expressing a desire to enter into direct negotiations with Commonwealth Government for conclusion of commercial agreement. States that while His Majesty's Government have no objection to offer, they would be glad of expression of Commonwealth views before reply is sent to Norwegian Minister's note	10

(2) Agreement for the Reciprocal Exchange of Information concerning Lunatics.

	1924		
445	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 341 ... ... July 25	Transmits copies of an extract from the *London Gazette* setting out the terms of the Agreement for the reciprocal exchange of information concerning lunatics, and enquires whether Dominion Governments desire that similar agreements should be made with the Norwegian Government on their behalf ...	10
446	The Governor-General Irish Free State 391 August 20 (Rec. Aug. 21)	States, in reply to No. 445, that Ministers are perpared to make similar arrangements as regards the Irish Free State	11
447	The Governor Newfoundland 106 September 13 (Rec. Sept. 30)	States with reference to No. 445, that Ministers will be prepared to agree to the proposed arrangement as regards Newfoundland	12

Serial No., From or to whom, Despatch No., &c., and Date.		Subject and Page No.	
	1924		
448	The Governor-General Union of South Africa 490 September 17 (Rec. Oct. 6)	Transmits copy of Minute from Ministers stating that they are prepared to agree to the proposals put forward by the Norwegian Government	12
449	The Governor-General New Zealand 201 September 22 (Rec. Oct. 31)	Agrees to enter into proposed reciprocal arrangement...	12

OBSCENE PUBLICATIONS, INTERNATIONAL CONVENTION, 1923.

	1924		
450	The Governor-General New Zealand ... February 25 (Rec. April 7)	Requests that the Secretary-General, League of Nations, be informed that the New Zealand Government ratifies the International Convention for the Suppression of the Circulation of and Traffic in Obscene Publications, and encloses a letter from the Prime Minister to the Secretary-General on the subject ...	13
451	To the Governors-General New Zealand, Union of South Africa, Telegram April 23	Notifies proposed ratifications by His Majesty of the Convention and enquires whether instrument should include ratification on behalf of [New Zealand and Western Samoa] [the Union of South Africa and South-West Africa]	13
452	The Governor-General Union of South Africa Telegram ... ... April 28 (Rec. April 28)	Requests that proposed ratification of the Convention shall include ratification on behalf of the Union and South-West Africa	14
453	The Governor-General New Zealand, Telegram May 7 (Rec. May 7)	Agrees that instrument of ratification should include New Zealand and Western Samoa	14
454	The Governor-General Canada 208 ... ... May 14 (Rec. May 24)	Transmits copies of approved Minute of the Privy Council for Canada adhering on behalf of Canada to the Convention	14
455	To the Governor-General Irish Free State 487 August 14	States that it is observed that Convention has been signed on behalf of the Irish Free State and enquires whether ratification is also desired. Explains the usual procedure in such cases	15
456	To the Governors Newfoundland 126, Southern Rhodesia 349 August 27	Transmits copy of the Convention and enquires whether Ministers wish notice of adhesion to be given under Article XIII	15
457	The Governor Newfoundland 116 September 30 (Rec. Oct. 18)	Desires that notice of adhesion under Article XIII should be given on behalf of Newfoundland	16
458	The Governor Southern Rhodesia 313 September 30 (Rec. Oct. 27)	Desires that notice of adhesion under Article XIII should be given on behalf of Southern Rhodesia and transmits copy of the Southern Rhodesia Obscene Publications Ordinance, 1911	16
459	The Governor-General Irish Free State 415 November 1 (Rec. Nov. 3)	States that Ministers do not desire to take any action as regards ratification until all the arrangements necessary for the fulfilment of the obligations involved have been made	16
460	To the Governor-General Irish Free State 668 November 29	States that all arrangements for ratification of the Convention having been completed His Majesty's Government would be glad to know whether the Irish Free State desires to be included in the Instrument of Ratification	17

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
PERSIA.	
Agreement, 1920, Modifying the Commercial Convention of 1903.	
1924	
461 The Governor-General Commonwealth of Australia 394 ... December 21 (Rec. Jan. 28, 1924)	Requests that Persian Government be informed that in notifying its withdrawal from the Agreement of 1920 the Commonwealth Government was not actuated by any feelings of unfriendliness towards the Persian Government or people 17
POLAND.	
Commercial Treaty, 1923.	
Bearing of Commercial Treaties upon Restrictions on Immigration.	
1924	
462 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 86, Confidential, Southern Rhodesia, Confidential ... February 29	Transmits copy of correspondence with His Majesty's Consul at Danzig regarding the position of Danzig in relation to the Anglo-Polish Commercial Treaty ... 18
463 The Office of the High Commissioner for Canada June 20	Enquires as to the effect of Article 2 of the Anglo-Polish Treaty of Commerce and Navigation on the admission into Great Britain of immigrants from Poland 19
464 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 402, Southern Rhodesia 344 ... ... August 22	Transmits copy of Cmd 2219 containing the text of the Treaty 20
465 To the Office of the High Commissioner for Canada September 20	Conveys observations on the points raised in No. 463 20
466 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 502, Southern Rhodesia 502 ... ... December 5	States that the Polish Government have reported their intention of passing a law whereby customs duties on goods from countries with whom Poland has not concluded a commercial treaty may be increased by 100 per cent. 21
POSTAL CONVENTION, 1924.	
1924	
467 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 1 ... ... January 1	Transmits copy of a note from the Swedish Minister, conveying invitations to His Majesty's Government, the Dominions, and Colonies to attend an International Postal Congress to be held at Stockholm in June, 1924 21

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
468 The Governor-General Canada 24 ... ... January 24 (Rec. Feb. 4)	Transmits copy of Minute of the Privy Council appointing Messrs. P. T. Coolican, General Superintendent of Postal Service, W. J. Glover, Financial Superintendent, and Arthur Webster, Secretary Post Office Department to represent Canada at the Congress ... 22
469 The Governor-General Union of South Africa 81 February 29 (Rec. Mar. 17)	Transmits Minute from Ministers stating that the Union will be represented at the Congress by Lt.-Col. E. A. Sturman and Mr. D. J. O'Kelly 23
470 The Governor-General Union of South Africa 187 April 11 (Rec. Apr. 28)	Transmits copy of the Letters of Authority for Lt.-Col. E. A. Sturman and Mr. D. J. O'Kelly to proceed to Stockholm as Union Delegates to the Conference ... 24
471 To the Governor-General New Zealand, Telegram May 12	Enquires whether Ministers would concur in proposal for New Zealand to be recognized as a single country with a separate vote 24
472 To the Governor Newfoundland, Telegram May 12	Enquires whether Ministers agree that Newfoundland should be represented by the delegates of His Majesty's Government, and also whether they concur in the reallocation of votes as proposed 25
473 To the Governor Southern Rhodesia, Telegram ... ... May 12	Enquires whether Ministers agree that Southern Rhodesia should be represented by the delegates of His Majesty's Government, and also whether they concur in the reallocation of votes as proposed ... 26
474 The Governor-General New Zealand 67 ... April 3 (Rec. May 15)	States that New Zealand will be represented at the Congress by Mr. A. T. Markman, Secretary of the Post and Telegraph Department 26
475 To the Governor-General Irish Free State, Confidential ... ... May 15	Sets out alternative proposals for the representation of the Irish Free State at the Congress at Stockholm and requests information as to which of these alternatives Ministers would prefer to adopt 27
476 The Governor-General Commonwealth of Australia 73 ... ... April 4 (Rec. May 19)	States that the Hon. W. G. Gibson, Postmaster-General, will represent Australia at the Congress ... 28
477 The Governor-General New Zealand, Telegram May 21 (Rec. May 21)	States, with reference to No. 471, that New Zealand delegate is the Secretary of the Post Office who has letter of authority and that New Zealand Government concur in proposal regarding separate vote ... 28
478 The Governor Southern Rhodesia, Telegram ... ... May 25 (Rec. May 26)	States that Ministers agree that Southern Rhodesia should be represented at Congress by delegate of His Majesty's Government and have no objection to suggested reallocation of votes 28
479 To the Governor Southern Rhodesia, Telegram ... ... June 6	Communicates text of formal letter authorizing delegates of Great Britain to represent Southern Rhodesia at the forthcoming Congress which it is suggested, subject to Minister's concurrence, should be signed and sealed. Presumes that action as regards to representation by Union delegates of Southern Rhodesian interests will be taken direct 29
480 The Governor Newfoundland, Telegram June 13 (Rec. June 13)	States, in reply to No. 472, that Ministers agree to representation and concur in formal change ... 29
481 The Governor-General Canada 234 ... ... June 4 (Rec. June 14)	Reports that Mr. Henri Fortier, Special Post Office Investigator, has been added to the delegation mentioned in No. 468 29

Serial No., From or to whom, Despatch No., &c., and Date.		Subject and Page No.
	1924	
482	To the Governor Newfoundland, Telegram June 17	Requests early formal authority to delegates of His Majesty's Government to act for Newfoundland at forthcoming Congress, and gives names of these delegates 30
483	The Governor-General Irish Free State, Confidential ... ... June 19 (Rec. June 20)	States that the first alternative outlined in No. 475 is the more acceptable, and that arrangements are being made accordingly. Gives the names of the Irish Free State delegates to the Congress 30
484	To the Governor Southern Rhodesia, Telegram ... ... June 26	States that proposal for re-grouping for voting purposes is accepted, also by other Governments concerned and that British delegates at Congress are being instructed accordingly 30
485	To the Governor-General and Governor New Zealand, Newfoundland, Telegram ... June 26	Ditto 31
486	The Governor Newfoundland 66 ... June 13 (Rec. June 28)	Confirms No. 480 31
487	The Governor Southern Rhodesia 170 June 16 (Rec. July 7)	Transmits formal letter authorizing delegates of Great Britain to represent Southern Rhodesia and states that the Governor-General, Union, has been informed that Southern Rhodesia Government desires to rely on the Union delegates to protect its interests ... 31
488	To the Governor-General Irish Free State, Confidential ... ... July 11	Transmits copy of a note to the Swedish Minister informing him of the names of representatives of the Irish Free State who will be attached to the British Delegation at the Congress 32
489	The Governor Newfoundland 67 ... June 26 (Rec. July 14)	Transmits formal letter of authority to delegates of His Majesty's Government to act for Newfoundland at the Congress 33

PROPERTY RIGHTS AND INTERESTS.

Agreement under Article 297, Treaty of Peace with Germany.

	1924	
490	The Governor-General Commonwealth of Australia 45 ... ... March 7 (Rec. Apr. 22)	Explains the policy of the Commonwealth Government with regard to the property of German nationals in Australia and New Guinea and states that it is considered that there would be no sufficient advantage to justify the extension to the Commonwealth of the Agreement re Article 297 of the Treaty of Versailles 33

REPARATION.

(1) London Conference on the Dawes Report.

	1924	
491	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... April 11	States that the Report of the Expert Committees of the Reparation Commission has been laid before Parliament and embodies substance of declaration which the Prime Minister proposes to make in the House of Commons as to the views of His Majesty's Government thereon 34
492	The Governor-General Union of South Africa, Telegram, Secret ... May 2 (Rec. May 2)	Transmits message for Prime Minister from Prime Minister conveying views on the Experts' Report, the further occupation of the Ruhr and the intervention of Great Britain in Continental affairs 35

Serial No., From or to whom, Despatch No., &c., and Date.		Subject and Page No.
	1924	
493	To the Governor-General Union of South Africa, Telegram, Secret ... May 16	Transmits message for Prime Minister from Prime Minister referring to his attitude regarding railways and the question of sanctions, and expressing gratitude for support indicated in No. 492 36
494	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... June 25	States that arrangements for organization of Conference must await Prime Minister's return, but further telegram will be sent as soon as possible. Meanwhile separate telegram is being sent as to other recent developments in connexion with the German situation 36
495	The Governor-General Canada, Telegram, Secret ... ... June 25 (Rec. June 25)	Points out that while press have received information regarding Conference, Prime Minister has not yet received any communication 37
496	To the Governor-General Canada, Telegram, Secret ... ... June 26	Promises further early communication in view of No. 495 37
497	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... June 28	Transmits message from Prime Minister for Prime Minister outlining the work of the forthcoming Conference and suggesting that representative be sent to discuss with His Majesty's Government beforehand the policy to be adopted at the Conference 37
498	To the Governor-General Irish Free State, Secret June 28	Transmits copy of No. 497, and requests that if procedure proposed therein is approved, representative to preliminary meeting be nominated 39
499	The Governor-General Canada, Telegram, Secret June 30 (Rec. July 1)	Transmits message for Prime Minister from Prime Minister concurring in the proposed meeting of representatives to discuss policy, but doubting whether time would allow for Canadian representative to be at preliminary meetings, and making certain enquiries as to principles governing signature and ratification of proposed Protocol before nominating representative 38
500	The Governor-General Commonwealth of Australia, Telegram, Secret July 2 (Rec. July 2)	Transmits message for Prime Minister from Prime Minister nominating Sir Joseph Cook to act as representative at Conference 39
501	The Governor-General Union of South Africa, Telegram, Secret ... July 3 (Rec. July 3)	Transmits message from Prime Minister for Prime Minister stating that he does not propose to be represented at preliminary meeting, but will support any action it is decided to take that will bring about better understanding in Europe and if necessary will reconsider appointing a representative to the Conference later 39
502	To the Governor-General Canada Telegram, Secret July 3	Transmits message from Prime Minister for Prime Minister replying to points raised in No. 499, and discussing the question of representation 40
503	To the Governors-General Commonwealth of Australia, New Zealand, Union of South Africa, Telegram, Secret ... July 3	Transmits message from Prime Minister for Prime Minister quoting Nos. 499 and 502 41
504	To the Governors-General Canada, Commonwealth of Australia, New Zealand, Telegram, Secret July 4	Transmits message from Prime Minister for Prime Minister quoting No. 501 41
505	The Governor-General New Zealand, Telegram, Secret ... ... July 7 (Rec. July 7)	Nominates High Commissioner to represent New Zealand at preliminary meeting suggested in No. 497, but requests that one of the Ministers of His Majesty's Government will act as representative at the Conference and sign the Protocol on behalf of New Zealand 42

Serial No., From or to whom, Despatch No., &c., and Date.		Subject and Page No.	
	1924		
506	To the Governors-General Canada, Commonwealth of Australia, Union of South Africa, Telegram, Secret ... ... July 7	Transmits message from Prime Minister for Prime Minister quoting New Zealand Prime Minister's message in No. 505	42
507	The Governor-General Canada, Telegram ... July 7 (Rec. July 8)	Transmits message for Prime Minister from Prime Minister discussing the question of the signature of the Protocol on behalf of Canada, nominating High Commissioner in London as representative at preliminary meeting and requesting that the latter be supplied with copies of all correspondence re representation of Canada	42
508	The Governor Newfoundland, Telegram, Secret ... ... July 8 (Rec. July 8)	Transmits message from Prime Minister for Prime Minister stating that it is impossible to nominate representative at such late date	44
509	To the Governors-General Commonwealth of Australia, New Zealand, Union of South Africa, Telegram, Secret ... July 8	Transmits message for Prime Minister from Prime Minister quoting Canadian Prime Minister's message as in No. 507	44
510	The Governor-General Commonwealth of Australia, Telegram, Secret July 9 (Rec. July 10)	Transmits message for Prime Minister from Prime Minister giving fully the attitude of the Government of Australia with regard to the proposed procedure of the Conference	44
511	The Governor General Canada, Telegram ... July 9 (Rec. July 10)	Transmits message from Prime Minister for Prime Minister enquiring what reply it is desired to make by His Majesty's Government to the question quoted regarding the Conference	45
512	The Governor-General Irish Free State, Telegram ... ... July 10 (Rec. July 10)	States that the High Commissioner will represent the Irish Free State at the Conference on 11th July ...	46
513	To the Governors-General Canada, New Zealand, Union of South Africa, Irish Free State, Telegram, Secret ... ... July 10	Forwards message quoted in No. 510	46
514	To the Governor-General Canada, Commonwealth of Australia, New Zealand, Irish Free State, Telegram, Secret ... July 11	Transmits statement from Prime Minister, which is the result of the preliminary Conference held on 11th July, regarding representation at the Conference ...	47
515	To the Governor-General Union of South Africa, Telegram, Secret ... July 11	Forwards message from Prime Minister to Prime Minister quoted in No. 514	48
516	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram ... ... July 12	Quotes English text of Anglo-French Note prepared in Paris 9th July recommending to the Allied Governments the conclusions therein set out	48
517	The Governor-General Commonwealth of Australia, Telegram, Secret July 13 (Rec. July 13)	Transmits message from Prime Minister for Prime Minister expressing agreement with the course proposed in No. 514...	48
518	The Governor-General Canada, Telegram ... July 13 (Rec. July 14)	Transmits message from Prime Minister for Prime Minister stating that Ministers regret they are unable to acquiesce in the method of procedure indicated in No. 514	49

Serial No., From or to whom, Despatch No., &c., and Date.		Subject and Page No.	
	1924		
519	The Governor-General New Zealand, Telegram, Secret ... ... July 14 (Rec. July 14)	Transmits message for Prime Minister from Prime Minister expressing agreement with the course proposed in No. 514	50
520	The Governor-General Irish Free State, Telegram ... ... July 14 (Rec. July 14)	States in reply to No. 514 that it is impossible for the Irish Free State to participate other than by direct representative with Full Powers	50
521	To the Governor-General Canada, Telegram, Secret July 15	Requests that Prime Minister be informed that he is prepared to take steps for adoption of panel system and to arrange for each Dominion representative to be furnished with necessary Full Powers	51
522	To the Governors-General Canada, New Zealand, Telegram, Secret ... July 15	Quotes reply (No. 517) received from Prime Minister, Commonwealth of Australia to No. 514	51
523	To the Governors-General Canada, Commonwealth of Australia, Telegram, Secret ... ... July 15	Quotes reply (No. 519) received from Prime Minister of New Zealand to No. 514	51
524	To the Governors-General Canada, Commonwealth of Australia, New Zealand, Telegram, Secret July 15	Quotes reply (No. 520) received from Irish Free State to No. 514	52
525	To the Governors-General Commonwealth of Australia, New Zealand, Telegram, Secret ... July 15	Quotes reply (No. 518) received from Prime Minister of Canada to No. 514	52
526	To the Governor-General Canada, Telegram ... July 15	Replies to No. 511 setting out the two questions involved and points arising out of them, and, at the same time, stating that there have been later developments	52
527	The Governor-General Union of South Africa, Telegram, Secret ... July 15 (Rec. July 15)	Refers to No. 515 and asks as to the exact position of the Union in regard to the main Conference ...	53
528	The Governor-General Canada, Telegram ... July 15 (Rec. July 16)	Transmits message from Prime Minister stating that an Order in Council has been passed appointing Hon. N. A. Belcourt as Canadian representative at Inter-Allied Conference, and requesting issue to him of Full Powers	53
529	The Governor-General Canada, Telegram ... July 16 (Rec. July 16)	States that Ministers enquire whether there would be any objection to presenting copies of correspondence regarding meeting of Inter-Allied Conference to Parliament of Canada	59
530	The Governor-General Canada, Telegram ... July 15 (Rec. July 16)	States that Minutes of Council approved recommending appointment of Hon. N. A. Belcourt as Commissioner and plenipotentiary to London Conference, and requesting Full Powers be granted him	54
531	To the Governor-General Union of South Africa, Telegram, Secret ... July 16	Transmits text of replies received to No. 514 ...	54
532	To the Governor-General Union of South Africa, Telegram, Secret ... July 16	Asks whether Prime Minister would like High Commissioner to be supplied with set of correspondence and be invited to further meetings with other High Commissioners to consider position with regard to Conference	54

Serial No., From or to whom, Despatch No., &c., and Date.		Subject and Page No.
	1924	
533	To the Governors-General Commonwealth of Australia, New Zealand, Irish Free State, Telegram, Secret ... ... July 16	States that meeting of High Commissioners is being called tomorrow and will report to them results of to-day's Conference 55
534	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Telegram, Confidential ... July 16	States that Prime Minister has been appointed Chairman of Conference and that certain points in paragraph 5 of Anglo-French Note of 9th July are being referred to Committees... 55
535	The Governor-General Union of South Africa, Telegram ... ... July 16 (Rec. July 16)	Quotes message from his Prime Minister expressing the advisability of the High Commissioner for the Union being present at the Conference 55
536	To the Governor-General Canada, Telegram, Secret July 17	Quotes message for Prime Minister explaining proposal communicated in No. 521, and expressing hope that this proposal may now be accepted by Canada ... 56
537	To the Governor-General Canada, Telegram, Secret July 17	Emphasizes undesirability of publishing any correspondence regarding representation of Dominions whilst the Conference is proceeding, though announcement should of course be made as soon as matter is settled 56
538	To the Governors-General Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Telegram, Secret ... ... July 17	Communicates text of Nos. 521, 528, 530 and 536 ... 57
539	The Governor-General Canada, Telegram ... July 17 (Rec. July 18)	Communicates message from Prime Minister accepting the proposal in No. 521 as interpreted in No. 536, and stating that his High Commissioner and Senator Belcourt are being advised accordingly. Quotes clause which it is desired to include in Protocol and requests assurance that this will be done 57
540	The Governor-General Canada, Telegram ... July 17 (Rec. July 18)	Urges that request in No. 529 be granted and requests early reply 58
541	The Governor-General Canada, Telegram ... July 17 (Rec. July 18)	Gives further reasons in favour of the immediate publication in Canada of the correspondence regarding the Conference 58
542	To the Governor-General Canada, Telegram ... July 18	Agrees to the publication of correspondence indicated regarding the Conference 58
543	To the Governors-General Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Telegram ... ... July 18	Communicates announcement made in House of Commons, 18th July, regarding representation of Dominions at the Conference 59
544	To the Governors-General Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Telegram; Secret ... ... July 18	Quotes message from Prime Minister of Canada communicated in No. 530 60

Serial No., From or to whom, Despatch No., &c., and Date.		Subject and Page No.
	1924	
545	To the Governors-General Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Telegram ... ... July 18	States that publication of correspondence between the British and Canadian Governments as to the representation of Dominions in connexion with the Conference has been agreed to at request of Prime Minister of Canada 60
546	To the Governor-General Irish Free State, Telegram ... ... July 18	Enquires whether Free State Government is willing to participate in arrangements now made with regard to representation of Dominions at the Conference on the panel system. If so, enquires name of representative 60
547	To the Governor-General Union of South Africa, Telegram ... ... July 18	Enquires whether it is desired that High Commissioner for the Union should take his place on the panel system in the British Empire delegation at the Conference in turn with representatives of other Dominions 61
548	The Governor-General Canada, Telegram ... July 18 (Rec. July 19)	Quotes message from his Prime Minister expressing appreciation of His Majesty's Government's decision to agree to the publishing of correspondence with the Canadian Government regarding representation at the Conference. Notifies omission from this correspondence of the last paragraph in No. 539 ... 61
549	To the Governor-General Commonwealth of Australia, Telegram, Secret July 19	Understands it to be in accordance with wishes of Prime Minister that the High Commissioner for the Commonwealth should take his place on the panel in turn with the representatives of the other Dominions 61
550	To the Governor-General Canada, Telegram ... July 19	Notes, with pleasure, acceptance of the arrangements proposed in No. 521. Is communicating with Senator Belcourt as regards the latter part of No. 548 62
551	To the Governor-General New Zealand, Telegram, Secret ... ... July 19	Understands it to be in accordance with Prime Minister's wishes that Sir James Allen should take his place on the panel in turn with the representatives of the other Dominions 62
552	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Telegram, Secret ... ... July 19	States that the first full meeting of the British Empire delegation was held to-day. Reports progress made by the three Committees 62
553	The Governor-General Union of South Africa, Telegram, Secret ... July 20 (Rec. July 20)	States that the decision of the Prime Minister regarding the enquiry in No. 547 will be communicated as soon as he arrives in Capetown 63
554	The Governor-General New Zealand, Telegram, Secret ... ... July 21 (Rec. July 21)	States that Prime Minister would like Sir James Allen to take his place on the panel as suggested in No. 551 63
555	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Telegram, Secret ... July 21	Communicates First Committee's unanimous recommendations made to Conference regarding (*c*) and (*d*) of paragraph 5 of Anglo-French Note of 9th July 63
556	The Governor-General Union of South Africa, Telegram ... ... July 21 (Rec. July 21)	Forwards message from his Prime Minister agreeing to the proposal in No. 547, and considering that the conditions suggested by Canada, that the present protocol shall impose no obligation upon any Dominion of the British Empire unless and until it is approved by the Parliament of the Dominion concerned, should be accepted 64

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
557 The Governor-General Irish Free State Telegram, Secret ... July 22 (Rec. July 22)	States that Ministers regret that they are unable to participate in Conference on lines suggested in No. 546 64
558 Mr. Ramsay Macdonald July 23	Statement made at meeting of Inter-Allied Conference on 23rd July regarding representation of the Dominions and India 64
559 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Telegram ... ... July 23	Quotes text of Prime Minister's statement at the Plenary Session as to the representation of the Dominions and India at the Conference 65
560 Commonwealth of Australia July 23	Extract from a debate in the House of Representatives on the status of Australia at the Reparations Conference 65
561 To the Governors-General Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Telegram ... ... July 28	Gives names of Dominion representatives at the Conference 66
562 To the Governor-General Irish Free State, Secret ... ... August 1	Acknowledges No. 557 and expresses regret at the decision conveyed therein 66
563 To the Governors-General Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Telegram, Secret ... August 5	Transmits message for Prime Minister indicating the nature of the three separate agreements which are desirable for the purpose of putting Dawes plan into operation and explaining why it is not desirable that Clause suggested in No. 530 should be included in the Protocol 67
564 The Governor-General Canada, Telegram, Secret ... ... August 5 (Rec. Aug. 6)	Transmits message from Prime Minister agreeing to the omission of the Clause in view of the assurance contained in No. 563 and offering congratulations on the success of the Conference 68
565 The Governor-General New Zealand, Telegram Secret ... ... August 6 (Rec. Aug. 6)	Transmits message for Prime Minister from Prime Minister concurring in the omission of Clause referred to in No. 563 68
566 To the Governors-General Commonwealth of Australia, Union of South Africa, Telegram, Secret ... ... August 6	Requests that Prime Minister be informed that Canada and New Zealand have agreed to the omission of the Clause 68
567 The Governor-General Union of South Africa, Telegram, Secret ... August 6 (Rec. Aug. 6)	Transmits message from Prime Minister agreeing to the omission of Clause as proposed in No. 563 ... 69
568 The Governor-General Commonwealth of Australia, Telegram August 9 (Rec. Aug. 9)	Transmits message from Prime Minister agreeing to the omission of Clause as proposed in No. 563 ... 69
569 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Telegram ... ... August 16	Transmits message from Prime Minister regarding the conclusion of the Conference 69

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
570 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 386, Confidential ... August 18	Transmits copy of an extract from the English text of the Stenographic Record of the meeting of the Conference held on 23rd July, containing a statement by the Prime Minister on the representation of the British Empire 70
571 To the Governors-General and Governor Canada Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 399 ... August 21	Transmits copies of the Final Protocol and Agreements arising out of the work of the Conference 70
572 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 457 September 16	Transmits copies of a note addressed to the German Ambassador on 30th August, covering copies of the Agreement and of his reply embodying a declaration of the German Government in regard to the modification of Part VIII of the Treaty of Versailles which was made at Conference 71
(2) Conference of Financial Experts in Paris.	
1924	
573 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram (Extract) October 15	Gives details of conference of financial experts, to be followed, if necessary, by a conference of Finance Ministers, which is to be held in Paris to deal with various accounting questions and the putting into force of the Experts' Plan 72
574 Office of the High Commissioner for Canada October 29	States that Canadian Government desires to send Lieutenant-Colonel J. Reid Hyde in the capacity of an observer to the Conference and requests necessary credentials and relative documents ... 72
575 To Office of the High Commissioner for Canada October 31	States that question raised in No. 574 has been discussed, but it was found impossible to comply with request. States that alternative methods were considered and in particular a memorandum would be drawn up indicating the amount which may be available for Canada by way of reparation 73
576 Office of the High Commissioner for Canada November 3	Requests letter outlining alternatives referred to in No. 575 73
577 To Office of the High Commissioner for Canada November 6	Transmits copy of Memorandum referred to in No. 575 and states that at Treasury Conference referred to in No. 576 assurance was given that the Chancellor of the Exchequer would be ready to consult with Dominion representatives prior to proposed Conference in Paris 74
578 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Confidential December 9	Indicates certain claims put forward by United States Government and embodies summary of Note containing the objections of the British Government to the same sent in reply 74

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
579 To the Governors-General Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Telegram, Confidential ... December 9	States that Chancellor of Exchequer proposes to invite High Commissioners to a meeting prior to the Conference of Allied Finance Ministers, at which attitude towards United States claims should be discussed... 75
580 The Governor-General Canada, Telegram December 20 (Rec. Dec. 21)	States with reference to No. 579 that Ministers expect shortly to communicate views to High Commissioner on questions involved 75
581 The Governor-General Canada, Telegram December 28 (Rec. Dec. 29)	States that Ministers, without prejudice to the question of the method of participation in reparation Conferences, have requested the High Commissioner to accept the invitation to preparatory meeting and are communicating to him some considerations on the questions involved 76
RHINE NAVIGATION CERTIFICATES. **Convention relating to:**	
1924	
582 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 484 ... October 7	Transmits copy of Cmd. 2255 containing a Convention and additional Protocol regarding Rhine Navigation Certificates 76
583 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 545 November 24	States that it is proposed to ratify Protocols 43 of December, 1922, and 22 of December, 1923, of the Rhine Commission regarding the issue of Navigation Certificates 76
RUSSIA. **(1) *De jure* Recognition of the Soviet Government.**	
1924	
584 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret January 30	Embodies substance of Note which it is proposed to address to the Soviet Government regarding future relations with Russia 77
585 To the Governor-General Irish Free State, Secret ... ... January 30	Transmits copy of No. 584 78
586 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret February 8	States that note has been received from Russian Government expressing satisfaction at contents of British Note recognizing Soviet Government and stating that representatives will be sent to London to negotiate on outstanding questions 78

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
587 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram ... February 9	States that Russian Note has been published and copy will be sent by despatch 78
588 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret February 9	States that British Government regard Russian reply as satisfactory and indicates preliminary arrangements for negotiations 78
589 To the Governor-General Irish Free State 83 ... ... February 9	Transmits copies of Nos. 586 and 587 79
590 To the Governor-General Irish Free State, Secret ... ... February 11	Transmits copy of No. 588 79
591 The Governor-General Irish Free State, Secret ... ... February 22 (Rec. Feb. 23)	Acknowledges No. 585 and assumes that no action prejudicial to the rights of the Irish Government or its nationals will be taken by His Majesty's Government in the course of the negotiations 79
592 Foreign Office ... April 1	Forwards an extract from the "*Times*" reporting the recognition by Canada of the Union of Soviet Socialist Republics, desires that the Canadian Government be asked if the report is correct and that they may be informed that *de jure* recognition can, in International law, only be conveyed through diplomatic channels and on behalf of the whole Empire 80
593 Sir R. A. Blankenberg to Sir C. T. Davis April 30	Quotes letter from High Commissioner, Irish Free State, enquiring what action the Union Government proposes taking and Union reply noting the *de jure* recognition and stating that no action is to be taken. Enquires whether he should inform High Commissioner, Irish Free State, or whether Colonial Office will deal with the matter 80
594 To Foreign Office ... May 5	States with reference to No. 592 that for reason stated no comunication is being addressed to the Canadian Government. Encloses copy of newspaper report of correspondence between the Prime Minister of Canada and the head of the Soviet Trade Delegation in Canada on the subject 81
595 Sir C. T. Davis to Sir R. A. Blankenberg May 22	Requests him to communicate with the High Commissioner of the Irish Free State in terms stated... 82
596 The High Commissioner Union of South Africa to the High Commissioner Irish Free State ... May 26 (Rec. in Colonial Office May 29)	States that the Union Government have taken note of the *de jure* recognition of the Soviet by His Majesty's Government 82
597 Commonwealth of Australia ... August 21	Extract from Commonwealth Parliamentary Debates regarding the position of the Commonwealth in regard to the Agreements arrived at between the British Government and Russia 82

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
(2) Anglo-Soviet Conference, 1924, and Treaties of 8th August, 1924 [Cmd. 2116 & 2215].	
1924	
598 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret February 14	Outlines letter addressed to Russian Chargé d'Affaires, and summarizes the more important questions outstanding 83
599 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 58 Secret ... ... February 15	Transmits copy of letter from Prime Minister to Russian Chargé d'Affaires outlined in No. 598 ... 84
600 To the Governor-General Canada. Telegram, Secret ... ... March 21	Enquires as to the wishes of the Canadian Government with reference to two particular questions with regard to renewal of Treaties 85
601 The Governor-General Canada, Telegram, Secret ... ... April 17 (Rec. April 18)	Gives views of Ministers on points raised in No. 600 85
602 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram. Secret ... April 19	Indicates the general lines which it is considered British representatives should pursue in the forthcoming negotiations 85
603 To the Governor-General Irish Free State, Secret ... ... April 22	Transmits copy of No. 602 and states that any observations by Ministers should be made as soon as possible 86
604 The Governor-General Union of South Africa, Telegram, Secret ... April 28 (Rec. April 28)	States, with reference to No. 602, that Ministers have no observations to offer 87
605 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... April 29	Requests information as to the nature of ownership and tenure of property which was owned by the former Russian Government 87
606 To the Governor-General Irish Free State, Secret ... ... May 1	Transmits copy of No. 605 and requests similar information as regards any such property in the Irish Free State 87
607 The Governor-General Commonwealth of Australia, Telegram ... May 6 (Rec. May 6)	States that no Russian property of any kind has been appropriated in any territory over which the Commonwealth Government at present exercises control 88
608 The Governor-General New Zealand, Telegram, Secret ... ... May 8 (Rec. May 8)	States that no property belonging to the Russian Government or to Russian nationals has been sequestrated in New Zealand or in Western Samoa 88

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
609 The Governor Newfoundland, Telegram, Secret ... May 8 (Rec. May 8)	States that, as Russian Government owned no property in Newfoundland, matter does not affect Newfoundland Government 88
610 The Governor-General Irish Free State, Secret ... ... May 16 (Rec. May 17)	States that Ministers are not aware of the existence in the Free State of any properties formerly owned by the late Russian Government 88
611 The Governor-General Union of South Africa, Telegram, Secret ... May 22 (Rec. May 22)	Reports that no exceptional measures of restriction were applied in the Union or South West Africa to properties owned by the former Russian Government, and that it appears that the former Russian Government did not possess any freehold property in the Union or mandated territory 88
612 The Governor-General Irish Free State, Secret ... ... May 24 (Rec. May 26)	States that Ministers have no observations to make with regard to the general lines to be pursued by the British Representatives in their negotiations with Russia 89
613 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... July 14	Indicates progress of negotiations for the conclusion of a Commercial Treaty, showing points provisionally settled, and those on which no satisfactory agreement has been reached. Submits for approval a clause which it is proposed to insert in the Treaty 89
614 To the Governor-General Canada, Telegram ... July 14	States that with reference to No. 613 arrangements not intended to affect position of Canada in the meantime under Trade Agreement of 1921 as to which understood that Soviet delegation agree to accept proposal at end of No. 601 90
615 To the Governor-General Irish Free State, Secret ... ... July 17	Transmits copy of No. 613, and enquires whether Ministers have any objection to the insertion of proposed clause 91
616 The Governor-General Union of South Africa, Telegram, Secret ... July 17 (Rec. July 17)	Approves insertion of clause proposed in No. 613 with certain proviso as to most-favoured-nation treatment of Dominion goods 91
617 To the Governor-General Canada, Telegram, Confidential ... ... July 21	States that the 4th Committee of the Anglo-Soviet Conference is about to recommend that a Protocol or similar Instrument should be drawn up with regard to the observance of the stipulations of bilateral and certain multilateral treaties including the North Pacific Fur Seal Convention and enquires whether Canadian Ministers regard this arrangement as satisfactory 91
618 The Governor Newfoundland, Telegram, Secret ... July 23 (Rec. July 24)	States with reference to No. 613 that Ministers have no objection to insertion of proposed clause 92
619 The Governor-General New Zealand, Telegram, Secret. ... July 24 (Rec. July 24)	Expresses views upon the specific clause relating to the self-governing Dominions, observing that this is not to be understood as expressing concurrence in the general policy of the proposed treaty 92
620 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret August 1	Summarizes the provisions of the draft treaties between Great Britain and Northern Ireland and the Union of Soviet Socialist Republics which have been communicated to the Soviet Government 92

174

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
621 To the Governor-General Canada, Telegram, Secret ... ... August 1	States that is is proposed that provision as to maintenance of Trade Agreement between Canada and Soviet Union should be inserted in separate exchange of notes and requests early reply to Nos. 617 and 614 94
622 To the Governor-General Commonwealth of Australia, Telegram, Secret ... ... August 1	Requests early reply to No. 613 94
623 To the Governor-General Irish Free State, Secret (3) ... ... August 1	Transmits copy of No. 620 and requests Ministers' observations as soon as possible as to the position of the Irish Free State in relation to the Trade Agreement of 1921 95
624 To the Governors-General Canada, Commonwealth of Australia, Irish Free State, Telegram, Secret ... ... August 4	Requests early reply to [No. 620] [No. 623] 95
625 The Governor-General Canada, Telegram August 4 (Rec. Aug. 5)	States that provision regarding the North Pacific Fur Seal Convention is acceptable but it is assumed that if further negotiations are necessary Canadian representative will participate. States that provision in Commercial Treaty regarding extension to Dominions is satisfactory with certain proviso and requests further information as to the scope of certain Empire subjects in General Treaty 95
626 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Telegram, Secret ... August 5	States that draft treaties were discussed but it was found impossible to reach agreement and negotiations were broken off 96
627 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Telegram, Secret ... August 6	States that negotiations have been resumed and prospect that agreement may now be reached ... 96
628 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Telegram ... ... August 7	States that agreement reached with Soviet Delegation, Commercial Treaty being accepted substantially in form presented. Modifications in General Treaty being communicated 97
629 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 371, Secret August 7	Transmits printed copies of the draft treaties with the Soviet Government together with copies of telegrams to His Majesty's Representative at Moscow regarding their communication to the Soviet Government 97
630 To the Governor General Canada, Telegram August 9	Explains points raised in No. 625 except as regards loans 98
631 To the Governor-General Canada, Telegram, Secret ... ... August 9	Discusses the question of the interpretation of Article I of the Russian Trade Agreement, 1921 98

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
632 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram ... ... August 9	Summarizes principal modifications in General Treaty 98
633 To the Governor-General Irish Free State, 477 ... ... August 12	Transmits copy of No. 632 99
634 The Governor-General Canada, Telegram, Confidential ... August 13	States that Privy Council Minute, approved 9th August, states that it is the desire of the Canadian Government that Fur Seals Protection Treaty should be maintained and that proposed arrangement is satisfactory 100
635 To the Governor-General Canada, Telegram August 14	Explains the point raised in No. 625 regarding loans 100
636 The Governor-General Canada, Telegram August 16 (Rec. Aug. 16)	Considers that most-favoured-nation treatment for Canadian products is ensured by exchange of notes between Foreign Office and Russian Trade Delegation on 3rd July, 1922. Remarks upon ambiguity of question of application of certain rights under both Treaties in other parts of the Empire 100
637 The Governor-General New Zealand, Telegram August 18 (Rec. Aug. 18)	Enquires whether press report that His Majesty's name has been omitted from the Treaty is correct and if so the reason which led to this omission ... 100
638 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 391 ... August 19	Transmits copies of Cmd 2215 and Cmd 2216 containing the drafts of the General and Commercial Treaties. States that the Treaties were signed in this form on 8th August 101
639 To the Governor Southern Rhodesia 333 ... ... August 19	Transmits copies of Cmd 2215 and Cmd 2216 containing the drafts of the General and Commercial Treaties, with copies of debates thereon, and states that the Treaties were signed in this form on 8th August 101
640 To the Governor-General New Zealand, Telegram ... ... August 28	Explains why Treaties were not prepared in the name of His Majesty the King 101
641 The Governor General Canada, Telegram, Secret ... ... October 29 (Rec. Oct. 29)	Supplies information as requested in No. 605 regarding property owned by former Russian Government in Canada 102
642 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret November 20	Transmits message for Prime Minister from Prime Minister regarding letter over Zinovieff's signature to British Communist Party containing instructions to British subjects to work for violent overthrow of existing institutions and subversion of armed forces, and as to action being taken with regard thereto... 102
643 To the Governor-General Irish Free State, Secret ... November 21	Transmits copy of No. 642 103

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
644 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 580, Southern Rhodesia 521 December 17	Transmits copy of correspondence with the Chargé d'Affaires of the Union of Soviet Socialist Republics regarding the activities of the Communist International in this country and conveying decision of His Majesty's Government with regard to treaties negotiated by their predecessors 103
SALVADOR. **Proposed Commercial Treaty.**	
1924	
645 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 405, Southern Rhodesia 346 August 22	Transmits copy of draft Commercial Treaty which had been forwarded to His Majesty's Chargé d'Affaires at San Salvador for presentation to the Salvadorean Government for consideration and observations ... 104
SIAM. **Revision of Commercial Treaties.**	
1924	
646 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 308, Confidential ... July 9	Transmits copies of correspondence with His Majesty's Minister at Bangkok together with a Memorandum prepared in the Foreign Office in 1919, relative to the jurisdiction over British subjects in Siam. Transmits also copy of correspondence with His Majesty's Ambassador at Paris regarding the reported conclusion of a new Commercial Treaty between France and Siam 105
647 To the Governor-General Irish Free State, Confidential ... ... July 9	States that the question of the revision of Commercial Treaties with Siam of 1855, 1856 and 1883, has been under consideration, but it was not thought desirable to take immediate steps to approach the Siamese Government on the matter for reasons stated in enclosed copy of correspondence with His Majesty's Ambassador at Paris 106
648 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 468, Confidential ... September 23	States that a draft Treaty has already been prepared to serve as a basis for a new Commercial Treaty. Indicates attitude to be adopted towards new Jurisdictional Treaty, and states that it is proposed to agree in principle to the initiation of commercial negotiations at Bangkok after the signature and publication of the new Franco-Siamese Treaty ... 108
SPAIN. **(1) Commercial Treaty, 1922.**	
1924	
649 To the Governor-General Canada, Telegram January 4	Quotes telegram from Madrid reporting receipt of Note from Spanish Government stating that Canadian imports are considered subject to First Column duty rates, but that it is hoped that negotiations may shortly be commenced 110

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
650 To the Governor-General Canada 20 ... January 7	Confirms No. 649 110
651 To the Governor-General Canada, Telegram January 15	Remarks on the unlikelihood of Spanish Government immediately negotiating separate Treaty with Canada, and states that only means whereby Canadian goods can secure Second Column rates appears to be for Canadian Government to extend to Spain most-favoured-nation treatment with retrospective effect 111
652 To the Governor-General Canada 29 ... January 16	Amplifies No. 651, and encloses copies of correspondence between His Majesty's Ambassador at Madrid and the Spanish Government 111
653 The Governor-General Irish Free State 30 January 25 (Rec. Jan. 28)	Gives assurance that Spanish goods imported into the Free State will receive treatment as favourable as that which the Free State may have conceded or may in the future concede to any other country ... 113
654 To the Governor-General Irish Free State 100 February 18	Transmits copy of despatch to His Majesty's Chargé d'Affaires at Madrid regarding the assurance to be conveyed to the Spanish Government, on behalf of the Irish Free State, as to the treatment to be accorded to Spanish goods on importation into the Free State 114
655 To the Governor-General Irish Free State 154 March 7	Transmits copy of a Note to the Spanish Government conveying assurance indicated in No. 654 114
656 To the Governor-General Irish Free State 216 April 5	Transmits copy of despatch from Madrid enclosing a translation of a notice of the conclusion of a "commercial *modus vivendi*" between Spain and the Irish Free State published in *Madrid Gazette* of 21st March 115
657 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 206 ... May 9	Reports that the ratifications of the Treaty were exchanged in Madrid on the 23rd April, 1924 ... 116
658 To the Governor Southern Rhodesia 171 May 20	Ditto 116
659 The Governor-General Canada 317 ... July 18 (Rec. July 30)	Transmits copy of Privy Council Minute to the effect that the Canadian Government while unable to accept either Treaty or the second column tariff is willing to proceed with the negotiation of a commercial agreement between Canada and Spain ... 116
660 To the Governor-General Union of South Africa 256 ... ... August 13	States that the attention of the Spanish Government was drawn to the omission of South-West Africa from the *Madrid Gazette* notice of 14th August, 1923, and that the error has been rectified by a *Gazette* notice of 2nd July 117
661 To the Governor-General Canada 383 ... September 2	Transmits copy of despatch to His Majesty's Ambassador at Madrid asking him to inform the Spanish Government in the sense of No. 659 ... 118
662 To the Governor-General Canada 442 ... October 20	Transmits copy of despatch from His Majesty's Ambassador at Madrid transmitting note from the Spanish Government stating that the proposed negotiation of a commercial agreement with Canada is receiving consideration 119

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
663 To the Governor-General Canada, Telegram November 15	States that a telegram has been received from Madrid regarding the intention of the Canadian Trade Commissioner in Italy to proceed to Madrid on instructions from Canada to begin negotiations for the conclusion of a Commercial Agreement. Suggests, in view of enclosure in No. 662 that Commissioner be informed that he should not proceed to Madrid pending further communication 119
664 The Governor-General Canada, Telegram November 21 (Rec. Nov. 21)	Trusts that it may be possible to open negotiations on arrival in Madrid of Canadian Trade Commissioner in Italy who has already started for Madrid. Requests advice by telegraph so that necessary instruction may be issued 120
665 To the Governor-General Canada 519 ... November 29	Transmits copy of despatch from His Majesty's Ambassador at Madrid stating that it would appear improbable that the Spanish Government can commence negotiations until those with certain other countries are completed 120
666 To the Governor-General Canada, Telegram December 2	States with reference to No. 664 that His Majesty's Ambassador, Madrid, reports that there should be no difficulty in arranging desired meeting early in December and that note has been addressed to Spanish Government to this end 121

(2) Agreement respecting Treatment of Companies.

1924	
667 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 330, Southern Rhodesia 267 July 23	Transmits copies of an Extract from the *Board of Trade Journal* of 10th July containing the text of an Agreement with Spain respecting the treatment of companies 121

SPITZBERGEN.

Treaty of 1920.

1924	
668 To the Governors-General Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Dominions Treaty, 9 ... March 18	Transmits copies of the Procès-verbaux of the deposit of ratifications of the Treaty relating to Spitzbergen by Denmark and Great Britain 122
669 To the Governor-General Irish Free State 171 March 18	Transmits copy of Spitzbergen Mining Regulations and copy of despatch from His Majesty's Chargé d'Affaires respecting certain amendments. States that His Majesty's Government have no objection to proposed amendments provided English version reads as quoted 122

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.

TANGIER.

Convention, 1923.

1924	
670 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 113 ... March 12	Transmits copy of despatch from His Majesty's Representative at Tangier Conference forwarding copies of Tangier Convention and Annexures thereto 123
671 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 181, Southern Rhodesia 137 April 16	Transmits copies of Cmd 2066 containing the text of the Convention regarding the organization of the Statute of the Tangier Zone signed at Paris, 18th December, 1923 123
672 To the Governor-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram ... ... May 1	States that His Majesty is being advised to ratify Convention 123
673 To the Governor-General Irish Free State 263 May 1	Ditto 124
674 To the Governors-General and Governor Canada Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 227 ... May 16	Transmits copy of despatch to His Majesty's Ambassador, Paris, forwarding the King's Ratification of the Convention, and asking him to inform the French Government that he is ready to deposit it as soon as the French and Spanish Governments are likewise ready to ratify 124
675 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 266 ... June 13	States that Ambassador at Paris deposited the ratification of the Convention on 16th May, and that the ratifications of the French and Spanish Governments were deposited at the same time 125
676 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 282 ... June 25	States that the King's ratification of the Convention was deposited on 14th May, and not on 16th May as previously reported 125

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.

TERRITORIAL WATERS.

(1) Conclusions of Imperial Conference, 1923.

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
677 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 13, Confidential ... January 10	Transmits copy of Report of the Inter-Departmental Committee on the Limits of Territorial Waters, and the Conclusions of a Committee of the Imperial Conference, 1923, setting out certain Resolutions. Enquires whether Ministers are prepared to accept the latter and, if so, that particulars may be furnished of any waters to be regarded as " territorial inlets " 126
678 The Governor-General Union of South Africa, Confidential ... February 11 (Rec. March 4)	Transmits copy of Minute from Ministers stating that list of " territorial inlets " for the Union, in terms of the Report and Memorandum of the Inter-Departmental Committee, is in course of preparation 127
679 The Governor-General New Zealand, Confidential ... March 5 (Rec. April 22)	States with reference to No. 677 that the New Zealand Government is prepared to accept the Resolutions set out in the conclusions of the Imperial Conference Committee, and that particulars of waters to be regarded as " territorial inlets " will be forwarded later 127
680 The Governor-General New Zealand Confidential (2) ... May 29 (Rec. July 11)	Embodies list of the bays, etc., which it is desired should be regarded as " territorial inlets " 128
681 The Governor-General Union of South Africa, Confidential ... September 1 (Rec. Sept. 23)	Transmits copy of Ministers' Minute stating that Union Government is prepared to accept resolutions of the Inter-Departmental Committee and that it does not wish to press for the recognition of rights beyond the three mile limit in respect of certain of the larger bays or inlets on the South African coast 129
682 The Governor-General Commonwealth of Australia, Confidential September 26 (Rec. Nov. 4)	States that Commonwealth Government is prepared to accept the Resolutions of the Inter-Departmental Committee, and that steps will be taken to prepare list of " territorial inlets " 129
683 To the Governor-General New Zealand, Confidential ... November 6	Transmits copy of Admiralty Memorandum as to the waters which the New Zealand Government would desire to be regarded as " territorial inlets " and requests reconsideration of list enclosed in No. 680, and the preparation of a statement showing the grounds for claiming exclusive jurisdiction over those inlets which are retained in the list 130

(2) Netherlands Attitude.

1924	
684 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 249, Confidential ... June 5	Transmits copy of despatch from the Hague reporting the reply given by the Netherlands Minister for Foreign Affairs to an enquiry recently made in the First Chamber of the Netherlands States-General as to the limits of territorial waters 133

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.

(3) Norway: Limits of Territorial Waters.

1924	
685 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 172, Confidential ... April 11	Transmits copy of correspondence with His Majesty's Minister at Christiania regarding questions arising from the seizure by the Norwegian authorities of British trawlers fishing off Norway 139
686 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 213, Confidential ... May 10	Transmits copies of correspondence with His Majesty's Minister at Christiania regarding the claims of the Norwegian Government in respect of the extent of Norwegian territorial waters 139
687 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 471, Confidential ... September 25	Transmits copies of correspondence with His Majesty's Minister at Christiania regarding the Norwegian method of measuring the limit of Norwegian territorial waters 141
688 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 521, Confidential ... November 3	States that exception has been taken to the inclusion of the words " except Russia " in paragraph 2 of a certain despatch to Christiania, enclosed in No. 687, and explains inaccuracy of statement 145
689 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 528, Confidential ... November 12	Transmits copy of correspondence with His Majesty's Representative at Christiania regarding the proposal to appoint a small committee of British experts to meet similar Norwegian Committee in Christiania and discuss the question of the limits of Norwegian territorial waters 145
690 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 555, Confidential ... December 2	States that it has been decided to appoint a Committee of experts and gives names of British and Norwegian members 148
691 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 505, Confidential ... December 8	Transmits copy of despatch to Christiania stating that the question of the Moray Firth is reserved for subsequent discussion together with a copy of a letter to Messrs. Maurice & Douglas giving instructions in regard to their appointment on experts' committee 149

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
(4) Russia: Extent of Territorial Waters.	
1924	
692 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 507, Confidential ... October 24	Transmits copy of a memorandum from the Soviet Chargé d'Affaires and of extracts from the Regulations on the frontier defence of the Union of Soviet Socialist Republics, and of a reply thereto stating that His Majesty's Government can only recognise a three-mile limit 150
(5) Serb-Croat-Slovene State: Visits of Foreign Warships.	
1924	
693 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 536, November 19	Transmits copy of despatch from Belgrade transmitting regulation issued governing visits of foreign warships to the maritime territorial waters and ports together with copy of despatch sent in reply 152
(6) Spain: Arrest of British felucca "Mensajero."	
1924	
694 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 268, Confidential ... June 17	Transmits copies of despatch from Madrid respecting the arrest of the "Mensajero," together with a copy of a note addressed to the Spanish Government regarding the case 154
(7) United States: Extent of Jurisdiction over Cook Inlet.	
1924	
695 The Governor-General Canada, Confidential, June 23 (Rec. July 4)	Transmits copy of an approved Minute of the Privy Council setting forth the views of the Canadian Government regarding the claim by the United States to jurisdiction over the whole of Cook Inlet... 155
696 To the Governor-General Canada, Confidential, September 30	Suggests that action proposed in Privy Council Minute should be postponed pending the consideration of territorial inlets on a comprehensive basis, for reasons stated 158
TURKEY.	
(1) Treaties of Lausanne [Cmd. 1929] Ratification.	
1924	
697 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 39 ... January 20	States position as regards the effect of the Instruments negotiated at the Lausanne Conference upon the Treaty of Sevres and certain other Treaties signed in 1920 158

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
698 House of Commons February 20	Question asked by Sir E. Grigg as to ratification of Treaty, and in particular of the Straits Convention annexed thereto and the reply thereto 159
699 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram ... February 22	Gives details of Bill introduced into Parliament for carrying out Treaty of Peace with Turkey and other Conventions indicated 159
700 To the Governor Newfoundland, Telegram ... February 22	In order that necessary action may be taken as soon as possible after Bill referred to in No. 699 becomes law, asks to be furnished with Ministers' wishes as regards a declaration in connexion with the Convention respecting conditions of Business and Commercial Convention 160
701 To the Governors-General Canada, Commonwealth of Australia, Union of South Africa, Telegram ... February 22	In order that necessary action may be taken as soon as possible after Bill referred to in No. 699 becomes law, requests Ministers concurrence in ratification of Treaty and Conventions in question including Convention relating to Reparation; also requests to be informed of Ministers' wishes regarding declaration of connexion with convention respecting conditions of Business and Commercial Convention 160
702 To the Governor-General New Zealand, Telegram February 22	In order that necessary action may be taken as soon as possible after Bill referred to in No. 699 becomes law, enquires whether Ministers concur in ratification of Convention relating to Reparation as well as to other Instruments signed at Lausanne ... 160
703 House of Commons February 25	Questions asked by Sir Edward Grigg as to the attitude of the Dominion Governments towards obligations under the Straits Convention; and replies thereto ... 161
704 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 89 February 29	Transmits copies of the Treaty of Peace (Turkey) Bill 161
705 To the Governor-General Irish Free State 141 March 3	Enquires whether Ministers (1) concur in ratification of the Treaty of Peace with Turkey and of the other Instruments specified in the Schedules to the Bill; (2) desire declarations to be made excluding the Irish Free State from the Convention respecting conditions of Business and Residence and the Commercial Convention 162
706 The Governor-General New Zealand, Telegram March 14 (Rec. March 14)	States that Mr. Massey does not now desire to consider point raised and confirms contents of No. 417 in Dominions No. 88, and in respect of No. 699, denoting introduction into Parliament of Bill, the New Zealand Government will concur in any course adopted 162
707 To the Governors-General and Governor Canada, Commonwealth of Australia, Union of South Africa, Newfoundland, Telegram March 21	Considers it extremely important that His Majesty's ratification should take place at earliest possible moment after passage of Bill through Parliament and therefore urges early reply to [No. 701] [No. 700] 162
708 To the Governor-General Irish Free State 178 March 22	Hopes, in the circumstances stated, that Ministers will be in a position to reply to No. 705 at a very early date 163

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
709 The Governor-General Canada, Telegram March 24 (Rec. March 25)	States that Ministers do not feel in a position to recommend to Parliament approval of the Treaty and Convention thereto—with respect to ratification, however, they will not take exception to such course as His Majesty's Government may recommend 163
710 To the Governors-General Commonwealth of Australia, Union of South Africa, Telegram Secret ... ... March 27	Transmits message from Prime Minister for Prime Minister enquiring when reply may be expected as to concurrence in ratification 163
711 The Governor Newfoundland, Telegram ... ... March 29 (Rec. March 30)	States that Ministers desire that provisions of Conventions shall apply to Newfoundland 164
712 The Governor-General Commonwealth of Australia, Telegram, April 1 (Rec. April 1)	Concurs in ratification of Treaty and Convention respecting Reparations but requests that a declaration be made—excluding the Commonwealth, Papua, Norfolk Island, and New Guinea from the Commercial Convention 164
713 The Governor-General Union of South Africa, Telegram ... ... April 1 (Rec. April 1)	Concurs in ratification of Treaty and Convention and requests that declaration be made that provisions of the Convention respecting Conditions of Business, and Commercial Convention, do not apply to the Union and South-West Africa 164
714 The Governor-General Canada, Telegram ... April 3 (Rec. April 4)	Transmits message from the Prime Minister for the Prime Minister discussing a press report of a reference in the House of Commons as to the attitude of Canada with respect to the Lausanne Conference and stating exactly what that position really is 165
715 To the Governors-General Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Telegram, Secret ... April 7	Transmits message from Prime Minister for Prime Minister stating that he is being urged to publish communications with Dominion Prime Ministers on subject of Treaty of Lausanne, but that he is averse from doing so. Asks for expression of opinion ... 167
716 To the Governor-General Canada, Telegram, Private and Personal April 7	Enquires whether Prime Minister was aware of contents of Governor-General's telegram of 31st December, 1922, Private and Personal 167
717 To the Governors-General Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Telegram, Secret ... April 7	Requests reply to No. 715 by following evening if possible 168
718 The Governor-General Canada, Telegram, Private and Personal April 7 (Rec. April 7)	States with reference to No. 716 that Prime Minister was not aware of contents of telegram, but having talked the matter over with him Governor-General understood that his views were as outlined therein... 168
719 The Governor-General Canada, Telegram ... April 7 (Rec. April 7)	Transmits message from Prime Minister for Prime Minister welcoming the publication of communications, with certain reservations, providing clear statement is also issued showing position of Canada with regard both to the signature and ratification of the Treaty 168
720 The Governor-General New Zealand, Telegram Secret ... ... April 8 (Rec. April 8)	Deprecates proposal to lay before Parliament correspondence with the Dominions regarding the Treaty 169

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
721 The Governor-General Commonwealth of Australia, Telegram, Secret ... ... April 8 (Rec. April 8)	Transmits message from Prime Minister for Prime Minister stating that any statement summarizing the views or attitude of the Dominions regarding the Treaty should be communicated to Commonwealth Government prior to its being given publicity ... 169
722 The Governor-General ... Union of South Africa, Telegram, Secret ... April 8 (Rec. April 8)	Transmits message from Prime Minister for Prime Minister strongly deprecating the proposal to publish the communications specified regarding the Treaty 169
723 The Governor-General Canada, Telegram ... April 10 (Rec. April 11)	Transmits message from Prime Minister for Prime Minister referring to press reports of debates in House of Commons and enquiring if and when statement making clear the position of Canada with regard to the Lausanne Conference is to be issued 170
724 To the Governor-General Canada, Telegram ... April 12	Transmits message from Prime Minister for Prime Minister hoping that in the circumstances set forth, the Canadian Government will take no objection to the ratification of the various Instruments forming the Peace Settlement and stating with reference to No. 723, that it is not proposed to lay correspondence before Parliament 170
725 The Governor-General Canada, Telegram ... April 23 (Rec. April 24)	Transmits message from Prime Minister for Prime Minister drawing attention to certain statements made by himself regarding Canada's position and further requesting that statement be issued to British Parliament or other steps taken to remove erroneous impression that Canada had been asked formally to concur in arrangements for negotiations at Lausanne being entrusted to Lord Curzon and Sir H. Rumbold 172
726 To the Governor-General Commonwealth of Australia, Telegram April 24	Enquires whether it is desired that Nauru should be excluded from the Commercial and Establishment Conventions, states that present intention is that Fiji and Western Pacific should be excluded from both but that excluding declaration in regard to Australia, Papua, Norfolk Island and New Guinea should be in respect of the Commercial Convention only 173
727 To the Governor-General Commonwealth of Australia, Telegram, Secret ... ... April 24	Explains why declaration of exclusion with regard to the Establishment Convention as well as Commercial Convention should be made in the case of Fiji and Western Pacific 173
728 The Governor-General Canada, Telegram ... April 25 (Rec. April 26)	Transmits message from Prime Minister to Prime Minister drawing attention to questions and answers in the Canadian House of Commons regarding the Lausanne Treaty 173
729 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 197 ... April 29	Transmits copy of House of Commons official Reports containing the debates on the Treaty of Peace (Turkey) Bill, and encloses copy of Parliamentary question and answer regarding the publication of correspondence relating thereto 174
730 House of Commons ... May 5	Questions raised by Sir E. Grigg regarding the publication of correspondence with Canada regarding the Treaty and the replies thereto 175
731 The Governor-General Commonwealth of Australia, Telegram, Secret ... ... May 6 (Rec. May 6)	States with reference to No. 726 that Government is of the opinion that Nauru should be excluded from both Conventions 176

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
732 To the Governor-General Canada, Telegram ... May 7	Transmits message from Prime Minister for Prime Minister stating the position as it now appears and again deprecating the laying of papers, but approving statement being made as suggested in No. 725, providing that passages quoted are added. Requests that text of proposed statement may be telegraphed 176
733 The Governor-General Canada, Telegram ... May 9 (Rec. May 9)	Transmits message from Prime Minister questioning the accuracy of a statement made in the House of Commons regarding Canada's attitude to the publication of correspondence and hoping that an endeavour may be made to obtain the consent of the other Dominions to the said publication 177
734 To the Governor-General Canada, Telegram Secret ... ... May 12	Transmits message for Prime Minister giving true version of statement made in House of Commons referred to in No. 733, and indicating further question to be asked in Parliament and proposed reply 177
735 To the Governor-General Canada, Telegram, Secret ... ... May 17	Transmits message for Prime Minister stating that further question is to be asked in House of Commons and that in order to make position clear suggests that concurrent statement be made in British and Canadian Parliaments. Embodies text of proposed statement and requests that if it meets with agreement text of corresponding statement made in Canada may be telegraphed 178
736 The Governor-General Canada, Telegram ... May 19 (Rec. May 19)	Transmits message from Prime Minister stating why it would be impossible to issue concurrent statement as suggested in No. 735 179
737 The Governor-General Canada, Telegram ... May 19 (Rec. May 19)	Transmits message from Prime Minister for Prime Minister stating fully why it would be impossible to issue concurrent statement as suggested in No. 735, and urging the necessity of debate on the matter in the Canadian Parliament and the publication of the correspondence 180
738 To the Governor-General Canada, Telegram, Secret ... ... May 19	Transmits message from Prime Minister for Prime Minister stating that it is not desired to press matter of concurrent statement, that correspondence indicated may be published and requesting that gist of statement in Canadian Parliament and summary of any subsequent discussion of importance may be telegraphed 182
739 The Governor-General Canada, Telegram ... May 19 (Rec. May 20)	Transmits message from Prime Minister indicating questions and answers put in the Canadian Parliament regarding the laying of the correspondence ... 183
740 The Governor-General Canada, Telegram ... May 19 (Rec. May 20)	Transmits message from Prime Minister for Prime Minister stating that discussion of the Lausanne Treaty in the Canadian Parliament has been postponed 183
741 The Governor-General Canada, Telegram ... May 20 (Rec. May 21)	Transmits message from Prime Minister for Prime Minister suggesting that in order to clear up situation, agreement be reached to table simultaneously at opening of British and Canadian Parliaments on following day telegrams enumerated 184
742 To the Governor-General Canada, Telegram ... May 21	Transmits message from Prime Minister for Prime Minister stating that earliest date on which papers can be laid before Parliament is 26th May, and suggesting that telegrams be read in Canadian Parliament if necessary, beforehand, but not tabled until 26th May 184

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
743 To the Governors-General Commonwealth of Australia, New Zealand, Union of South Africa Telegram. Secret ... May 21	Transmits message from Prime Minister for Prime Minister indicating action to be taken with regard to the publication of the correspondence on the Treaty of Lausanne 185
744 To the Governor-General Irish Free State 309 ... ... May 21	Draws attention to a speech made in the Dail regarding the obligations of the Free State under the Treaty, hopes that it may be assumed that Ministers acquiesce in its ratification and enquires whether excluding declarations on behalf of the Free State should be made under the Convention respecting Conditions of Residence, Business and Jurisdiction, and under the Commercial Convention 185
745 The Governor-General Canada, Telegram ... May 21 (Rec. May 22)	Transmits message from Prime Minister for Prime Minister stating that correspondence will be laid on the Table on 26th May, and urges the necessity of the exact and identical text being put before both Parliaments 187
746 To the Governor-General Canada, Telegram ... May 22	Transmits message from Prime Minister for Prime Minister indicating the form in which telegrams will be published 187
747 The Governor-General Canada, Telegram ... May 22 (Rec. May 23)	States that assumption in No. 746 is correct ... ... 188 "NOTE.—The correspondence in question was published in Cmd. 2146."
748 The Governor-General Irish Free State 207 ... ... May 28 (Rec. May 29)	States that Ministers do not wish Treaty to be ratified on their behalf and ask that the Free State should be formally excluded from the Conventions respecting Conditions of Residence and Business and Commerce. Calls attention to the use in the Preamble of the expression "United Kingdom of Great Britain and Ireland" 188
749 To the Governor-General Irish Free State 348 ... ... June 5	Trusts that, in view of the explanation given, Ministers will take such action as will enable His Majesty's ratification of the Treaty and the other connected Instruments to be deposited forthwith. Notes Ministers desire communicated in No. 748 regarding exclusion from the provisions of the Convention respecting Conditions of Residence, Business and Jurisdiction, and the Commercial Convention ... 189
750 The Governor-General Canada, Confidential June 12 (Rec. June 24)	Transmits copies of Hansard report of debate on the subject of the Lausanne Treaty together with copies of Press cuttings, and quotes a statement made by the Prime Minister as to Canada's position in relation to the rest of the Empire 190
751 To the Governor-General Irish Free State Telegram ... ... August 1	Requests earliest possible intimation of result of debate in Dail on motion relating to ratification of Treaty 192
752 The Governor-General Irish Free State Telegram ... ... July 2 (Rec. July 2)	States that motion agreed in Dail and that result of consideration in Senate will be telegraphed immediately 193
753 The Governor-General Irish Free State Telegram ... ... July 4 (Rec. July 4)	States that motion has been passed in Senate ... 193
754 To the Governor-General Irish Free State Telegram ... ... July 5	Enquires whether statement may be made in House of Commons, in reply to question to be asked, to the effect that Irish Free State have acquiesced in ratification of Treaty 193

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
755 The Governor-General Irish Free State Telegram ... ... July 7 (Rec. July 7)	Agrees with reference to No. 754 to reply that Irish Free State has acquiesced in the ratification of the Treaty 193
756 The Governor-General Irish Free State 264 ... ... July 7 (Rec. July 8)	Transmits copy of the Motion and Confirms Nos. 752 and 753 194
757 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 350, Southern Rhodesia 289 ... ... July 20	Transmits copy of a despatch to His Majesty's Ambassador at Paris, forwarding for deposit with the French Government the King's Ratification of certain Treaties together with certain declarations... 194
758 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Southern Rhodesia Telegram ... ... August 8	States that first *procès verbal* deposit of ratifications has been drawn up under Article 143 of Treaty dated 6th August, from which date settlement comes into force between High Contracting Parties who have ratified 195
759 To the Governors-General and Governors Canada Commonwealth of Australia, New Zealand Union of South Africa, Irish Free State, Newfoundland, Dominions 400, Southern Rhodesia 342 ... ... August 22	Transmits copy of note to the French Minister for Foreign Affairs carrying out action requested in No. 757 196
(2) Lausanne Conference: Issue of Full Powers.	
1924	
760 The Governor-General Canada, Telegram August 9 (Rec. Aug. 12)	States that Ministers desire copies of the Order in Council authorizing Lord Curzon and Sir H. Rumbold to act with respect to the negotiation and signature of the Treaty, and also copies of Full Powers 198
761 To the Governor-General Canada 381 ... August 29	States that it is not the practice in this country for an Order in Council to be issued before Full Powers are given for the signature of a Treaty, and encloses copies of the Full Powers issued to Lord Curzon and Sir H. Rumbold 198
(3) Proposed Convention to Regulate the admission of British Subjects in Turkey and of Turkish Citizens in the United Kingdom to the various forms of Commerce, Professions and Industries.	
1924	
762 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 447, Southern Rhodesia 380 ... ... September 9	States that it is intention of His Majesty's Government to open negotiations with Turkey for a Convention regulating the admission of British subjects in Turkey and of Turkish citizens in England to the various forms of commerce, professions and industries. Enquires whether there is any prospect of Ministers desiring to adhere to Convention and whether they desire any special points considered 199
768 The Governor Southern Rhodesia 329 ... ... October 17 (Rec. Nov. 10)	States that it is not desired that Convention should be extended to Southern Rhodesia 199
764 The Governor-General Union of South Africa 582 ... ... October 27 (Rec. Nov. 18)	Transmits copy of Minute from Ministers reporting that admission of Turkish Nationals into the Union is governed by the provisions of the Immigrants Regulation Act of 1913, and that it is not considered advisable for the Union to become a party to the proposed Convention 200
765 The Governor-General Irish Free State 448 ... ... December 2 (Rec. Dec. 3)	States that Ministers have no suggestions or observations to make as Convention has no special interest for the Irish Free State 200
UNITED STATES.	
(1) Treaty Regulating Liquor Traffic.	
1924	
766 The Governor-General New Zealand Telegram ... January 2 (Rec. Jan. 2)	Concurs in terms of proposed Liquor Treaty and agrees that His Majesty's Chargé d'Affaires at Washington be authorized to sign on behalf of New Zealand ... 201
767 The Governor-General Commonwealth of Australia, Telegram January 8 (Rec. Jan. 8)	Concurs in terms of proposed Treaty 201
768 To the Governor-General Irish Free State Secret ... ... January 8	Encloses copy of telegram to other Dominions, requests concurrence in the terms of the draft Treaty as modified and agreement that His Majesty's Chargé d'Affaires at Washington be authorized to sign it... 201
769 India Office to Foreign Office ... December 31, 1923 (Rec. in Colonial Office Jan. 10, 1924)	Agrees that His Majesty's Chargé d'Affaires be authorized to sign Treaty on behalf of the Government of India 201
770 The Governor-General Canada, Telegram January 12 (Rec. Jan. 13)	Approves, subject to the condition stated, the proposed Treaty and its signature by His Majesty's Representative at Washington. States decision of Canadian Government that Parliamentary approval must be obtained before it intimates its concurrence in ratification and assumes that this will present no difficulty 202
771 The Governor-General Irish Free State Secret ... ... January 15 (Rec. Jan. 16)	Concurs in the signature of the proposed Treaty and will recommend its ratification 202
772 The Acting Governor-General Union of South Africa Telegram ... January 19 (Rec. Jan. 19)	Concurs in proposed Treaty 202
773 To the Governor-General Commonwealth of Australia, Telegram January 19	Expresses hope that Treaty will be signed not later than 25th January 203
774 The Governor Newfoundland 114 ... December 29, 1923 (Rec. Jan. 21, 1924)	Confirms telegram to the effect that Ministers concur in proposed Treaty 203

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
775 To the Governor-General Canada, Telegram January 21	Appreciates desire of Canadian Government to obtain approval of Parliament before ratification. Agrees to leave to Canadian Government nomination of person to be member of joint board referred to in No. 770 203
776 To Foreign Office January 23	Transmits, with observations copies of Nos. 772, 774 and 775 203
777 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland Telegram ... January 26	States that Treaty was signed on 23rd January ... 204
778 To the Governor-General Irish Free State Secret ... ... January 29	Ditto 204
779 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 79 ... ... February 27	Transmits copy of Treaty as signed and enquires whether Ministers concur in its ratification ... 204
780 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram ... February 29	Urges necessity of early ratification of Treaty ... 205
781 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram ... February 29	Indicates additions made to the text of Article 6 and end of the Treaty as signed 205
782 To the Governors-General and Governor Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram ... February 29	Transmits message for Prime Minister from Prime Minister enquiring as to when it will be possible to signify concurrence in the ratification of the Treaty 206
783 To the Governor-General Canada, Telegram February 29	Transmits message for Prime Minister from Prime Minister urging the necessity for the early ratification of the Treaty and enquiring as to the date of its passage through the Canadian Parliament 206
784 To the Governor-General Irish Free State 140 ... ... March 3	Urges necessity for early ratification of the Treaty and enquires whether Ministers will signify their concurrence as soon as possible 206
785 The Governor-General New Zealand, Telegram ... ... March 4 (Rec. March 4)	States that Ministers have no objection to the Treaty being ratified 207
786 The Governor-General Commonwealth of Australia, Telegram March 6 (Rec. March 6)	Concurs in ratification of Treaty and will submit for formal sanction of Parliament as soon as sitting is resumed 207

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
787 The Governor Newfoundland Telegram ... ... March 6 (Rec. March 6)	Concurs in ratification of the Treaty 207
788 The Governor-General Canada, Telegram March 6 (Rec. March 6)	Transmits message for Prime Minister from Prime Minister stating that it is hoped to have the approval of the Treaty by both Houses and Senate within a fortnight 207
789 The Governor-General Union of South Africa Telegram ... ... March 6 (Rec. March 7)	Transmits message for Prime Minister from Prime Minister stating that Government concur in ratification of the Treaty and desire ratification on their behalf 208
790 To the Governor-General Canada, Telegram Confidential ... March 17	Discusses the desire of the Canadian Government to publish certain secret correspondence as to the history of the negotiations leading up to the signature of the Treaty 208
791 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland Telegram ... March 18	States that United States Senate approved ratification of Treaty on 13th March 208
792 To the Governor-General Irish Free State 172 ... ... March 19	States that United States Senate approved ratification of Treaty on 13th March and enquires when Ministers expect to be able to bring Treaty before the Oireachtas 209
793 The Governor-General Canada, Telegram Confidential ... March 22 (Rec. March 23)	Quotes message from Prime Minister stating that House of Commons approved the Treaty on 22nd March, and resolution will be considered by Senate on reassembly 209
794 The Governor-General Canada 127 ... March 25 (Rec. April 7)	Transmits, with reference to No. 793, copy of the Hansard Report, draws attention to the Prime Minister's remarks reported on pages 571 to 575, and states that the Treaty will be considered by the Senate on its reassembly 209
795 The Governor-General Canada, Telegram ... April 9 (Rec. April 10)	Reports that House of Commons adopted Resolution approving Convention, and that Senate united with the House in approval 213
796 The Governor-General Irish Free State 136 ... ... April 17 (Rec. April 19)	Transmits copy of Resolution passed by both Houses with proviso added by the Dail regarding the expression "United Kingdom of Great Britain and Ireland." States that Ministers recommend ratification of the Treaty according to the terms of the Resolution 213
797 To the Governors-General and Governor Canada Commonwealth of Australia, New Zealand Union of South Africa, Irish Free State, Newfoundland, Dominions 252 ... May 22	States that instrument of ratification has been forwarded to Washington for exchange against a similar instrument on the part of the President of the United States 215
798 To the Governors-General and Governor Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram ... ... May 27	Reports that exchange of ratifications took place on 22nd May 216

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
799 To the Governor-General Irish Free State 326 ... ... May 27	Ditto 216
800 To the Governors-General and Governor Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram ... ... May 30	States that President issued Proclamation 22nd May, putting Treaty into immediate effect 216
801 To the Governor-General Irish Free State 335 ... ... May 31	Ditto 216
802 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 437 Confidential ... September 4	Transmits copy of correspondence with His Majesty's Ambassador at Washington regarding the seizure of vessels by the United States Government under the Convention of 23rd January, 1924 217
803 To the Governor-General Canada, Telegram Confidential ... September 15	Intimates certain instructions which it is proposed to send to His Majesty's Ambassador at Washington, and invites concurrence therein 219
804 The Governor-General Canada, Telegram October 1 (Rec. October 2)	Concurs in views expressed in No. 803 220
805 To the Governors-General and Governor Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Confidential ... October 2	Transmits copy of an extract from a telegram from Washington summarizing the official libel laid before the United States District Court at Massachusetts pleading for forfeiture of the schooner "Frances and Louise" together with a copy of the Judgment in the case 220
806 The Governor-General Canada, Confidential October 4 (Rec. October 16)	Transmits, with reference to No. 804, copy of Minute of Privy Council setting forth the views of responsible advisers regarding the seizure of the "Frances Louise" 222
807 To the Governors-General and Governor, Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 497 Confidential ... October 22	Transmits copy of telegram to His Majesty's Ambassador at Washington, indicating the policy His Majesty's Government and the Canadian Government desire to be followed in cases of seizures of British ships by the United States Authorities under the Liquor Treaty 223
808 To the Governors-General and Governor, Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 595, Secret ... ... December 20	Transmits copies of a despatch from His Majesty's Ambassador at Washington, reporting a conversation with the Secretary of State of the United States regarding the seizure of the "Frances Louise" and of the Foreign Office despatch in reply 224

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
(2) Pacific Halibut Fishery Treaty.	
1924	
809 The Governor-General Canada, Telegram June 11 (Rec. June 12)	Requests that Convention be ratified and instrument of ratification be forwarded for exchange against similar ratification by the President of the United States ... 227
810 Foreign Office ... June 13	Transmits copies of correspondence from Washington leading up to the ratification of the Convention by the United States Senate 227
811 To the Governor-General Canada 258 ... June 13 (Rec. June 26)	Transmits copy of an Approved Minute of the Privy Council upon which No. 809 was based 230
812 The Governor-General Canada, Telegram ... July 11 (Rec. July 11)	Enquires when Instrument of Ratification may be expected 230
813 To the Governor-General Canada, Telegram ... July 18	States that it is anticipated that Instrument of Ratification will be ready for despatch within a week 231
814 To the Governor-General Canada 327 ... July 31	Transmits Ratification of the Convention for exchange against a similar ratification on the part of the President of the United States and asks for an authenticated copy of the certificate recording the exchange 231
815 The Governor-General Canada, Telegram August 28 (Rec. Aug. 28)	States that Ministers enquire whether model certificate recording exchange of ratifications might be supplied together with information as to usual procedure and inquires whether additional Full Powers are issued by His Majesty or whether original Full Powers are sufficient 231
816 To the Governor-General Canada, Telegram September 13	States that it is not customary for a Full Power to be issued for the exchange of His Majesty's ratification of a Convention for that of foreign Power, and that model certificate of exchange is being despatched ... 231
817 To the Governor-General Canada 405 ... September 15	Amplifies No. 816 and transmits a draft model certificate of exchange 232
818 The Governor-General Canada 457 ... October 30 (Rec. Nov. 8)	Transmits certified copy of Protocol of exchange of Ratifications 232
(3) Treaties with Canada regarding the Suppression of Smuggling on the International Boundary and Extradition for Narcotic Offences.	
1924	
819 Foreign Office ... February 25	Transmits copy of despatch from Washington enclosing a despatch addressed to the Governor-General of Canada enquiring as to the truth of press reports that an agreement has been reached between Canada and the United States regarding the prevention of illicit traffic across the Canadian border and that a Convention is being drafted 233
820 Foreign Office ... March 7	Transmits copy of despatch from Washington forwarding copy of a note addressed to the United States Government covering the proposals of the United States Delegation and the counter-proposals submitted by the Canadian Government 234
821 The Governor-General Canada, Telegram ... May 23 (Rec. May 24)	Quotes text of draft of proposed Treaty 237

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
822 The Governor-General Canada, Telegram ... May 23 (Rec.-May 24)	Conveys text of Privy Council Minute recommending the submission of a request to His Majesty to issue the necessary Full Powers to the Hon. E. Lapointe authorizing him to conclude and sign the Treaty ... 239
823 The Governor-General Canada, Telegram ... May 23 (Rec. May 24)	States that Ministers desire that Full Powers for the Hon. E. Lapointe may be forwarded immediately and points out that Article 6 of the proposed Treaty is in the nature of an amendment of the Treaty between Great Britain and the United States re the reciprocal conveyance of Canadian and American prisoners through Canadian and United States territory 239
824 The Governor-General Canada, Telegram ... May 26 (Rec. May 27)	Quotes preamble of the draft of the proposed Treaty, and states that the Canadian Government desires to alter the phrasing in two respects in view of the Resolution adopted at the Imperial Conference 1923 240
825 To the Governor-General Canada 210 ... ... May 27	Transmits the Full Power issued by His Majesty the King to the Hon. E. Lapointe 240
826 To the Governor-General Canada, Telegram ... May 28	Reports despatch of Full Power. Discusses the expression "foreign ports" as used in Article 1 of the draft Treaty 241
827 The Governor-General Canada, Telegram ... May 28 (Rec. May 29)	Quotes text of draft of proposed Treaty regarding extradition for narcotic offences and asks that His Majesty may be moved to issue the necessary Full Powers to the Hon. E. Lapointe, authorizing him to conclude and sign the Treaty 242
828 The Governor-General Canada, Telegram ... May 30 (Rec. May 31)	Acknowledges No. 826, and states that it is proposed to substitute for the word "Foreign" the word "any" in Article 1 of the draft Treaty 243
829 The Governor General Canada, Telegram ... June 2 (Rec. June 3)	Conveys Ministers appreciation of courtesy in securing so promptly Full Powers for the Hon. E. Lapointe in connexion with the Treaty for the suppression of smuggling operations along the International boundary, and asks that similar arrangements be made to make possible the conclusion of the Treaty respecting the extradition for offences in connexion with traffic in narcotics before the United States Congress rises 243
830 To the Governor General Canada, Telegram ... June 3	Quotes full title of His Majesty to be set forth in the preambles of the Treaties with the United States. States also that the Full Power forwarded in No. 825 is sufficient to authorize Mr. Lapointe's signature of the proposed Extradition Treaty 243
831 To the Governor General Canada, Telegram, Secret ... ... June 3	Notifies discussion in Debate in the Irish Free State Parliament on ratification of Liquor Treaty as to the use of expression "United Kingdom of Great Britain and Ireland." Alteration in the existing title could only be effected by agreement between British and Dominion Governments and would require legislation 244
832 The Governor-General Canada, Telegram ... June 3 (Rec. June 4)	States that Mr. Lapointe, who will be at Washington on 5th June to sign pending treaties, will see that the full title of His Majesty is set forth in the preambles of the treaties 244
833 Foreign Office ... June 13	Transmits copy of a telegram from Washington stating that the ratification of the Liquor Treaty by the Senate is postponed until next December ... 244
834 Foreign Office ... June 19	Transmits copy of despatch from Washington forwarding copies of the summary of the Treaty as issued to the Press, and states that the Treaty was signed by Mr. Lapointe on behalf of Canada, on 6th June, and has been sent to the Senate for ratification ... 245

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
835 Foreign Office ... June 27	Transmits copy of despatch from His Majesty's Ambassador at Washington transmitting copies of note to United States Government enclosing draft of proposed Treaty, and stating that he has informed Government that Full Powers to Mr. Lapointe were despatched on 27th May, and expressing the hope that if the Full Powers are delayed in transit the American Government will accept His Majesty's Ambassador's assurance 245
836 Foreign Office ... July 24	Transmits copy of despatch from Washington to the Governor-General, Canada, enclosing a note from the United States Government calling attention to certain defects in the draft Treaty for the suppression of traffic in narcotics. Remarks upon the amendments suggested 246
837 Foreign Office ... August 12	Transmits copy of despatch from Washington enclosing Note to the State Department submitting a draft of the Treaty regarding suppression of traffic in narcotics as amended and approved by the Canadian Government 248
838 Foreign Office ... August 27	Transmits copy of correspondence with Washington as to the incorrect rendering of the King's Title in the preamble of the draft Treaty regarding narcotics ... 249
839 To Foreign Office September 4	Suggests that it would seem sufficient to draw the attention of the Canadian Government to the point raised in No. 838 250
840 Foreign Office ... September 12	Transmits copy of despatch from Washington forwarding copy of letter from the United States Department of State stating that United States Government is prepared to sign a Treaty in the terms of the amended draft 250
841 Foreign Office ... October 10	Transmits copy of despatch from Washington forwarding copy of communication to the Governor-General of Canada enclosing a note from the United States Government from which it appears Mr. Hughes will be ready to sign Treaty and asking to be informed of date selected by the Dominion Government for signature 251

(4) Real and Personal Property Convention, 1899.

Position of Irish Free State.

1924	
842 To the Governor-General Irish Free State 706 December 22	Transmits copy of correspondence with the United States Ambassador regarding the position of the Irish Free State in relation to the Convention, and enquiring whether there is any objection to the publication of certain correspondence 252

(5) Treaty-making Policy. Suggested New Commercial Treaty with Great Britain.

1924	
843 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 48, Confidential ... February 6	Transmits copy of despatch from His Majesty's Chargé d'Affaires at Washington forwarding copy of a memorandum on the Treaty-making policy of the United States 253

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
844 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 313, Confidential ... ... July 11	Transmits copy of despatch from His Majesty's Ambassador at Washington regarding suggested negotiations for a new commercial treaty between Great Britain and United States 257

VENEREAL DISEASE AMONG SEAMEN.

International Agreement.

1924	
845 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 348 ... July 28	Transmits copy of a note from the Belgian Ambassador together with revised draft of the proposed Agreement relating to the treatment of Venereal Diseases amongst Seamen, and requests Ministers views as to accession to the Agreement 258
846 The Governor-General Irish Free State 550 September 2 (Rec. Sept. 3)	States that Ministers do not desire to accede to the Agreement 259
847 The Governor-General Canada 408 ... September 18 (Rec. Sept. 29)	Transmits copy of an approved Minute of the Privy Council to the effect that Canada is willing to adhere to the revised Convention 259
848 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 487 ... October 8	Transmits copy of a despatch to His Majesty's Ambassador at Brussels instructing him to sign the Agreement on behalf of Great Britain and Northern Ireland with declaration reserving right of Dominions to accede under Article 7 260
849 The Governor-General Union of South Africa 525 ... ... September 24 (Rec. Oct. 13)	Transmits copy of Minute from Ministers stating that they are unable to recommend accession of the Union to the proposed Agreement for reasons given 261
850 The Acting-Governor Newfoundland 103 September 23 (Rec. Oct. 18)	States that Ministers are unable at present to adhere to the Agreement 262
851 To the Governor-General Canada 457 ... October 24	States that accession of Canada will be notified at the time when His Majesty's ratification is deposited... 262
852 The Deputy Governor-General Commonwealth of Australia 274 ... September 27 (Rec. Nov. 4)	States that attitude of Commonwealth Government is unchanged, and indicates how far it is prepared to conform to the proposed Agreement 262
853 The Governor-General New Zealand 226 October 10 (Rec. Nov. 13)	States that New Zealand Government desires to become a signatory of the proposed Agreement and considers the draft Agreement satisfactory 263

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1924	
854 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 557 ... December 2	Transmits copy of despatch to His Majesty's Ambassador at Brussels requesting him to amend the declaration to accompany signature to read as quoted 263
855 To the Governor-General New Zealand 237 December 23	States that it is proposed, when ratification of Agreement is deposited to give notice of accession under Article 7 on behalf of New Zealand and Canada ... 264

WEIHAIWEI.

Proposed Convention for Retrocession of:

1924	
856 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret October 15	States that draft Convention for retrocession of Weihaiwei has been agreed upon and that arrangements are being made for signature and ratification 264
857 To the Governor-General Irish Free State, Secret ... ... October 15	Transmits copy of No. 856 and print referred to therein 265
858 To the Governor-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 509, Secret October 24	Transmits copy of despatch from His Majesty's Minister at Peking transmitting the draft Convention in the form finally agreed upon between himself and the Chinese Minister for Foreign Affairs 265

POSITION OF THE SELF-GOVERNING DOMINIONS AND SOUTHERN RHODESIA.

CORRESPONDENCE, 1924.

PART II.

NEGOTIATION, SIGNATURE AND RATIFICATION OF INTERNATIONAL AGREEMENTS.

Resolution of the Imperial Conference of 1923.

61735

No. 430.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNOR.

[*Answered by Nos.* 431, 432, 434, 435, 437 *and* 438.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
} Dominions No. 11.)

[MY LORD,] [SIR,] Downing Street, 10th January, 1924.

I HAVE the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, an extract from the Summary of Proceedings of the Imperial Conference (Cmd. 1987) containing a resolution agreed to by the Conference as to the procedure to be observed in the negotiation, signature and ratification of international agreements.

2. His Majesty's Government are prepared to accept the recommendation that the procedure set out in the Resolution should be followed in these matters, and they will be glad to learn whether your Ministers also accept it.

I have, &c.,
DEVONSHIRE.

Enclosure in No. 430.

(Extract.)

* * * * * * *

IX. NEGOTIATION, SIGNATURE AND RATIFICATION OF TREATIES.

THE principles governing the relations of the various parts of the Empire in connexion with the negotiation, signature and ratification of Treaties seemed to the Conference to be of the greatest importance. Accordingly it was arranged that the subject should be fully examined by a Committee, of which the Secretary of State for Foreign Affairs was Chairman. The Secretary of State for the Colonies, the Prime Ministers of Canada, the Commonwealth of Australia, New Zealand, the Union of South Africa and Newfoundland, the Minister of External Affairs of the Irish Free State, and the Secretary of State for India as Head of the Indian Delegation, served on this Committee. With the assistance of the Legal Adviser to the Foreign Office, Sir C. J. B. Hurst, K.C.B., K.C., the following Resolution was drawn up and agreed to:—

"The Conference recommends for the acceptance of the governments of the Empire represented that the following procedure should be observed in the negotiation, signature and ratification of international agreements.

"The word 'treaty' is used in the sense of an agreement which, in accordance with the normal practice of diplomacy, would take the form of a treaty between Heads of States, signed by plenipotentiaries provided with Full Powers issued by the Heads of the States, and authorizing the holders to conclude a treaty."

I

"1. *Negotiation.*

"(*a*) It is desirable that no treaty should be negotiated by any of the governments of the Empire without due consideration of its possible effect on other parts of the Empire, or, if circumstances so demand, on the Empire as a whole.

"(*b*) Before negotiations are opened with the intention of concluding a treaty, steps should be taken to ensure that any of the other governments of the Empire likely to be interested are informed, so that, if any such government considers that its interests would be affected, it may have an opportunity of expressing its views, or, when its interests are intimately involved, of participating in the negotiations.

"(*c*) In all cases where more than one of the governments of the Empire participates in the negotiations, there should be the fullest possible exchange of views between those governments before and during the negotiations. In the case of treaties negotiated at International Conferences, where there is a British Empire Delegation, on which, in accordance with the now established practice, the Dominions and India are separately represented, such representation should also be utilized to attain this object.

"(*d*) Steps should be taken to ensure that those governments of the Empire whose representatives are not participating in the negotiations should, during their progress, be kept informed in regard to any points arising in which they may be interested.

"2. *Signature.*

"(*a*) Bilateral treaties imposing obligations on one part of the Empire only should be signed by a representative of the government of that part. The Full Power issued to such representative should indicate the part of the Empire in respect of which the obligations are to be undertaken, and the preamble and text of the treaty should be so worded as to make its scope clear.

"(*b*) Where a bilateral treaty imposes obligations on more than one part of the Empire, the treaty should be signed by one or more plenipotentiaries on behalf of all the governments concerned.

"(*c*) As regards treaties negotiated at International Conferences, the existing practice of signature by plenipotentiaries on behalf of all the governments of the Empire represented at the Conference should be continued, and the Full Powers should be in the form employed at Paris and Washington.

"3. *Ratification.*

"The existing practice in connexion with the ratification of treaties should be maintained.

II.

"Apart from treaties made between Heads of States, it is not unusual for agreements to be made between governments. Such agreements, which are usually of a technical or administrative character, are made in the names of the signatory governments, and signed by representatives of those governments, who do not act under Full Powers issued by the Heads of the States; they are not ratified by the Heads of the States, though in some cases some form of acceptance or confirmation by the governments concerned is employed. As regards agreements of this nature the existing practice should be continued, but before entering on negotiations the governments of the Empire should consider whether the interests of any other part of the Empire may be affected, and, if so, steps should be taken to ensure that the government of such part is informed of the proposed negotiations, in order that it may have an opportunity of expressing its views."

The Resolution was submitted to the full Conference and unanimously approved. It was thought, however, that it would be of assistance to add a short explanatory statement in connexion with part I (3), setting out the existing procedure in relation to the ratification of Treaties. This procedure is as follows:—

(*a*) The ratification of treaties imposing obligations on one part of the Empire is effected at the instance of the government of that part:

(*b*) The ratification of treaties imposing obligations on more than one part of the Empire is effected after consultation between the governments of those parts of the Empire concerned. It is for each government to decide whether Parliamentary approval or legislation is required before desire for, or concurrence in, ratification is intimated by that government.

7696

No. 431.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 18th February, 1924.)

(No. 30.)

SIR, Government House, Ottawa, 31st January, 1924.

WITH reference to the Duke of Devonshire's despatch Dominions No. 11 of the 10th January,* transmitting an extract from the Summary of Proceedings of the Imperial Conference (Cmd. 1987), containing a resolution agreed to by the Conference as to the procedure to be observed in the negotiation, signature and ratification of international agreements, I have the honour to inform you that the procedure in such matters as set out in the aforesaid resolution of the Imperial Conference meets with the acceptance of the Canadian Government.

I have, &c.,

BYNG OF VIMY.

9201

No. 432.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 26th February, 1924.)

(No. 40.)

SIR, Governor-General's Office, Cape Town, 7th February, 1924.

I HAVE the honour to transmit to you herewith, with reference to the Duke of Devonshire's despatch Dominions No. 11 of the 10th January, 1924,* copy of Minute from Ministers on the subject of the procedure to be observed in the negotiation, signature and ratification of international agreements.

I have, &c.,

ATHLONE,
Governor-General.

Enclosure in No. 432.

MINUTE No. 66.

Prime Minister's Office, 4th February, 1924.

MINISTERS have the honour to acknowledge the receipt of His Excellency the Governor-General's Minute No. 74/38 dated 31st January, 1924, notifying that His Majesty's Government are prepared to accept the recommendation of the Imperial Conference, 1923, set out in Resolution IX, in regard to the negotiation, signature and ratification of treaties, and asking if the Union Government will also accept this recommendation.

Ministers have the honour to inform His Excellency the Governor-General that the Government of the Union accept this Resolution and will follow the procedure therein detailed.

J. C. SMUTS.

---

* No. 430.

8857

No. 433.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
Dominions No. 88.)

[MY LORD,] [SIR,] Downing Street, 29th February, 1924.

WITH reference to my predecessor's despatch Dominions No. 11 of the 10th of January,* I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, a copy of a despatch to the Viceroy of India regarding the Resolution of the Imperial Conference on the subject of the negotiation, signature and ratification of treaties.

2. [*Not to Canada:* I also enclose a copy of a despatch† from the Governor-General of Canada stating that the procedure set out in the Resolution meets with the acceptance of the Canadian Government. A copy has been communicated to the Secretary of State for India, who is forwarding it to the Government of India.]

2. [*To Canada only:* A copy of your despatch No. 30 of the 31st of January,† regarding this Resolution, has been sent to the other self-governing Dominions and to the Secretary of State for India, who is communicating it to the Government of India.]

I have, &c.,
J. H. THOMAS.

Enclosure in No. 433.

(Overseas, No. 7.)

MY LORD, India Office, London, 21st February, 1924.

I TRANSMIT for the information of Your Excellency's Government copy of the official summary of the proceedings of the Imperial Conference of 1923‡ relative to the negotiation, signature and ratification of treaties.

2. It will be observed that the word "treaty" is defined to mean an agreement between Heads of States signed by plenipotentiaries provided with full powers issued by the Heads of the States concerned.

3. The first part of the Resolution adopted by the Conference refers to the procedure to be followed in the case of treaties as thus defined. In the event of India negotiating such a treaty it will be necessary that the officer deputed to sign it should, in future, be provided with a full power from His Majesty. Ratification by His Majesty will be confined to treaties signed by such plenipotentiaries. The second part of the Resolution refers to agreements between Governments, which do not take the form of treaties as defined.

4. I request that the procedure laid down in the Resolution, both as regards treaties proper and as regards Governmental agreements, may be adopted at all stages of future negotiations undertaken by the Government of India. If it is considered that any of the other Governments of the Empire are likely to be interested in such negotiations, steps should be taken to keep any such Government informed through the usual channel.

I have, &c.,
OLIVIER.

To His Excellency the Right Honourable the
Governor-General of India in Council.

---

* No. 430. † No. 431. ‡ Cmd. 1987; see enclosure in No. 430 for passage relating to this subject.

16430

No. 434.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 7th April, 1924.)

(No. 32.)

SIR, Government House, St. John's, 15th March, 1924.

I HAVE the honour to acknowledge the receipt of your predecessor's despatch Dominions No. 11 of the 10th January,* on the subject of the procedure to be observed in the negotiation, signature and ratification of international agreements, and to inform you that my Ministers accept the procedure set out in the Resolution of the Imperial Conference.

I have, &c.,
W. L. ALLARDYCE.

21030

No. 435.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 3rd May, 1924.)

(No. 53.)

SIR, Government House, Wellington, 17th March, 1924.

I HAVE the honour to acknowledge the receipt of the Duke of Devonshire's despatch Dominions No. 11 of the 10th January* forwarding an extract from the Summary of Proceedings of the Imperial Conference (Cmd. 1987), containing a Resolution agreed to by the Conference as to the procedure to be observed in the negotiation, signature and ratification of international agreements.

2. My Ministers advise me that the New Zealand Government agrees to accept the recommendation that the procedure set out in the Resolution should be followed in these matters.

I have, &c.,
JELLICOE,
Governor-General.

21030

No. 436.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
Dominions No. 212.)

[MY LORD,] [SIR,] Downing Street, 10th May, 1924.

WITH reference to [*To Canada:* Your Excellency's despatch No. 30 of the 31st January,†] [*To Australia and Irish Free State:* My despatch Dominions No. 88 of the 29th of February,‡] [*To New Zealand:* Your Excellency's despatch No. 53 of the 17th of March,§] [*To Union of South Africa:* Your Excellency's despatch No. 40 of the 7th of February,‖] [*To Newfoundland:* Your despatch No. 32 of the 15th of March,¶] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of despatches** from the [*To Canada, Commonwealth of Australia and Irish Free State:* Governors-General of New Zealand and the Union of South Africa and the Governor of Newfoundland] [*To New Zealand:* Governor-General of the Union of South Africa and the Governor of Newfoundland] [*To Union of South Africa:* Governor-General of New Zealand

* No. 430. † No. 431. ‡ No. 433. § No. 435. ‖ No. 432. ¶ No. 434. ** Nos. 435, 432 and 434.

and the Governor of Newfoundland] [*To Newfoundland:* Governors-General of New Zealand and the Union of South Africa] regarding the Resolution of the Imperial Conference on the subject of the negotiation, signature and ratification of Treaties.

2. Copies of the despatches have also been communicated to the Secretary of State for India.

I have, &c.,
J. H. THOMAS.

24542

No. 437.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 23rd May, 1924.)

[*Answered by No.* 441.]

(No. 193.)

SIR, Vice Regal Lodge, Dublin, 22nd May, 1924.

I HAVE the honour to refer to the Duke of Devonshire's despatch Dominions No. 11 of the 10th January,* forwarding an extract from the Summary of Proceedings of the Imperial Conference (Cmd. 1987) containing a Resolution agreed to by the Conference as to the procedure to be observed in the negotiation, signature and ratification of international agreements.

2. My Ministers desire me to ask you to be good enough to furnish them with a detailed explanatory note on the existing practice as regards Agreements mentioned in the first paragraph of Part II of the Resolution.

I have, &c.,
T. M. HEALY.

27785

No. 438.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 12th June, 1924.)

[*Answered by No.* 439.]

(No. 98.)

SIR, Governor-General's Office, Melbourne, 29th April, 1924.

WITH reference to your predecessor's despatch dated 10th January, 1924, Dominions No. 11,* I have the honour, at the instance of my Prime Minister, to inform you that the Commonwealth Government accepts the recommendation of the Imperial Conference relating to the procedure to be observed in the negotiation, signature and ratification of International Agreements.

I have, &c.,
FORSTER,
Governor-General.

27785

No. 439.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 226.)

MY LORD, Downing Street, 23rd June, 1924.

I HAVE the honour to acknowledge the receipt of Your Excellency's despatch No. 98 of the 29th of April,† intimating that the Commonwealth Government accepts the recommendation of the Imperial Conference relating to the procedure to be observed in the negotiation, signature and ratification of International Agreements, and to request you to inform your Ministers that copies have been communicated to the other Dominion Governments and to the Secretary of State for India.

I have, &c.,
J. H. THOMAS.

---

* No. 430. † No. 438.

27785

No. 440.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada. No. 262.)
(New Zealand. No. 114.)
(Union of South Africa. No. 198.)
(Irish Free State. No. 383.)
(Newfoundland. No. 94.)

[MY LORD,][SIR,] Downing Street, 23rd June, 1924.

WITH reference to my despatch Dominions No. 212 of the 10th of May,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a despatch† from the Governor-General of the Commonwealth of Australia notifying the acceptance by the Commonwealth Government of the recommendation of the Imperial Conference, relating to the procedure to be observed in the negotiation, signature and ratification of International Agreements.

2. Similar despatches have been sent to the Governors-General of [New Zealand, the Union of South Africa and the Irish Free State, and the Governor of Newfoundland.] [Canada, the Union of South Africa and the Irish Free State, and the Governor of Newfoundland.] [Canada, New Zealand and the Irish Free State, and the Governor of Newfoundland.] [Canada, New Zealand and the Union of South Africa, and the Governor of Newfoundland.] [Canada, New Zealand, the Union of South Africa and the Irish Free State.]

I have, &c.,
J. H. THOMAS.

33092

No. 441.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 445.)

SIR, Downing Street, 26th July, 1924.

WITH reference to Your Excellency's despatches No. 193 of the 22nd May and No. 297 of the 19th July,‡ I have the honour to transmit to you, to be laid before your Ministers, a copy of a memorandum on the subject of the Agreements between Governments referred to in the first paragraph of Part II of the Resolution of the Imperial Conference, 1923, with regard to the negotiation, signature and ratification of Treaties.

I have, &c.,
J. H. THOMAS.

Enclosure in No. 441.

MEMORANDUM.

1. THE Agreements between Governments referred to in the first paragraph of Part II of the Resolution of the Imperial Conference, 1923, with regard to the negotiation, signature and ratification of Treaties, are those of a minor nature, neither concluded under Full Powers issued by the Heads of States, nor entailing ratification by Heads of States.

2. Such Agreements are mainly of a departmental kind. Under existing arrangements with the General Post Office of Great Britain, Agreements with foreign countries concerning postal matters, exchanges of money orders, etc., are as a rule concluded direct between His Majesty's Postmaster-General and the Head of the foreign postal administration, the draft Agreement, unless in the stereotyped form habitually used, being first communicated to the Foreign Office for concurrence, and the original signed instrument being eventually deposited in the

---

* No. 436. † No. 438. ‡ Nos. 437 and 34459: reminder; not printed.

archives of the Foreign Office and registered by the latter with the Secretariat of the League of Nations. The postal administrations of the other parts of the Empire similarly negotiate direct with foreign postal administrations.

3. Conventions negotiated at Congresses of the Universal Postal Union are signed on behalf of this country by delegates holding letters of authority from the Postmaster-General, subject to subsequent confirmation and approval by him.

4. These may be said to be the only cases of usual occurrence, though there are a few exceptional instances where some deviation from the common practice has been necessary.

5. For instance, in Treaties in regard to boundaries with foreign countries, it has sometimes been provided that commissioners be appointed to demarcate the boundary agreed upon. The completed work of these commissioners usually takes the form of a Protocol, signed by them, which is afterwards confirmed by an exchange of notes with the foreign government through the diplomatic channel.

6. Similarly, in the case of "A" mandated Territories, provisional and temporary Agreements in regard to local matters have been concluded by the High Commissioners of these Territories with the authorities of adjacent Territories: these are subsequently confirmed by exchanges of notes through the diplomatic channel between His Majesty's Government and the foreign government concerned.

London,
July, 1924.

Note.—No reply to No. 430 had been received from the Irish Free State up to the end of 1924 beyond No. 437, but in the despatch from the Governor-General as to the proposed negotiation of a Commercial Convention with France (No. 191), it was stated that "the negotiations will be carried out in accordance with the Resolution of the Imperial Conference regarding the negotiation, signature and ratification of Treaties." It was also stated in a despatch from the Governor-General of the 16th May, 1924, as to the appointment of a Free State Minister at Washington (printed in Dominions No. 90) that "questions which may arise regarding negotiation and signature of Treaties with the United States will be dealt with in accordance with the Resolutions of the Imperial Conference."

NETHERLANDS.

Commercial Convention with Canada.

(*Treaty Series* 1925, *No.* 50.)

18799

No. 442.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 21st April, 1924.)

(No. 142.)

SIR, Government House, Ottawa, 7th April, 1924.

I HAVE the honour to transmit herewith copies of an Approved Minute of the Privy Council appointing the Honourable James A. Robb, M.P., Acting Minister of Finance, and the Honourable T. A. Low, M.P., Minister of Trade and Commerce, to negotiate on behalf of Canada a Treaty of Trade and Commerce between Canada and the Netherlands.

My Government requests that the necessary Full Powers be given to the Honourable J. A. Robb and the Honourable T. A. Low aforesaid to negotiate and conclude a Treaty of Trade and Commerce with the Netherlands and to sign such Treaty when concluded.

I have, &c.,
BYNG OF VIMY.

Enclosure in No. 442.

CERTIFIED COPY OF A MINUTE OF A MEETING OF THE COMMITTEE OF THE PRIVY COUNCIL, APPROVED BY HIS EXCELLENCY THE GOVERNOR-GENERAL ON THE 2ND APRIL, 1924.

(P.C. 463.)

THE Committee of the Privy Council have had before them a Report, dated 18th March, 1924, from the Acting Minister of Finance, submitting that it is desirable to enter into negotiations for the making of a Treaty of Trade and Commerce between Canada and the Netherlands, such negotiations to be conducted on behalf of Canada by the Honourable James A. Robb, Acting Minister of Finance, and the Honourable T. A. Low, Minister of Trade and Commerce.

The Committee, therefore, advise that Your Excellency may be pleased to cause a despatch to be sent to the Right Honourable the Secretary of State for the Colonies requesting the issue of authority by His Majesty to the Honourable James Alexander Robb, Member of the Parliament of Canada, Member of His Majesty's Privy Council for Canada, Acting Minister of Finance of Canada, and the Honourable Thomas Andrew Low, Member of the Parliament of Canada, Member of His Majesty's Privy Council for Canada, Minister of Trade and Commerce of Canada, to negotiate and conclude a Treaty of Trade and Commerce with the Netherlands and to sign such Treaty when concluded.

All of which is respectfully submitted for Your Excellency's approval.

E. J. LEMAIRE,
Clerk of the Privy Council.

Note.—For correspondence intervening between this despatch and that which follows, see under "Belgium: Commercial Convention with Canada."

28200

No. 443.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 252.)

MY LORD, Downing Street, 13th June, 1924.

WITH reference to Your Excellency's telegram of the 12th June* and previous correspondence, I have the honour to transmit to you, to be laid before your Ministers, Full Powers authorizing the Honourable J. A. Robb and the Honourable T. A. Low to negotiate and sign a Treaty of Trade and Commerce between Canada and the Netherlands.

I have, &c.,
J. H. THOMAS.

Enclosure in No. 443.

GEORGE R. I.

GEORGE, by the Grace of God, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas King, Defender of the Faith, Emperor of India, etc., etc., etc. To all and Singular to whom these Presents shall come, Greeting!

Whereas, for the better treating of and arranging certain matters which are now in discussion, or which may come into discussion, between Us and our Good Sister the Queen of the Netherlands, relating to Trade and Commerce between the Netherlands and Canada, We have judged it expedient to invest a fit person with Full Power to conduct the said discussion on Our part in respect of Our Dominion of Canada: Know Ye, therefore, that We, reposing especial Trust and Confidence in the Wisdom, Loyalty, Diligence and Circumspection of Our Trusty and Well-beloved the Honourable Thomas Andrew Low, Member of the Parliament of

---

* No. 63 (in Part I).

Canada, Member of Our Privy Council for Canada, Minister of Trade and Commerce of Our Dominion of Canada, have named, made, constituted and appointed, as We do by these Presents name, make, constitute and appoint him Our undoubted Commissioner, Procurator and Plenipotentiary in respect of Our Dominion of Canada; Giving to him all manner of Power and Authority to treat, adjust and conclude with such Minister or Ministers as may be vested with similar Power and Authority on the part of Our Good Sister the Queen of the Netherlands any Treaty, Convention or Agreement that may tend to the attainment of the above-mentioned end, and to sign for Us, and in Our Name in respect of Our Dominion of Canada, everything so agreed upon and concluded, and to do and transact all such other matters as may appertain thereto, in as ample manner and form, and with equal force and efficacy as We Ourselves could do, if personally present: Engaging and Promising upon Our Royal Word, that whatever things shall be so transacted and concluded by Our said Commissioner, Procurator and Plenipotentiary in respect of Our Dominion of Canada, shall, subject if necessary to Our Ratification, be agreed to, acknowledged and accepted by Us in the fullest manner, and that We will never suffer, either in the whole or in part, any person whatsoever to infringe the same, or act contrary thereto, as far as it lies in Our power.

In witness whereof We have caused the Great Seal of Our United Kingdom of Great Britain and Ireland to be affixed to these Presents, which We have signed with Our Royal Hand.

Given at Our Court of Saint James, the Thirtieth day of May, in the Year of our Lord, One thousand Nine Hundred and Twenty-four and in the Fifteenth Year of Our Reign.

(Seal.)

Note.—No further developments occurred during 1924.

NORWAY.

(1) Proposed Commercial Agreement with Australia.

58313

No. 444.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 11.20 a.m., 30th December, 1924.)

TELEGRAM.

30TH DECEMBER. My despatch 12th July, 1923, No. 278.* Note received from Norwegian Government stating that it is their intention to enter into direct negotiations with Commonwealth Government for conclusion of reciprocal Commercial Agreement based on most-favoured-nation treatment. Note expresses hope that His Majesty's Government have no objection to make against this procedure.

His Majesty's Government have, of course, no objection if proposal is in accordance with wishes of Commonwealth Government, but they would be glad to learn whether this is so before reply is sent to Norwegian Minister's Note.—SECRETARY OF STATE FOR THE COLONIES.

---

(2) Agreement for the Reciprocal Exchange of Information concerning Lunatics.

32809

No. 445.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

[Answered by Nos. 446, 447, 448 and 449.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.

Dominions No. 341.)

[MY LORD,] [SIR,] Downing Street, 25th July, 1924.

I HAVE the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, the accompanying copies of an extract from the *London Gazette* of

* No. 303 in Dominions No. 88.

the 20th of June, containing an Agreement which has been concluded between His Majesty's Government and the Norwegian Government for the reciprocal exchange of information concerning lunatics.

2. It is understood that the Norwegian Government are desirous of making similar arrangements in relation to the Dominions, and I shall be glad to learn whether your Ministers would be prepared to agree to such arrangements as regards [Canada.] [the Commonwealth of Australia.] [New Zealand.] [the Union of South Africa.] [the Irish Free State.] [Newfoundland.]

I have, &c.,
J. H. THOMAS.

Enclosure in No. 445.

EXTRACT FROM THE *London Gazette* OF FRIDAY, 20TH JUNE, 1924.

ANGLO-NORWEGIAN AGREEMENT RESPECTING LUNATICS.

Foreign Office, S.W.1, 18th June, 1924.

THE following agreement for the reciprocal notification by the British and Norwegian Governments of certain particulars respecting lunatic Norwegian subjects in Great Britain and lunatic British subjects in Norway has recently been concluded by an exchange of notes between the two governments and came into operation on the 5th instant.

1. [His Britannic Majesty's] [The Norwegian] Government shall be informed through [the Norwegian Legation in London] [His Britannic Majesty's Legation at Christiania] in all cases where a [British] [Norwegian] subject is admitted to, discharged from, or dies in a lunatic asylum in [Norway.] [Great Britain.]

2. Such information shall include the name of the asylum to which the patient is admitted and so far as possible the following details concerning the patient:—

(1) Name (in full).
(2) Birthplace, date and day of birth.
(3) Position and occupation.
(4) Where living when admitted.
(5) Last address in home country.
(6) Names (in full) and addresses of parents, or in case these are not living, of nearest relations.
(7) If patient is married, name (in full) and address of husband or wife.
(8) Date of person's admission to, discharge from or death in the asylum.
(9) Name of the person or authority at whose request the patient is admitted to the asylum.
(10) If the patient is admitted under a doctor's certificate, the date when that certificate was issued, and the name and address of the doctor.
(11) Condition of the patient, whether the same permits a removal to the home country and how many attendants would be required for the transport home.

3. Any request made by [the Norwegian] [His Britannic Majesty's] Government that a [British] [Norwegian] subject who is a lunatic shall be received in [Great Britain] [Norway] shall be accompanied by the information mentioned above in paragraph 2.

4. Whenever a [British] [Norwegian] subject who is a lunatic is repatriated, such information as may have been recorded concerning the patient in the asylum where he has been under treatment shall be transmitted to the [British] [Norwegian] authorities.

5. It is understood that [His Britannic Majesty's] [the Norwegian] Government will defray the expenses incurred in the repatriation at their request of a [British] [Norwegian] subject who is a lunatic.

39989

No. 446.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 21st August, 1924.)

(No. 331.)

SIR, Vice Regal Lodge, Dublin, 20th August, 1924.

I HAVE the honour to acknowledge receipt of your despatch Dominions No. 341 of the 25th ultimo,* transmitting an extract from the *London Gazette* containing an

* No. 445.

Agreement which has been concluded between His Majesty's Government and the Norwegian Government for the reciprocal exchange of information concerning lunatics. My Ministers desire me to inform you that they are prepared to make similar arrangements as regards the Irish Free State.

I have, &c.,
T. M. HEALY.

46377

No. 447.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 30th September, 1924.)

(No. 106.)

SIR, Government House, St. John's, 13th September, 1924.

I HAVE the honour to acknowledge the receipt of your despatch Dominions No. 341 of the 25th July,* respecting an Agreement between His Majesty's Government and the Norwegian Government for the reciprocal exchange of information concerning lunatics, and to inform you that my Ministers will be prepared to agree to the proposed arrangement as regards Newfoundland.

I have, &c.,
W. L. ALLARDYCE.

47186

No. 448.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6th October, 1924.)

(No. 490.)

SIR, Governor-General's Office, Pretoria, 17th September, 1924.

I HAVE the honour to transmit to you, herewith, with reference to your despatch Dominions No. 341 of the 25th July, 1924,* copy of Minute from Ministers on the subject of the reciprocal exchange of information concerning lunatics.

I have, &c.,
ATHLONE,
Governor-General.

Enclosure in No. 448.

Prime Minister's Office, 13th September, 1924.

(MINUTE 727.)

WITH reference to His Excellency the Governor-General's Minute No. 33/1514 of 19th August, 1924, on the subject of the reciprocal exchange of information concerning lunatics, Ministers have the honour to state that they are prepared to agree to the proposals put forward by the Norwegian Government.

J. B. M. HERTZOG.

51209

No. 449.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 31st October, 1924.)

(No. 201.)

SIR, Government House, Wellington, 22nd September, 1924.

WITH reference to your despatch Dominions No. 341 of the 25th July,* I have the honour to inform you that my Ministers advise me that they will be pleased to enter into a reciprocal arrangement with the Norwegian Government in regard to information concerning mental defectives.

I have, &c.,
JELLICOE,
Governor-General.

---

* No. 445.

OBSCENE PUBLICATIONS INTERNATIONAL CONVENTION, 1923.

16302

No. 450.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7th April, 1924.)

[*Answered by No.* 451.]

THE Governor-General of New Zealand presents his compliments to the Secretary of State for the Colonies, and has the honour to request that the Secretary-General of the League of Nations may be informed that the New Zealand Government ratifies the International Convention for the Suppression of the Circulation of and Traffic in Obscene Publications. A letter from the Prime Minister to the Secretary-General, to this effect, is enclosed.

Wellington,
25th February, 1924.

Enclosure in No. 450.

(I.A. 8/63/18.)

Dominion of New Zealand, Prime Minister's Office,
SIR, Wellington, 25th February, 1924.

I HAVE the honour to acknowledge receipt of your letter of the 29th October last regarding the International Conference for the Suppression of the Circulation of and Traffic in Obscene Publications held at Geneva on the 31st August last, under the auspices of the League of Nations, and have to thank you for the certified true copy of this Convention, and a copy of the Final Act of the Conference forwarded therewith.

In reply I have to inform you that the New Zealand Government ratifies the International Convention for the Suppression of the Circulation of and Traffic in Obscene Publications, in terms of Article VII thereof.

I have, &c.,
R. HEATON RHODES,
for the Prime Minister.

The Secretary-General,
League of Nations,
Geneva.

17682

No. 451.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 12.5 p.m., 23rd April, 1924.)

TELEGRAM.

[*Answered by Nos.* 452 *and* 453.]

(New Zealand.)
(Union of South Africa.)

[*To New Zealand:* Your official note 25th February.*]

[*To Union of South Africa:* Your telegram 15th August.†] Obscene Publications Convention. League of Nations Paper 630 M. 236, 1923. Proposed that His Majesty should ratify Convention forthwith on behalf of this country. Should be glad to learn by telegraph whether your Ministers would wish that instrument should include ratification on behalf of [*To New Zealand:* New Zealand and Western Samoa,] [*To Union of South Africa:* Union of South Africa and South-West Africa.]

---

* No. 450. † No. 307 in Dominions No. 88.

[*To New Zealand:* If your Ministers agree, Secretary-General of League would be informed that this procedure contemplated when forwarding to him your Prime Minister's letter of 25th February enclosed in note referred to.]

[*To Union of South Africa:* In accordance with wishes of Union Government notified through High Commissioner, Lord Parmoor recently signed Convention on behalf of Union including South West Africa].—SECRETARY OF STATE FOR THE COLONIES.

20355

No. 452.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6.5 p.m., 28th April, 1924.)

TELEGRAM.

28TH APRIL. Your telegram 23rd April.* Union Government would be pleased if the proposed ratification by His Majesty of the Obscene Publication Convention could include ratification on behalf of the Union of South Africa and South-West Africa.—ATHLONE.

21802

No. 453.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9.35 a.m., 7th May, 1924.)

TELEGRAM.

7TH MAY. Your telegram 23rd April.* Obscene Publications Convention. New Zealand Government agree that instrument should include ratification on behalf of New Zealand and Western Samoa.—GOVERNOR-GENERAL.

24748

No. 454.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 24th May, 1924.)

(No. 208.)

SIR, Government House, Ottawa, 14th May, 1924.

WITH reference to the Duke of Devonshire's despatch of the 13th August, 1923, Dominions Treaty No. 28,† on the subject of the International Convention for the Suppression of Obscene Publications, I have the honour to transmit herewith copies of an Approved Minute of the Privy Council for Canada adhering on behalf of Canada to the said Convention.

I have, &c.,
BYNG OF VIMY.

Enclosure in No. 454.

CERTIFIED COPY OF A MINUTE OF A MEETING OF THE COMMITTEE OF THE PRIVY COUNCIL, APPROVED BY HIS EXCELLENCY THE GOVERNOR-GENERAL ON THE 7TH MAY, 1924.

(P.C. 769.)

THE Committee of the Privy Council have had before them a report, dated 2nd May, 1924, from the Secretary of State for External Affairs, with reference to a despatch, dated 29th October, 1923, from the Secretary-General of the League of Nations, on the subject of the adherence of Canada to the International Convention for the Suppression of the Circulation of and Traffic in Obscene Publications.

* No. 451. † 38717/23: not printed: it enclosed papers referring to the Conference at which the Convention was negotiated.

The Committee, on the recommendation of the Secretary of State for External Affairs, advise that Canada do adhere to the said Convention, and that a copy hereof be forwarded to the Secretary-General of the League of Nations.

All of which is respectfully submitted for Your Excellency's approval.

E. J. LEMAIRE.
Clerk of the Privy Council.

36216

No. 455.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 459.]

(No. 487.)

SIR, Downing Street, 14th August, 1924.

I HAVE the honour to request Your Excellency to inform your Ministers that steps are now being taken for the ratification by His Majesty, on behalf of this country, of the Convention for the Suppression of the Circulation of and Traffic in Obscene Publications, negotiated at Geneva in September, 1923.

2. It is observed from the copy of the Convention contained in League of Nations paper C. 202, M. 64, 1924, IV., that the Convention has been signed on behalf of the Irish Free State. It has also been signed on behalf of New Zealand with Western Samoa and the Union of South Africa with South-West Africa.

3. The usual procedure in such cases has been that the Instrument of His Majesty's Ratification should include, not only ratification on behalf of this country, but also ratification on behalf of any of the Dominion Members of the League which desire the Convention to be ratified on their behalf. In the present case the Governments of New Zealand and the Union of South Africa have expressed concurrence in ratification and accordingly the Instrument of Ratification now in preparation will include ratification on behalf of New Zealand with Western Samoa and the Union of South Africa with South-West Africa.

4. I should be glad to be informed at an early date whether your Ministers would desire that the Instrument of Ratification should also include ratification on behalf of the Irish Free State.

I have, &c.,
(for the Secretary of State)
ARNOLD.

36216

No. 456.

THE SECRETARY OF STATE to THE GOVERNORS.

[*Answered by Nos.* 457 *and* 458.]

(Newfoundland. No. 126.)
(Southern Rhodesia. No. 349.)

SIR, Downing Street, 27th August, 1924.

WITH reference to my despatch No. [23] [52] of the 12th February,* I have the honour to transmit to you, for the information of your Ministers, a copy of the International Convention† for the Suppression of the Circulation of and Traffic in Obscene Publications.

2. I shall be glad to learn whether your Ministers wish notice of adhesion under Article XIII to be given on behalf of [Newfoundland.] [Southern Rhodesia.]

I have, &c.,
(for the Secretary of State)
ARNOLD.

---

* 5717/24: not printed; it enclosed a League of Nations paper containing the Records of the Conference.
† Not printed here.

49205

No. 457.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 18th October, 1924.)

(No. 116.)

SIR, Government House, St. John's, 30th September, 1924.

I HAVE the honour to acknowledge the receipt of your despatch No. 126 of the 27th August* on the subject of the International Convention for the Suppression of the Circulation of and Traffic in Obscene Publications, and to inform you that my Ministers desire that notice of adhesion under Article XIII should be given on behalf of Newfoundland.

I have, &c.,
W. L. ALLARDYCE.

50516

No. 458.

SOUTHERN RHODESIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 27th October, 1924.)

(No. 313.)

Governor's Office, Salisbury (Rhodesia),
SIR, 30th September, 1924.

I HAVE the honour to refer to your despatch No. 349 of the 27th August* transmitting a copy of the International Convention for the Suppression of the Circulation of and Traffic in Obscene Publications.

2. My Ministers inform me that they desire that notice of adhesion under Article XIII of the Convention should be given on behalf of this Colony.

3. I transmit herewith for your information copies of the "Obscene Publications Ordinance, 1911," which, in the opinion of my Ministers, makes ample provision for dealing with the practices which the Convention aims at suppressing.

I have, &c.,
J. R. CHANCELLOR.
Governor.

51499

No. 459.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 3rd November, 1924.)

[*Answered by No.* 460.]

(No. 415.)

SIR, Vice Regal Lodge, Dublin, 1st November, 1924.

IN reference to your despatches No. 487 of the 14th August† and No. 592 of the 15th ultimo,‡ concerning the ratification of the Convention for the Suppression of the Circulation of and Traffic in Obscene Publications, I have the honour to inform you that my Ministers do not wish to take any action with a view to ratification until they have fully satisfied themselves that all the arrangements necessary for the fulfilment of the obligations involved have been made.

I have, &c.,
T. M. HEALY.

---

* No. 456. † No. 455. ‡ 40638/24: not printed; reminder.

55159

No. 460.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 668.)

SIR, Downing Street, 29th November, 1924.

I HAVE the honour to acknowledge the receipt of Your Excellency's despatch No. 415 of the 1st November* regarding the Convention for the Suppression of the Circulation of and Traffic in Obscene Publications, negotiated at Geneva in September, 1923, and to request you to inform your Ministers that the action necessary to enable His Majesty to ratify the Convention on behalf of this country and of the Dominion Members of the League, on whose behalf the Convention was signed, is now complete, apart from the question whether the Irish Free State is or is not to be included in the ratification.

(2) In these circumstances I shall be grateful if I could be informed when your Ministers anticipate that they will be in a position to decide as to the inclusion of the Free State in the Instrument of Ratification which is about to be prepared.

I have, &c.,
L. S. AMERY.

PERSIA.

Agreement, 1920, modifying the Commercial Convention of 1903.

(*Treaty Series* 1920, *No.* 17.)

4122

No. 461.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 28th January, 1924.)

(No. 394.)

MY LORD DUKE, Governor-General's Office, Melbourne, 21st December, 1923.

WITH reference to your despatch dated 19th January, 1923, No. 33,† relative to the Anglo-Persian Agreement of 1920, I have the honour to inform Your Grace that I am advised by my Acting Prime Minister that the Commonwealth Government concurs in the interpretation placed by His Majesty's Government on Article 3 of the Agreement, namely, that the Article gives to the Commonwealth the right to free itself from all treaty obligations with Persia merely by giving notice to that effect. It is nevertheless desired that such withdrawal should be effected, if possible, without in any way affecting Australia's friendly relations with Persia.

My Ministers would be glad, therefore, if His Majesty's Representative at Teheran could be asked to inform the Persian Government that, in notifying its withdrawal from the Agreement of 1920, the Commonwealth Government was not actuated by any feelings of unfriendliness towards the Persian Government or people. During the last few years a general revision has been made of treaty relations, as regards commercial matters, between Australia and foreign countries, and the Commonwealth Government has, as a matter of general policy, withdrawn from all commercial treaties in which the terms were not distinctly favourable to the Commonwealth, or where, as in the case of Persia, the volume of trade exchanged was so small as to render treaty arrangements unnecessary.

In accordance with this general policy, Australia has withdrawn from treaties between Great Britain and, *inter alia*, the following countries:—

Belgium, Colombia, Costa Rica, Denmark, Egypt, France, Greece, Honduras, Japan, Liberia, Mexico, Muscat, Norway, Paraguay, Sweden, Salvador, Spain and Switzerland.

My Acting Prime Minister has asked me to express regret that, owing to an oversight, an earlier reply in regard to this matter was not furnished.

I have, &c.,
FORSTER,
Governor-General.

---

* No. 459. † No. 312 in Dominions No. 88.

POLAND.

Commercial Treaty, 1923.

(*Treaty Series* 1924, *No.* 26.)

Bearing of Commercial Treaties upon restrictions on Immigration.

8177

No. 462.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. Confidential.)

Dominions No. 86. Confidential.)

[My Lord,] [Sir,] Downing Street, 29th February, 1924.

With reference to my predecessor's Confidential despatch [*Not to Irish Free State and Southern Rhodesia:* Dominions No. 480] of the 31st December, 1923,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, a copy of correspondence with His Majesty's Consul at Danzig regarding the position of the Free City of Danzig in relation to the Anglo-Polish Commercial Treaty.

I have, &c.,
J. H. THOMAS.

Enclosure 1 in No. 462.

(No. 8.)
(Confidential.)

My Lord Marquess, British Consulate, Danzig, 15th January, 1924.

I have the honour to refer to Your Lordship's despatch No. 103 of the 20th December, 1923, transmitting copy of the Treaty of Commerce and Navigation between the United Kingdom and the Polish Republic, signed at Warsaw on the 26th November, 1923.

I am unaware whether it was the intention of His Majesty's Government that the Treaty with Poland should embrace also the Free City, but I note that in an appendix (Enclosure No. 12) M. Dmowski gives the assurance that the Treaty will apply equally to this Territory.

On the other hand, no mention of Danzig as contractual party occurs in the text of the Treaty, nor any clause to the effect that the Polish plenipotentiaries were acting also on behalf of the Free City.

In view of the Agreement reached at Geneva in September last (League of Nations No. C 579, 1923, 1, page 13, Foreign Affairs, paragraph 1, and page 14, paragraph 1, transmitted under cover of Your Lordship's despatch No. 84 of the 15th November last), and of the fact that uncertainty had already arisen through a similar omission, previously to this Agreement, as to whether the Italian-Polish Commercial Treaty applied to Danzig, I venture to request information as to the position of the Free City in relation to this Treaty.

I have, &c.,
B. H. Fry.

His Majesty's Principal Secretary of State,
London.

Enclosure 2 in No. 462.

(No. 16.)

Sir, Foreign Office, S.W.1, 15th February, 1924.

With reference to your despatch No. 8 of 13th January, in which you request information as to the position of the Free City of Danzig in relation to the Anglo-

* No. 317 in Dominions No. 88.

Polish Commercial Treaty, I am directed by Mr. Secretary Ramsay MacDonald to inform you that it is the intention of both parties that this Treaty should embrace the Free City.

2. His Majesty's Minister at Warsaw, towards the conclusion of negotiations and before the Danzig and Polish Governments had reached the agreement to which you refer, was informed by the Polish Government that the text of the Treaty had been submitted to and accepted by the Senate of the Free City. Consequently, it was not considered necessary that any mention of Danzig should be made in the text of the Treaty.

3. The Polish Government proposed, and His Majesty's Government agreed, that provision should be made for the accession of the Free City by means of a note annexed to the Treaty addressed by the Polish Minister for Foreign Affairs to His Majesty's Minister at Warsaw.

4. This note will in due course, together with the Treaty, be registered with the League of Nations.

I am, &c.,
J. D. Gregory.

B. H. Fry, Esq.,
His Majesty's Consul,
Danzig.

29399

No. 463.

CANADA.

THE OFFICE OF THE HIGH COMMISSIONER to COLONIAL OFFICE.

[*Answered by No.* 465.]

Office of the Secretary, Kinnaird House,
Sir, Pall Mall East, London, S.W.1, 20th June, 1924.

I am advised by the Department of Immigration at Ottawa that a Treaty of Commerce and Navigation has been made between the United Kingdom and Poland. Article 8 provides that the Treaty is not applicable to any British Dominion unless notice is given by the British Government of the desire of that Dominion to accept the terms of the Treaty.

In Article 2 of the Treaty it was stated, among other things, that there is a reciprocity arrangement between both countries for the carrying out of commercial operations and the establishment of the subjects or citizens of either contracting party in the territories of the other. Canada has not yet accepted the Treaty. It is now under discussion, and the question has been raised as to whether the Treaty is calculated to facilitate the admission of immigrants. Canada, of course, has no interest in the settlement of Canadians in Poland, but Poland has more than a passing interest in the settlement of her people in Canada. The Most-Favoured-Nation Treaty has not been looked upon by the Canadian Government as entitling immigrants from the countries with which such Treaty has been established to any special privileges as regards admission of immigrants. However, as we do treat the nationals of certain countries in a more favoured way than others, and as there is a possibility that Poland may have in mind acquiring certain privileges for immigrants, we would like to know whether Great Britain regards this Treaty as governing the admission to the British Isles of immigrants from Poland. In other words, whether this or the Aliens Act governs the admission. If this Treaty is looked upon as having any force or effect in the admission of immigrants from Poland to Great Britain, then we would expect Poland to claim some preferential treatment from Canada if the Treaty is accepted by Canada.

I would highly appreciate it if the necessary information could be given to me so that I may forward it to Ottawa.

I am, &c.,
LUCIEN PACAUD,
Secretary.

40209

No. 464.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 344.)

Dominions No. 402.)

[My Lord,] [Sir,] Downing Street, 22nd August, 1924.

With reference to my predecessor's despatch [*Not to Irish Free State and Southern Rhodesia:* Dominions No. 479] [*To Irish Free State:* No. 759] [*To Southern Rhodesia:* No. 120] of the 31st of December, 1923,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of a Treaty Series paper, No. 26 of 1924 (Cmd. 2219), containing the Treaty of Commerce and Navigation between the United Kingdom and the Polish Republic, signed at Warsaw, 26th November, 1923.

[*Not to New Zealand or Irish Free State:* 2. Further copies are being sent in Library despatch.]

I have, &c.,
(for the Secretary of State),
HENRY LAMBERT.

37222

No. 465.

CANADA.

COLONIAL OFFICE to THE OFFICE OF THE HIGH COMMISSIONER.

Sir, Downing Street, 20th September, 1924.

With further reference to your letter of the 20th of June† on the subject of the effect of Article 2 of the Treaty of Commerce and Navigation between the United Kingdom and Poland on the admission of immigrants from Poland, which has now received the careful consideration of the competent Departments of His Majesty's Government, I am directed to request you to convey to the High Commissioner the following observations on the points raised.

2. Article 2 of the Treaty provides that "such (i.e., unconditional) most-favoured-nation treatment shall apply in all that concerns . . . the establishment of the subjects or citizens of either Contracting Party in the territories of the other." These words, it is thought, can only be construed as meaning that Polish citizens must be allowed to establish themselves in the territories of His Majesty to which the Treaty is made applicable, under conditions which shall not be less favourable than those applicable to the nationals of any other foreign country. The words in question are not considered to be in conflict with the Aliens Restriction (Amendment) Act, 1919, in force in this country, which is of general application. In this connexion it may be of interest to quote a statement of the position of His Majesty's Government made to the Columbian Minister on the 2nd February, 1922, in the following terms:—

> "Thus, aliens restriction regulations of a similar or even more rigorous nature than the British regulations in question are now in force throughout the greater part of the world, including many countries which have concluded with His Majesty's Government commercial treaties similar to the Treaty with Colombia, and it may be said indeed to be generally accepted that commercial treaties cannot be interpreted so as to deny to the Contracting Parties the right to make any regulations of this nature which may seem necessary to them in the present condition of the world."

* No. 316 in Dominions No. 88. † No. 463.

3. In the circumstances it does not appear that, if the Anglo-Polish Treaty were made applicable to Canada, the words in question in Article 2 could be held to be in conflict with any Canadian law of general application which, for example, laid down literacy or other similar tests applicable to all immigrants into Canada, even though it might be easier for, say, Scandinavian immigrants individually to pass such tests than for Polish immigrants.

4. If, on the other hand, the law or the regulations thereunder were not general in scope but differentiated against all Polish citizens as compared with the subjects or citizens of some other foreign country, whether by imposing special restrictions on Poles as such or as members of some specified group of nationalities (e.g., Eastern European races) or by conferring specially favourable treatment on the nationals of some other foreign country (e.g., the United States), it is thought that Poland would have a ground for claiming that these provisions were inconsistent with the Treaty assuming that it had been made applicable to Canada.

5. A copy of Cmd. 2219,* which contains the Treaty, is enclosed.

I am, &c.,
C. T. DAVIS.

56474

No. 466.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 502.)

Dominions No. 562.)

[My Lord,] [Sir,] Downing Street, 5th December, 1924.

With reference to my predecessor's despatch [Dominions No. 402] [No. 344] of the 22nd of August,† on the subject of the Treaty of Commerce and Navigation with Poland, I have the honour to request [Your Excellency,] [you,] to inform your Ministers that His Majesty's Representative at Warsaw has reported that the Polish Government propose to pass a law whereby Customs duties on goods imported from those countries with whom Poland has not concluded a commercial treaty, may be increased by 100 per cent.

I have, &c.,
L. S. AMERY.

POSTAL CONVENTION, 1924.

60863

No. 467.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

[*Answered by Nos.* 468, 469, 474 *and* 476.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.

Dominions No. 1.)

[My Lord,] [Sir,] Downing Street, 1st January, 1924.

With reference to my despatch [*To all except Irish Free State:* Dominions No. 145 of the 12th April, 1920,‡] [*To Irish Free State only:* No. 584 of the 29th September, 1923,§] and connected correspondence, I have the honour to transmit

* Not reprinted. † No. 464. ‡ 16872/20: not reprinted. § 47147/23: not printed.

to [Your Excellency,] [you,] to be laid before your Ministers, a copy of a note from the Swedish Minister regarding the holding of an International Postal Congress at Stockholm in June, 1924.

I have, &c.,
DEVONSHIRE.

Enclosure in No. 467.

(No. 183.)

Swedish Legation in London, 27, Portland Place, W.1,
10th December, 1923.

My Lord Marquess,

The Congress of the "Union postale universelle," held in Madrid in 1920, having resolved that the next Congress should assemble in Stockholm, the Royal Swedish Government have decided to invite the members of the said Union to a Congress which is to meet in Stockholm the 4th of June next.

Acting upon instructions received, I have consequently the honour to invite His Britannic Majesty's Government to send as delegates to the said Congress representatives of—

1. Great Britain,
2. The Indian Empire,
3. Canada.
4. Australia and British Guinea,
5. The Irish Free State,
6. The South African Union.
7. The other British Dominions, Colonies and Protectorates.

At the same time I have been instructed to draw the attention of His Britannic Majesty's Government to the importance of the delegates being provided with full power, not only to take part in the debates at the Congress, but also to vote and to sign any postal conventions, arrangements or regulations which may be brought on the agenda of the Congress.

Finally, I beg leave to ask Your Lordship to inform me, at your earliest convenience, of the names and numbers of the delegates who may be appointed to represent the British Empire at the said Congress.

I have, &c.,
Palmstierna.

The Most Honourable
The Marquess Curzon of Kedleston, K.G.,
&c., &c., &c.

5356

No. 468.

CANADA.

The GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 4th February, 1924.)

(No. 24.)

My Lord Duke,

Government House, Ottawa, 24th January, 1924.

With reference to your despatch, Dominions 1 of the 1st January,* on the subject of the International Postal Congress to be held at Stockholm in June, 1924, I have the honour to transmit, herewith, copies of an Approved Minute of the Privy Council for Canada appointing Messrs. P. T. Coolican, General Superintendent of Postal Service, W. J. Glover, Financial Superintendent, and Arthur Webster, Secretary, Post Office Department, to represent Canada at the Congress in question.

I have, &c.,
BYNG OF VIMY.

---

* No. 467.

Enclosure in No. 468.

Certified Copy of a Minute of a Meeting of the Committee of the Privy Council, approved by His Excellency the Governor-General on the 13th November, 1923.

(P.C. 2260.)

The Committee of the Privy Council have had before them a Report, dated 3rd November, 1923, from the Postmaster-General, stating that the Universal Postal Union, in which Canada ranks as a member of the first class, holds international conferences from time to time, to each of which Canada is entitled to send representatives.

The last conference was held at Madrid, Spain, in 1920, and the next conference is called to meet in Stockholm, Sweden, during the first half of the year 1924, on a date to be fixed by the Government of Sweden.

Canada was represented at the Madrid Conference by three delegates, and it is proposed to send the same number to the Stockholm Conference.

The Minister observes that it is customary for the delegates of Great Britain and the Overseas Dominions to hold a preliminary conference in England prior to the general conference of the Universal Postal Union, and it is proposed to hold such a preliminary conference prior to the approaching conference at Stockholm.

The Minister recommends, in view of the foregoing, that Messrs. P. T. Coolican, General Superintendent of Postal Service, W. J. Glover, Financial Superintendent, and Arthur Webster, Secretary, Post Office Department, be appointed to represent Canada at the Stockholm Conference of 1924, and that they, or any two of them, be vested with authority to sign all necessary documents.

The Committee concur in the foregoing recommendation and submit the same for approval.

E. J. Lemaire,
Clerk of the Privy Council.

12778

No. 469.

UNION OF SOUTH AFRICA.

The GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 17th March, 1924.)

(No. 81.)

Sir,

Governor-General's Office, Cape Town, 29th February, 1924.

I have the honour to transmit to you herewith, with reference to the Duke of Devonshire's despatch Dominions No. 1 of the 1st January, 1924,* Minute from Ministers on the subject of the representation of the Union Government at the Congress of the Universal Postal Union to be held in Stockholm in June, 1924.

I have, &c.,
ATHLONE,
Governor-General.

Enclosure in No. 469.

Prime Minister's Office, Cape Town, 25th February, 1924.

Minute No. 125.

With reference to His Excellency's Minute No. 43/765 of the 23rd January, 1924, forwarding despatch Dominions No. 1 dated 1st January, 1924,* from the Secretary of State for the Colonies (with enclosure), Ministers have the honour to request that His Excellency may be pleased to convey, through His Majesty's Government, the thanks of the Government of the Union of South Africa for the invitation by the Royal Swedish Government to attend the Congress of the Universal Postal Union to be held in Stockholm, and the information that the Union accepts the invitation and will be represented by Lieutenant-Colonel E. A. Sturman, C.B.E. (Postmaster-General), and Mr. D. J. O'Kelly, as Delegates.

J. C. Smuts.

---

* No. 467.

20130

No. 470.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 28th April, 1924.)

(No. 187.)

SIR, Governor-General's Office, Cape Town, 11th April, 1924.

WITH reference to my despatch No. 81 of the 29th February,* I have the honour to transmit, for your information, a copy of the Letters of Authority for Lieutenant-Colonel E. A. Sturman, C.B.E., Postmaster-General, and Mr. D. J. O'Kelly, of the Department of Posts and Telegraphs, to proceed to Stockholm as the Union Delegates to the forthcoming Postal Union Convention.

I have, &c.,

ATHLONE,

Governor-General.

Enclosure in No. 470.

UNION OF SOUTH AFRICA.

Government House, Cape Town,

....., 1924.

WHEREAS a Congress of Representatives of the countries signatories to the International Postal Union Convention is about to be held at Stockholm, in accordance with the provisions of Article 27 of the Universal Postal Union Convention of Madrid dated the 30th of November, 1920, for the purpose of perfecting the methods of the carrying out of the International Postal Service and of introducing into the Convention, and the Regulations thereunder, improvements found necessary, and of discussing International Postal affairs generally, I, Alexander Augustus Frederick George, Earl of Athlone, Knight Grand Cross of the Most Honourable Order of the Bath, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Knight Grand Cross of the Royal Victorian Order, Companion of the Distinguished Service Order, Personal Aide-de-Camp to His Majesty the King, High Commissioner for South Africa and Governor-General and Commander-in-Chief in and over the Union of South Africa, do declare that I have authorized and appointed and I do hereby authorize and appoint by these presents, Lieutenant-Colonel Edward Albert Sturman, C.B.E., Postmaster-General of the Union of South Africa, and Daniel Joseph O'Kelly, Esquire, of the Department of Posts and Telegraphs of the said Union of South Africa, to be Delegates of the Union of South Africa at the said Congress, giving them jointly and severally full power to discuss, settle and sign on behalf of the Union of South Africa, subject to the confirmation and approval of the Government of the Union of South Africa, any Agreement, or Convention, to be drawn up at the said Congress.

In witness whereof I have signed these presents which I have sealed with the Great Seal of the Union of South Africa.

ATHLONE.

Done in Cape Town the eleventh day of April One Thousand Nine Hundred and Twenty-four.

The Minister of Posts and Telegraphs,
THOS. WATT.

16332

No. 471.

NEW ZEALAND.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 6.40 p.m., 12th May, 1924.)

TELEGRAM.

[*Answered by No.* 477.]

My despatch 1st January. Dominions 1.† Postal Congress. Stockholm. Understood that New Zealand is being represented by Secretary to New Zealand

* No. 460. † No. 467.

Post Office and presumed that he will have letter of authority similar to that furnished to New Zealand Delegate Madrid Congress.

Position with regard to representation of and vote accorded to group of "Other Dominions, etc.," under Article 29 (6) of Madrid Convention recently under consideration here. In view of accession of Irish Free State to Postal Union and contemplated application at Stockholm for its recognition as a single country with a separate vote His Majesty's Government consider that there would be advantage in also proposing formally at Stockholm that New Zealand should be similarly recognized as single country and that vote now allotted to "Other Dominions and the whole of the Colonies and Protectorates" under Article 29 (6) and actually assigned to New Zealand (see Article 5 of final Protocol to Madrid Convention) should be replaced by separate vote for New Zealand only. If recognition for New Zealand and Irish Free State secured contemplated that other Dominions, Colonies, etc., also comprised in group "Other Dominions, etc.," should be in future included in representation and vote of Great Britain.

Should be glad to learn whether your Ministers concur in proposal and if so would wish British representatives to propose it at Stockholm Congress. Newfoundland and Southern Rhodesia being consulted also since proposal if adopted would affect their position to some degree.—SECRETARY OF STATE FOR THE COLONIES.

16332

No. 472.

NEWFOUNDLAND.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 6.40 p.m., 12th May, 1924.)

TELEGRAM.

[*Answered by Nos.* 480 *and* 486.]

12TH MAY. My despatch 1st January, Dominions 1,* Postal Congress, Stockholm. Do your Ministers agree to delegates of this country representing Newfoundland as at the Madrid Congress, 1920? If so names will be communicated to you by telegram with view to issue of authority similar to that in your despatch 27th August, 1920, No. 147†.

Position with regard to representation of and vote accorded to group of "Other Dominions, etc.," under Article 29 (6) of Madrid Convention recently under consideration here. In view of accession of Irish Free State to Postal Union and contemplated application at Stockholm for its recognition as a single country with a separate vote His Majesty's Government consider that there would be advantage in also proposing formally at Stockholm that New Zealand should be similarly recognized as single country and that vote now alloted to "Other Dominions and the whole of the Colonies and Protectorates" under Article 29 (6) and actually assigned to New Zealand (see Article 5 of final Protocol to Madrid Convention) should be replaced by separate vote for New Zealand only. If recognition for New Zealand and Irish Free State secured contemplated that other Dominions, Colonies, etc., also comprised in group "Other Dominions, etc.," should be in future included in representation and vote of Great Britain. This grouping substantially represents present position but as it involves formal change should be glad to know whether your Ministers concur. Southern Rhodesia being consulted also since proposal if adopted would similarly affect its position.—SECRETARY OF STATE FOR THE COLONIES.

---

* 467. † 44930/20: not printed.

16332

No. 473.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 6.40 p.m., 12th May, 1924.)

TELEGRAM.

[*Answered by No.* 478.]

NEXT Universal Postal Union Congress to be held at Stockholm commencing 4th July. At previous Congresses arrangements made for Southern Rhodesia to be represented by the Union of South Africa delegates who received formal authority from High Commissioner but as present practice is for signature of British representatives to be on behalf of Great Britain and various British Dominions, Colonies and Protectorates it is thought that it would be more convenient on present occasion if formal authority for representation of Southern Rhodesia were given to delegates of His Majesty's Government, Union delegates being asked to bear in mind interests of Southern Rhodesia and Protectorates under South African High Commission as well as those of Union. Do your Ministers agree? If so, I will telegraph names of British delegates. Form of authority required could be obtained from High Commissioner's office.

Position with regard to representation of and vote accorded to group of "Other Dominions, etc.," under Article 29 (6) of Madrid Convention recently under consideration here. In view of accession of Irish Free State to Postal Union and contemplated application at Stockholm for its recognition as a single country with a separate vote His Majesty's Government consider that there would be advantage in also proposing formally at Stockholm that New Zealand should be similarly recognized as single country and that vote now allotted to "Other Dominions and the whole of the Colonies and Protectorates" under Article 29 (6) and actually assigned to New Zealand (see Article 5 of final Protocol to Madrid Convention) should be replaced by separate vote for New Zealand only. If recognition for New Zealand and Irish Free State secured contemplated that other Dominions, Colonies, etc., also comprised in group "Other Dominions, etc.," should be in future included in representation and vote of Great Britain. This grouping substantially represents present position but as it involves formal change should be glad to know whether your Ministers concur: Newfoundland being consulted also since proposal if adopted would similarly affect its position.—SECRETARY OF STATE FOR THE COLONIES.

23258

No. 474.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 15th May, 1924.)

(No. 67.)

SIR, Government House, Wellington, 3rd April, 1924.

WITH reference to the Duke of Devonshire's despatch Dominions No. 1 of the 1st January,* transmitting a copy of a note from the Swedish Minister regarding the holding of an International Postal Congress at Stockholm, I have the honour to inform you that my Ministers advise me that the Government of New Zealand will be pleased to be represented at the Congress, and that its delegate will be Mr. Arthur Theodore Markman, Secretary of the Post and Telegraph Department.

2. It is understood that the Congress will open at Stockholm on the 4th July.

I have, &c.,
JELLICOE,
Governor-General.

---

* No. 467.

16332

200

No. 475.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 483.]

(Confidential.)

SIR, Downing Street, 15th May, 1924.

WITH reference to my predecessor's despatch Dominions No. 1 of the 1st of January and my despatch No. 175 of the 21st March,* I have the honour to request Your Excellency to inform your Ministers that His Majesty's Government have recently had occasion to examine the arrangements for the representation of this country and of the various Dominions, Colonies and Protectorates at the forthcoming Congress of the Universal Postal Union to be held at Stockholm commencing on the 4th July next.

2. As your Ministers are aware, the following parts of the Empire are considered, under the terms of Article 29 of the Convention of Madrid, 1920, as forming, in addition to Great Britain, single countries or administrations for the purposes of Articles 24, 27 and 28 of the Convention, namely:—

A. British India.
B. Canada.
C. Commonwealth of Australia with British New Guinea.
D. Union of South Africa.
E. The other Dominions and the whole of the British Colonies and Protectorates.

3. In accordance with Article 27 (4) one vote is allotted to each of the above members or groups of members. Under Article V of the Final Protocol to the Madrid Convention the vote attributed by the Convention to the group of "the other Dominions and the whole of the British Colonies and Protectorates" is assigned to New Zealand.

4. In accordance with the request contained in your Confidential despatch of the 27th of July, 1923,† the British Delegation will formally propose at the Stockholm Congress the amendment of Article 29 so as to include the Irish Free State as "a single country or administration" for the purposes of Articles 24, 27 and 28. If this proposal is agreed to it would not, however, become effective until the next succeeding Congress, and it remains to decide the question of how best the interests of the Irish Free State may be represented at Stockholm.

5. In view of the customary procedure at former Congresses there appear to be two alternatives:—

(*a*) That the Government of the Irish Free State should depute an officer, or officers, to attend the Congress who would be attached to the Delegation from this country. It is understood that this procedure has already been discussed informally between officers of the Dublin Post Office and of the General Post Office in London.

(*b*) That a Delegate, or Delegates, of the Irish Free State should be included among the persons representing the group of "the other Dominions and the whole of the British Colonies and Protectorates" under Article 29 (6). The *vote* for this group is, as explained in paragraph 3 above, already assigned to New Zealand and will be exercised by the New Zealand representative.

6. I shall be glad to learn as early as possible which of these alternatives your Ministers would prefer.

7. It has been suggested that the procedure described under (*b*) above might possibly be prejudicial to the success of the proposal for the inclusion of the Free State in Article 29 as "a single country or administration," since the Congress may conceivably take the view that such procedure might be adhered to at future Congresses. The British Delegation will, however, be instructed strongly to oppose any such view, and no doubt it would also be opposed by the Delegates of the other Dominions. In this connexion I should add that it is contemplated that a formal proposal should be made by the British Delegation at Stockholm (*a*) to secure for New Zealand recognition as a "single country or administration" in place of the

---

* Nos. 467 and 7624/24: not printed. † No. 321 in Dominions No. 88.

group "the other Dominions and the whole of the British Colonies and Protectorates," the vote for which is already assigned to her; (*b*) assuming that this recognition is secured, and similar recognition, in accordance with paragraph 4 above, is secured for the Irish Free State, to include Newfoundland, Southern Rhodesia, and the Colonies, etc., also comprised in the group "the other Dominions and the whole of the British Colonies and Protectorates" in the representation and vote of Great Britain.

8. As regards signature of any Convention or subsidiary agreements concluded at Stockholm, it is not certain, even if the amendment of Article 29 to be proposed by the British Delegation in relation to the Irish Free State is adopted, that the officers or delegates appointed by the Government of the Irish Free State to attend the Conference would be invited to sign the instruments, but in any case it would be of advantage if such officers or delegates were provided with letters of authority (in duplicate). A copy of the authority issued to the delegates of the Union of South Africa who attended the Madrid Congress in 1920 is enclosed.

I have, &c.,
J. H. THOMAS.

23733

No. 476.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 19th May, 1924.)

(No. 73.)

SIR, Governor-General's Office, Melbourne, 4th April, 1924.

WITH reference to your predecessor's despatch dated 1st January, 1924, Dominions No. 1,* covering a copy of a note from the Swedish Minister in London regarding the holding of an International Postal Congress at Stockholm in June next, I have the honour to inform you that the Honourable W. G. Gibson, Postmaster-General, will represent the Commonwealth of Australia at the Congress in question.

I have, &c.,
FORSTER.
Governor-General.

24266

No. 477.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.35 a.m., 21st May, 1924.)

TELEGRAM.

21ST MAY. Your telegram of the 12th May,† Stockholm Postal Congress. New Zealand delegate is Secretary of the Post Office who has letter of authority. New Zealand Government concur in proposal that endeavour be made to secure for New Zealand recognition as single country, that vote now allotted to other Dominions be replaced by separate vote for New Zealand only, and that British representatives propose matter at Stockholm.—JELLICOE.

25243

No. 478.

SOUTHERN RHODESIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 8.40 p.m., 26th May, 1924.)

TELEGRAM.

[*Answered by Nos.* 479 *and* 484.]

26TH MAY. Your telegram of 12th May.‡ Ministers agree that Southern Rhodesia should be represented by the delegate(s) of His Majesty's Government. Ministers have no objection to reallocation of votes as suggested in the concluding portion of your telegram.—CHANCELLOR.

---

* No. 467. † No. 471. ‡ No. 473.

25243

No. 479.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 3.20 p.m., 6th June, 1924.)

TELEGRAM.

[*Answered by No.* 487.]

YOUR telegram 26th May,* Postal Congress. Suggested that formal letter of authority should be signed by you under seal in following terms:—

Begins: Whereas a Congress of representatives of the countries constituting the Universal Postal Union is about to meet at Stockholm for the purpose of perfecting the system of the Union of introducing into it improvements found necessary and of discussing its affairs generally, I, etc., do declare that I have authorized and appointed and do authorize and appoint by these presents the delegates of Great Britain at the said Congress to represent Southern Rhodesia at the said Congress giving them jointly and severally full powers to discuss settle and sign on behalf of Southern Rhodesia subject to the confirmation and approval of the Governor of Southern Rhodesia any agreement or convention to be drawn up at the said Congress. *Ends.*

Not now thought necessary that names of delegates should be specified. If your Ministers agree letter should be forwarded to me as soon as possible.

Presume that any action which your Ministers may think necessary as regards asking Union Government to request their delegates to bear in mind at Congress interests of Southern Rhodesia will be taken direct.

Congress opens 4th July.—SECRETARY OF STATE FOR THE COLONIES.

28191

No. 480.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 6.55 p.m., 13th June, 1924.)

TELEGRAM.

[*Answered by No.* 482.]

13TH JUNE. Your telegram of 12th May,† Postal Congress. My Ministers agree to representation and concur in formal change.—ALLARDYCE.

28181

No. 481.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 14th June, 1924.)

(No. 234.)

SIR, Government House, Ottawa, 4th June, 1924.

WITH reference to my despatch No. 24 of the 24th January,‡ on the subject of Canadian representation at the International Postal Congress to be held at Stockholm in June, 1924, I have the honour to inform you that Mr. Henri Fortier, Special Post Office Investigator, has been added to the delegation mentioned in the despatch under reference.

I have, &c.,
BYNG OF VIMY.

---

* No. 478. † No. 472. ‡ No. 468.

28191

No. 482.

NEWFOUNDLAND.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 5.35 p.m., 17th June, 1924.)

TELEGRAM.

[*Answered by No.* 489.]

YOUR telegram 13th June,* Postal Congress. Should be glad to receive as early as possible formal authority to delegates of His Majesty's Government similar to that in your despatch 27th August, 1920, No. 147.† Delegates of His Majesty's Government are Brigadier-General F. H. Williamson, C.B., C.B.E., Head of Delegation. Commander E. L. Ashley Foakes, O.B.E., R.N., Principal, Secretary's Office, General Post Office. Mr. W. G. Gilbert, Accountant, General Post Office. —SECRETARY OF STATE FOR THE COLONIES.

29328

No. 483.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 20th June, 1924.)

[*Answered by No.* 488.]

(Confidential.)

SIR, Vice Regal Lodge, Dublin, 19th June, 1924.

WITH reference to your despatch (Confidential 2) of the 9th instant‡ and previous correspondence on the subject of the forthcoming Congress of the Universal Postal Union to be held at Stockholm commencing on the 4th of July next, I have the honour to inform you that my Ministers regard the alternative outlined in paragraph 5a of your despatch of the 15th ultimo§ as being the more acceptable, and arrangements are being made accordingly.

2. The following have been appointed to be delegates of Saorstat Eireann at the Congress in question:—

(*a*) *Patrick Sarsfield O'Hegarty*, Secretary of the Department of Posts and Telegraphs of the Irish Free State.

(*b*) *Patrick Joseph Keawell*, Principal Clerk in the Department of Posts and Telegraphs of the Irish Free State; and

(*c*) *Daniel Herlihy*, Staff Officer in the Accountant's Office of the Department of Posts and Telegraphs of the Irish Free State.

I have, &c.,

T. M. HEALY.

29328

No. 484.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 2.45 p.m., 26th June, 1924.)

TELEGRAM.

26TH JUNE. My telegram 12th May,‖ your telegram 26th May,¶ Postal Union. Proposal for re-grouping for voting purposes accepted also by other Governments concerned and British delegates at Congress are being instructed accordingly.—SECRETARY OF STATE FOR THE COLONIES.

---

* No. 480. † 44080/20: not printed. ‡ 25243/24: reminder: not printed. § No. 475. ‖ No. 473. ¶ No. 478.

29328

No. 485.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL AND GOVERNOR.

(Sent 2.45 p.m., 26th June, 1924.)

TELEGRAM.

(New Zealand.)
(Newfoundland.)

26TH JUNE. Postal Union. Proposal in my telegram 12th of May* for re-grouping for voting purposes accepted also by other Governments concerned and British delegates at Congress are being instructed accordingly.—SECRETARY OF STATE FOR THE COLONIES.

30592

No. 486.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 28th June, 1924.)

(No. 66.)

SIR, Government House, St. John's, 13th June, 1924.

I HAVE the honour to acknowledge the receipt of your telegrams of the 12th May† and 6th instant‡ on the subject of the Postal Congress at Stockholm and to confirm my telegram of even date§ to the effect that my Ministers agree to delegates of Great Britain representing Newfoundland at the said Congress following the procedure of the Madrid Congress of 1920.

2. My Ministers also concur in the formal changes which it is proposed to make by which the Dominions and Colonies not having specific representation or voting privileges, should be included in representation and vote of Great Britain. Upon receipt of the names of the British Delegates a formal letter of authority will be forwarded.

I have, &c.,

W. L. ALLARDYCE.

32099

No. 487.

SOUTHERN RHODESIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 7th July, 1924.)

(No. 170.)

SIR, Governor's Office, Salisbury (Rhodesia), 16th June, 1924.

I HAVE the honour to refer to your telegram of the 6th of June‖ on the subject of the Postal Union Congress which is to be held at Stockholm in July.

2. My Ministers agree that a letter should be sent authorizing the delegates of Great Britain to represent Southern Rhodesia at the forthcoming Congress, and I therefore transmit, herewith, the formal letter of authority duly signed and sealed, as requested.

3. The Governor-General for South Africa has been informed that this Government desires to rely on the Union Government delegates to protect the interests of Southern Rhodesia.

I have, &c.,

J. R. CHANCELLOR,
Governor.

---

* Nos. 471 and 472. † No. 472. ‡ 25243/24: reminder; not printed. § No. 480. ‖ No. 479.

Enclosure in No. 487.

WHEREAS a Congress representative of countries constituting the universal Postal Union is about to meet at Stockholm for the purpose of perfecting the system of union, of introducing into it improvements found necessary and of discussing its affairs generally—

I, John Robert Chancellor, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Distinguished Service Order, Lieutenant-Colonel in the Reserve of Officers of the Corps of Royal Engineers, Governor and Commander-in-Chief in and over the Colony of Southern Rhodesia, do declare I have authorized and appointed and do authorize and appoint by these presents the delegates of Great Britain at the said Congress to represent Southern Rhodesia at the said Congress giving them jointly and severally full powers for discussing settling and signing on behalf of Southern Rhodesia and subject to the concurrence confirmation and approval of the Governor of Southern Rhodesia any agreement or convention to be drawn up at the said Congress

Given under my Hand and Seal at Salisbury, Southern Rhodesia, this fourteenth day of June, One thousand nine hundred and twenty-four.

J. R. CHANCELLOR,
Governor.

(Seal.)

31393

No. 488.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Confidential.)

SIR, Downing Street, 11th July, 1924.

I HAVE the honour to acknowledge the receipt of Your Excellency's Confidential despatch of the 19th of June* and to transmit to you, for the information of your Ministers, the accompanying copy of a note to the Swedish Minister regarding the representation of the Irish Free State at the International Postal Congress held at Stockholm.

I have, &c.,
J. H. THOMAS.

Enclosure in No. 488.

SIR, Foreign Office, S.W. 1, 1st July, 1924.

WITH reference to my note of the 26th June, relative to the forthcoming International Postal Congress at Stockholm, I have the honour to inform you that the following gentlemen have been appointed representatives of the Irish Free State:—

(*a*) *Patrick Sarsfield O'Hegarty*, Secretary of Department of Posts and Telegraphs of the Irish Free State.

(*b*) *Patrick Joseph Keawell*, Principal Clerk in the Department of Posts and Telegraphs of the Irish Free State; and

(*c*) *Daniel Herlihy*, Staff Officer in the Accountant's Office of the Department of Posts and Telegraphs of the Irish Free State.

2. These officers will be attached to the British Delegation.

I have, &c.,
(For the Secretary of State).
GEORGE MOUNSEY.

Baron E. K. Palmstierna, G.C.V.O.,
&c., &c., &c.

---

* No. 483.

33380

203

No. 489.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 14th July, 1924.)

(No. 67.)

SIR, Government House, St. John's, 26th June, 1924.

IN continuation of my despatch No. 66 of the 13th instant,* and in reply to your telegram of the 17th June,† I have the honour to transmit herewith a formal letter of authority to the delegates of His Majesty's Government to act for this Colony in the Postal Congress to be held at Stockholm.

I have, &c.,
W. L. ALLARDYCE.

Enclosure in No. 489.

(Seal.)

W. L. Allardyce, Governor.

Department of the Colonial Secretary, St. John's, Newfoundland.

BY His Excellency Sir William Lamond Allardyce, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over the Colony of Newfoundland.

Whereas a Congress of representatives of the countries constituting the Universal Postal Union is about to meet at Stockholm for the purpose of perfecting the system of the Union, of introducing into it improvements found necessary and of discussing its affairs generally;

I do declare that I have authorized and appointed and I do by these presents authorize and appoint:—

Brigadier-General F. H. Williamson, C.B.E., Head of the Delegation;
Commander E. L. Ashley Foakes, O.B.E., R.N., Principal, Secretary's Office, General Post Office;
Mr. W. G. Gilbert, Accountant, General Post Office;

to represent Newfoundland at the said Congress, giving them jointly and severally full powers to discuss settle and sign on behalf of Newoundland, subject to the confirmation and approval of the Governor of Newfoundland, any agreement or convention drawn up at the said Conference.

Given under My Hand and Seal at the Government House, St. John's, Newfoundland, this twenty-sixth day of June, 1924.

By His Excellency's Command.
ARTHUR MEWS,
Deputy Colonial Secretary.

PROPERTY RIGHTS AND INTERESTS.

Agreement under Article 297, Treaty of Peace with Germany.

(*Treaty Series* 1921, *No.* 6.)

19018

No. 490.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 22nd April, 1924.)

(No. 45.)

SIR, Governor-General's Office, Melbourne, 7th March, 1924.

WITH reference to your predecessor's despatch dated 7th December, 1922, No. 441,‡ relative to an enquiry by the German Ambassador in London regarding the possibility of an extension to the self-governing Dominions other than New Zealand of an Agreement between His Majesty's Government and the Government of Germany

---

* No. 486. † No. 482. ‡ No. 262 in Dominions No. 87.

respecting Article 297 of the Treaty of Versailles, I have the honour, at the instance of my Acting Prime Minister, to inform you that it is not considered that at the present time there would be sufficient practical advantage to justify the extension of the Agreement to the Commonwealth of Australia.

With regard to Article 11 of the Agreement, my Acting Prime Minister states that the policy of the Commonwealth Government is to retain and liquidate the property in Australia of German nationals resident outside Australia. So far as German nationals resident in Australia are concerned, the policy is to treat each case on its merits, and almost without exception the property has been released.

With respect to New Guinea, I am advised that the Commonwealth Government has retained all the property of German nationals, except in cases in which the existence of special circumstances moved it to exempt German property rights and interests from the measures of retention and liquidation authorized by Article 297 (*b*) of the Treaty of Versailles.

My Ministers, without agreeing to the general provisions of Article 13, will be prepared to consider favourably any representations made by the German authorities or by any individuals interested in any property or business in Australia which has been liquidated for the supply of information in regard thereto; and in so far as New Guinea is concerned Ministers will be prepared to give consideration to representations made by the German Government for information regarding liquidated properties in that Territory.

I have, &c.,
FORSTER,
Governor-General.

REPARATION.

---

(1) London Conference on the Dawes Report.

(Cmd. 2105, Cmd. 2191, Cmd. 2259 and Cmd. 2270.)

Note.—As stated on page 11 of the Summary of Proceedings of the Imperial Conference, 1923 (Cmd. 1987), it was while the Conference was sitting that the President of the United States renewed the offer of the United States Government to take part in an international conference or inquiry to investigate the European Reparations problem and to report upon the capacity of Germany to make the payments to which she was pledged. The Conference cordially welcomed and decided to take immediate advantage of this overture; and communications were at once entered into with the Allied Powers to obtain their co-operation.

The Dominion Prime Ministers were informed of the subsequent discussions as to the proposed inquiry and the final decision of the Reparation Commission to appoint two Expert Committees, in telegrams of the 23rd November and 12th December, 1923 (57802/23). Later discussions of the Reparation problem were described in telegrams of the 19th March (11920/24) and 26th March, 1924 (14638/24). The Expert Committees reported on the 9th April, and their reports were published in Cmd. 2105.

18289

No. 491.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNOR.

(Sent 5.20 p.m., 11th April, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

11th April. Secret. The Report of the Expert Committees of the Reparation Commission having been laid before Parliament, Prime Minister will be obliged to make a statement of the views of His Majesty's Government in the House of Commons before it rises for the Easter Recess.

Following is substance of declaration Prime Minister proposes to make:—

Begins: Express satisfaction that the report is unanimous and signed by representative experts from America, France, Italy and Belgium as well as this country.

His Majesty's Government feel that a report supported by such authority must command general assent and that there will be a universal desire to use the opportunity which such an authorative report gives to end the existing unsettlement. One feature deserves special emphasis. It is explicitly stated in the report that it is an indivisible whole, and the signatories in terms renounce all responsibility if certain of their recommendations are adopted, and others rejected.

While therefore in some respects the proposals may be capable of improvement, His Majesty's Government attach so much importance to agreed recommendations which can be brought into immediate operation, that they for their part will be prepared to support the scheme in its entirety, provided that all the other parties concerned are willing to take the same course, agreeing to give the experiment a real chance and waiting to make any modifications which may appear necessary after experience and by common agreement. *Ends.*

Please inform your Prime Minister.—THOMAS.

Note.—Telegrams as to subsequent discussions, which led ultimately to the decision to summon the London Conference, were sent to the Dominion Prime Ministers on the 16th, 25th and 30th April (18533/24) 7th, 8th and 15th May (22087/24) and 23rd May (24837/24). The following correspondence with General Smuts took place in this connexion:—

21053

No. 492.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 5.48 p.m., 2nd May, 1924.)

TELEGRAM.

[*Answered by No.* 493.]

SECRET. 2nd May. Your telegram of 30th April, Secret.* Experts' Report on Reparations.

Following for Prime Minister from my Prime Minister:—

Begins: Conversation between Poincaré and British Ambassador prompts the following remarks: I agree profoundly with your recent remarks that the Experts' Report affords God-given opportunity to pull out of the slough of despond in which Europe has been floundering for the last five years. Reports have already received such a volume of international support and hold out such definite prospects of substantial payments to France that I do not see in the long run how the French Government can refuse to accept unconditionally. Two conditions which Poincaré seeks to attach to his acceptance in the above conversation should, in my opinion, be resolutely opposed, and in the end he will have to abandon them. Our slogan should be "Back to the Peace Treaty." Further occupation or control of the Ruhr, which is against the Peace Treaty, should come to an end, and sanctions beyond those provided in the Peace Treaty should not be agreed to. If the German elections result in favour of the Experts' Report, that means the voluntary acceptance by the German people of the new reparations settlement and their previous objection that the old reparations settlement was impossible of execution and was imposed on them by force falls away for ever. Their willing acceptance will create a new situation and new and better basis of security for execution of the settlement than one resting on arrangements about sanctions among the Allies.

---

* 18533/24: not printed; it summarized a conversation between His Majesty's Ambassador at Paris and M. Poincaré.

I think also that both from international and from Empire points of view an arrangement about sanctions entailing eventual military or other intervention by Great Britain in continental affairs would be the greatest mistake possible, and no such or similar direct action should be contemplated. *Ends.*

—ATHLONE.

23311

No. 493.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 6.30 p.m., 16th May, 1924.)

TELEGRAM.

16TH MAY. Secret. Following from Prime Minister for your Prime Minister:—

Begins: Your message of 2nd May,* Experts' Report on Reparations.

As regards Poincaré's two conditions which you mention, you will see from summary report of my conversation with the Belgian Ministers at Chequers in Secretary of State's telegram, 8th May†, what the position is regarding the railways and what attitude I have taken up on the question of sanctions. This attitude I propose shortly to define more plainly, and I am most grateful for the evidence which your message provides that I have your support. RAMSAY MACDONALD. *Ends.*

—THOMAS.

Note.—The following correspondence deals with the London Conference and, in particular, with the representation of the Dominions at the Conference. In addition to the telegrams printed here, twenty-five telegrams were sent during the Conference reporting its progress.

30375

No. 494.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 3.40 p.m., 25th June, 1924.)

TELEGRAM.

[*Answered by No.* 501.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

25TH JUNE. Secret. Your Prime Minister will have seen press reports of Prime Minister's statement in Parliament on 23rd June‡ as to result of conversations with French Prime Minister at Chequers and proposed Allied Conference in London next month. Prime Minister is away till to-morrow, and arrangements for organization of Conference must await his return, but further telegram will be sent as soon as possible. Meanwhile, separate telegram§ is being sent to-day as to other recent developments in connexion with German situation.—THOMAS.

Note.—Copy sent to the Irish Free State in despatch of 8th July.

---

* No. 492. † 22087/23: not printed; it summarized the conversation referred to. ‡ See Official Report 23rd June, Columns 41-43. § 30376/24: not printed; it dealt with the question of military control, etc.

30497

No. 495.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10 p.m., 25th June, 1924.)

TELEGRAM.

[*Answered by Nos.* 496 *and* 497.]

25TH JUNE. Secret. Prime Minister has seen your Prime Minister's statement on 23rd June* in the House of Commons in cable despatches to press that he is now in communication with Dominions on the subject of the proposed Inter-Allied Conference, but so far he has not received any message from Mr. Ramsay MacDonald or yourself. He is anxious to hear from you on this subject before questions are asked him in the Canadian House of Commons.—BYNG.

30497

No. 496.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 12.50 p.m., 26th June, 1924.)

TELEGRAM.

26TH JUNE. Secret. Please let your Prime Minister know that I hope to telegraph again before end of week as to Inter-Allied Conference. Message† from him crossed my telegram‡ of yesterday.—THOMAS.

30704

No. 497.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 2.20 p.m., 28th June, 1924.)

TELEGRAM.

[*Answered by Nos.* 499, 500, 501, 505, 508.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

28TH JUNE. Secret. My telegram of 25th June.‡ Following from Prime Minister for your Prime Minister:—

Begins: I have now had opportunity of going further into question of participation of Dominion Governments in Inter-Allied deliberations next month. Work of Conference will be to concert necessary arrangements for putting Dawes Report into operation. Conference being restricted to this one subject, questions of Inter-Allied debts and problem of security will not be dealt with. Principal task of Conference seems therefore likely to be to agree upon the terms of an instrument to be signed by the Allies and by Germany formally binding the parties to execute recommendations of Dawes Report.

In order to avoid any appearance of wishing to amend the Treaty of Versailles, this instrument might take the form of a protocol.

As I had already suggested in the conversations with the Belgian Ministers at the beginning of May (see telegram from Secretary of State

---

* See Official Report 23rd June, Columns 41-43. † No. 495. ‡ No. 494.

8th May)*, we favour the plan of fixing in such protocol (1) a date by which the legislative and other measures to be taken by Germany must be completed and (2) a second date, say a fortnight later, when all the fiscal and economic sanctions and other arrangements affecting the economic activities of the German Reich and now in force in German territory will be withdrawn.

The Dawes Report lays down that sanctions shall not be reimposed except in the case of flagrant failure to fulfil the conditions embodied in the Report itself. A stipulation to this effect will accordingly have to find a place in the protocol, and the question will have to be decided who is to be the authority to declare that there has been flagrant failure. That duty cannot properly be entrusted to the Reparation Commission, whose functions are strictly determined by the Treaty of Versailles, since the engagements to be undertaken by Germany under the Dawes scheme go altogether beyond those imposed by the Treaty. A suggestion has been made that the Financial Committee of the League of Nations might be brought in for the purpose, but the matter is still open for discussion.

Lastly, the protocol should contain a clause providing that any dispute as to its proper interpretation shall be referred to the International Court.

You will see from above outline of task before Conference that procedure as regards association of various Governments of Empire in its work should clearly be governed by principles of resolution as to negotiation, etc., of treaties agreed to by Imperial Conference, 1923. Our suggestion is that a meeting should be held in London of Dominion and Indian representatives to discuss with His Majesty's Government the policy to be adopted at Conference and make arrangements for representation.

If you agree, I should be grateful for reply as soon as possible and also to learn name of representative who will attend preliminary meeting. As opening date of Conference likely to be 16th July we ought to hold preliminary meeting in previous week. Report of Dawes Committee enclosed in Secretary of State's despatch 19th April, No. 188.† Similar telegram sent to other Prime Ministers. Ramsay MacDonald. *Ends.*

—THOMAS.

30704

No. 498.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 512.]

(Secret.)

SIR, Downing Street, 28th June, 1924.

I HAVE the honour to transmit to Your Excellency, to be laid before the President of the Executive Council, a copy of a telegram ‡ to the other self-governing Dominions regarding the participation of the Dominion Governments in the Inter-Allied deliberations to be held next month.

2. If the President of the Executive Council agrees to the procedure proposed, the Prime Minister would be glad to learn as soon as possible who will be the representative of the Irish Free State at the preliminary meeting referred to in this telegram.

I have, &c.,
J. H. THOMAS.

31102

No. 499.

CANADA

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.20 a.m., 1st July, 1924.)

TELEGRAM.

[*Answered by No.* 502.]

30TH JUNE. Secret. Following from Prime Minister for your Prime Minister regarding participation of Dominion Governments in the Inter-Allied Conference:—

* 22087/24: not printed; it summarized the conversations with the Belgian Ministers at Chequers on the 2nd and 3rd May. † 18179/24: not printed; it enclosed copies of Cmd. 2105. ‡ No. 497.

Begins: Your telegram 28th June* was received yesterday, Sunday, and the contents considered with colleagues at the Cabinet Council to-day. We agree from the outline of the task before the Conference as set forth in your telegram that the procedure as regards the association of various governments of the Empire in its work should be governed by the principle(s) of the resolution as to negotiation, &c., of treaties agreed to by the Imperial Conference, 1923. In this connexion we assume that procedure with respect to the proposed Protocol will be that set forth in the case of Treaties negotiated at International Conferences where there is British Empire Delegation in which, in accordance with the now established practice, Dominions and India will be separately represented.

We are pleased to concur in your suggestion that the meetings of such representatives should be held in London to discuss with His Majesty's Government policy to be adopted at the Conference and make arrangements for representation. We should like to have our Government represented by one of its Ministers at the preliminary meeting. But, as you indicate that this meeting should be held in the week previous to the 16th July, we doubt if it will be possible so to arrange owing to the limited time between now and then. We hope, however, to be able to arrange to have one of our Ministers representing Canada at the main Conference. To effect this it will be necessary for us to be immediately advised if we are right in the assumption that as respects negotiation for signature and ratification of the proposed Protocol principles governing will be the same as those regarding Treaties negotiated at International Conferences as referred to in Section 1, Sub-section (*c*) respecting negotiations and Section 2, Sub-section (*c*) respecting signature procedure as set forth in the Resolution of the Imperial Conference, 1923. We should like if possible to be informed as to this before deciding on representative to be named to attend the preliminary meeting, as the selection of the latter will necessarily be governed to some extent by the procedure to be observed with respect to our representation at the Inter-Allied Conference. *Ends.*

—BYNG.

Note.—Repeated to the Commonwealth of Australia, New Zealand and the Union of South Africa, 3rd July (see No. 503), and copy sent to the Irish Free State, 4th July (see note to No. 503).

31328

No. 500.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.35 a.m., 2nd July, 1924.)

TELEGRAM.

2ND JULY. Secret. Following for Prime Minister from my Prime Minister:—

Begins: Your telegram of 28th June, Secret.* Reparations. Have asked Sir Joseph Cook, High Commissioner, to act Australian representative. *Ends.*

—FORSTER.

31660

No. 501.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.45 p.m., 3rd July, 1924.)

TELEGRAM.

[*Answered by No.* 515.]

3RD JULY. Secret. Your telegrams of 25th June† and 28th June, Secret.* Following for Prime Minister from my Prime Minister:—

* No. 497. † No. 494.

Begins: I have received your telegram of the 28th June. I note that the Conference is to be held to consider the application of the Dawes Report, but having only just assumed office do not propose at present to be represented at the preliminary meeting indicated by you. You will no doubt inform me from time to time what is recommended, and I shall be happy to give my support to any line of action which will tend to bring about a better understanding in Europe and to ratify on behalf of South Africa any agreement the Allies may arrive at, which, in my opinion, tends in this direction. If later on it appears to me necessary to appoint a special South African delegate to attend the Conference the matter can be reconsidered. *Ends.*

—ATHLONE.

Note.—Repeated to Canada, the Commonwealth of Australia, and New Zealand, 4th July (see No. 504), and copy sent to the Irish Free State, 4th July (see note to No. 504).

31102

No. 502.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 10.15 p.m., 3rd July, 1924.)

TELEGRAM.

[*Answered by No.* 507.]

3RD JULY. Secret. Your telegram of 30th June.* Following from Prime Minister for your Prime Minister.

Begins: Your message was considered by Cabinet 2nd July. As explained in my message of 28th June,† work of Inter-Allied Conference will be of strictly limited scope. There is no question, for example, of changing percentage payable to British Empire on account of sums received by way of reparation (viz., 22 per cent.), or of altering allocation of this percentage which was agreed at Imperial Conference, 1921.

Also, not only will problem of security not be dealt with but no military commitments will be entered into. We intend to retain liberty of action in event of wilful default by Germany, and not to go further than agree, in that event, to consult with Allies as to nature of sanctions to be applied.

Generally speaking, it is difficult to see that any special obligations on Dominions will be entailed.

I thus find it difficult to give a definite answer to that part of your message which deals with the precise application of the principles of the Resolution as to negotiation, etc., of Treaties passed at Imperial Conference last year to arrangements for representation at Inter-Allied Conference. We had contemplated that question of representation should be discussed and settled at preliminary conference in London referred to in my message of 28th June.† Would you have any objection to this and nominate representative accordingly to attend it?

I ought to tell you quite frankly that in the circumstances we do see difficulties in arranging for separate representation of all Dominions and India if this should be desired, since this would result in our total representation largely out-numbering that of foreign countries.

For this reason we had hoped to consider at preliminary conference with Dominions and India whether there was any method of arranging to keep our representation down to three.

One method might be application of panel system as arranged at Paris in 1919, but as to this I should explain that I think my own presence will be essential throughout and probably that of Chancellor of the Exchequer. Another method might be that Dominions and India should agree on a single representative, but this would be departure which, so far as I know, has never been discussed previously, and might very probably be regarded as open to objection.

* No. 499. † No. 497.

Whatever system adopted British Empire Delegation should, we think, remain in session during Conference so as to deal with all developments requiring discussion after Conference had opened. Also our view is that arrangements should be considered as applicable to this Conference only which, as already indicated, is of a very special character. As regards general question of application of Conference Resolution on negotiation, etc., of Treaties see my message of 23rd June.*

Our present view is that proposed protocol should be signed on behalf of all Powers represented at Conference and that separate signatures for Dominions and India should be included. I should add, however, that it is intended to be an instrument not requiring ratification.

Prime Minister of Commonwealth of Australia has nominated High Commissioner to attend preliminary meeting. No replies yet received from other Dominions. Duration of Conference estimated at about a week.

I am repeating your message and this reply to Commonwealth of Australia, New Zealand, Union of South Africa and Irish Free State. I should like to arrange preliminary meeting if possible for Thursday, 10th July. *Ends.*

—THOMAS.

Note.—Repeated to the Commonwealth of Australia, New Zealand and the Union of South Africa, 3rd July (see No. 503) and copy sent to the Irish Free State, 4th July (see Note to No. 503).

31102

No. 503.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 10.15 p.m., 3rd July, 1924.)

TELEGRAM.

[*Answered by Nos.* 505 *and* 510.]

(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)

3RD JULY. Secret. My telegram 28th June.† Following from Prime Minister for your Prime Minister.

Begins: Following is text of reply from Prime Minister of Canada:—

Begins: [*See No.* 499.]

I have to-day answered as follows. [*See No.* 502.] *Ends.*

—THOMAS.

Note.—Copy sent to the Irish Free State in despatch of 4th July.

31660

No. 504.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 12 noon, 4th July, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)

SECRET. 4th July. Following from Prime Minister for your Prime Minister:—

Begins: Inter-Allied Conference. Following reply received from Prime Minister of Union of South Africa to my message of 28th June.† *Reply begins.* [*See No.* 501.] *Reply ends.*

Ramsay MacDonald. *Ends.*

—THOMAS.

Note.—Copy sent to the Irish Free State in despatch of 4th July.

* No. 1 in Cmd. 2301. † No. 497.

32307

No. 505.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.45 a.m., 7th July, 1924.)

TELEGRAM.

7TH JULY. Secret. Your telegrams dated 28th June and 3rd July.* Following for Prime Minister from my Prime Minister:—

Begins: Participation of Dominions in the Inter-Allied Conference.

We are asking Sir James Allen, High Commissioner for New Zealand, to represent this Dominion at the preliminary meeting suggested by you. We should be grateful, however, if one of the Ministers of His Majesty's Government could represent New Zealand at the main Conference and sign proposed Protocol on our behalf.

You will no doubt keep me informed from time to time of what is being done. *Ends.*

—JELLICOE.

Note.—Repeated to Canada, the Commonwealth of Australia and the Union of South Africa, 7th July (see No. 506) and copy sent to the Irish Free State, 8th July (see Note to No. 506).

32307

No. 506.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 2.55 p.m., 7th July, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(Union of South Africa.)

SECRET. 7th July. Following from Prime Minister for your Prime Minister:—

Begins: Inter-Allied Conference. Following reply received from Prime Minister of New Zealand to my message of 28th June.† *Reply begins:* [*See No.* 505.] *Reply ends.*

Ramsay MacDonald. *Ends.*

—THOMAS.

Note.—Copy sent to the Irish Free State in despatch of the 8th July.

32342

No. 507.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9.30 a.m., 8th July, 1924.)

TELEGRAM.

7TH JULY. Participation of Canada in the Inter-Allied Conference. Following for Prime Minister from my Prime Minister:—

Begins: I have submitted to my colleagues in Council your reply of the 3rd July to my telegram 30th June.‡ We feel that representations of your telegram in respect of negotiation and signature of proposed Protocol

* Nos. 497 and 503. † No. 497. ‡ Nos. 502 and 490.

present so many features parallel to those of the Lausanne Treaty which have given rise to recent discussions in your Parliament and our own that exact position cannot be too clearly understood or too carefully stated.

In your telegram you say: "Our present view is that proposed Protocol should be signed on behalf of all parties represented at the Conference and that separate signatures for Dominions and India should be included." Elsewhere in the same message you say: "I thus find it difficult to give definite answer to that part of your message which deals with the precise application of the principles of the Resolution as to negotiation, etc., of Treaties passed at the Imperial Conference last year to arrangements for representation at the Inter-Allied Conference." And also "I ought to tell you quite frankly that in the circumstances we do see difficulty in arranging for separate representation of all Dominions and India if this should be desired."

If the proposed Protocol is to be regarded as coming within the category of the Treaties negotiated at International Conferences where there are British Empire delegations and if as stated in your telegram of 28th June* principles of Resolution as to negotiation, etc., of Treaties agreed to by the Imperial Conference of 1923 are to apply, there would, in our opinion, from the wording of the Resolution, appear to be no escape from conclusion of now established practice with respect to negotiations in such a case, requiring that Dominions and India should be separately represented and that the existing practice with respect to signature demands signature by plenipotentiaries on behalf of the Governments of the Empire represented at the Conference, full powers, to be in form employed at Paris and Washington.

At Paris and Washington Canada's representative held a Full Power signed by His Majesty the King in the form of Letters Patent authorizing him to sign "For and in name of His Majesty the King in respect of the Dominion of Canada" any Treaties, Conventions and Agreements that might tend to the attainment of the objects of the Conference. Canadian Government having by Order in Council sanctioned the issuance of these Full Powers by His Majesty.

If the Protocol is to be signed on behalf of Canada and the terms of the Resolution of the Imperial Conference are to be followed, it will, we think, be necessary to have at the Conference representative of Canada holding a Full Power signed by His Majesty the King in the form described and sanctioned by the Order in Council of our Government.

We regret that it will not be possible for Canada to be represented at the preliminary meeting by a member of our Cabinet who is wholly familiar with all the considerations of which we think full account should be taken and who might also serve as Canada's representative at the Inter-Allied Conference. As time will not permit of this, I am to-day cabling our High Commissioner in London, Honourable Peter C. Larkin, to represent our Dominion at the preliminary meeting which it is anticipated will be held on Thursday and instructing Mr. Larkin to present the point of view of our Government as herein set forth. I should be deeply obliged if you would have Mr. Larkin immediately supplied with copies of all the correspondence that has been exchanged between our respective Governments upon the subject of the representation of Canada at the Inter-Allied Conference including copy of this message, in order that he may in advance of the meeting be made as familiar as possible therewith. *Ends.*

—BYNG.

Note.—Repeated to the Commonwealth of Australia, New Zealand and the Union of South Africa, 8th July (see No. 509), and copy sent to the Irish Free State, 8th July (see Note to No. 509).

---

* No. 497.

32515

No. 508.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 2.55 p.m., 8th July, 1924.)

TELEGRAM.

SECRET. 8th July. Your telegram 28th June.* Following for Prime Minister from my Prime Minister:—

Begins: Regret that Newfoundland is unable to nominate representative at this late date to participate in Inter-Allied Deliberation. *Ends.*

—ALLARDYCE.

32342

No. 509.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 5 p.m., 8th July, 1924.)

TELEGRAM.

(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)

8TH JULY. Secret. My telegram of 7th July.† Following from Prime Minister for your Prime Minister:—

Begins: Following is text of further message from Prime Minister of Canada. *Begins.* [*See No.* 507.] *Ends.*

Ramsay MacDonald. *Ends.*

—THOMAS.

Note.—Copy sent to the Irish Free State in despatch of 8th July.

32756

No. 510.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.40 p.m., 9th July, 1924.)

TELEGRAM.

10TH JULY. Secret. Following for Prime Minister from my Prime Minister:—

Begins: My telegram‡ informing you that Sir Joseph Cook would act as Australian representative on preliminary Conference was based on the assumption that effect would be given to statement expressed by you that procedure should be clearly governed by principles of the Resolutions as to the negotiation, etc., of Treaties agreed to by the Imperial Conference, 1923, and that preliminary meeting would naturally give effect to these principles as regards representation.

Your telegram of the 3rd July§ covering communications which have passed between you and the Government of Canada, however, makes it clear that, in order to facilitate the deliberations of the Conference, you have in mind a modification of the procedure laid down in those Resolutions.

In view of the above principle involved, think it necessary that we should make our attitude quite clear. We concur generally in Canada's claim for separate representation in accordance with now established practice and Resolutions passed at the Imperial Conference, 1923. We regard it as

* No. 497. † No. 506. ‡ No. 500. § No. 503.

highly desirable that there should be no departure from this principle, as in our opinion any such departure must ultimately deprive us internationally of status we achieved at Versailles and subsequent Conferences.

Further, when the question of reparations was considered at the Spa Conference, British Empire Delegation was revived and the Dominions invited to send plenipotentiaries. The circumstances of the present Conference appear to be precisely similar to those obtaining then. The objections to which you refer, viz., that separate representation of the Dominions and India would result in British Empire representation largely outnumbering that of foreign countries is not new. It has been raised before and may be raised again. We cannot therefore subscribe to it now, particularly as there is no question of a vote, and the only important issue involved in such representation is, in our opinion, that of our own status.

In view, however, of your statement that Conference will be of strictly limited scope; that there is no question of changing percentage payable to the British Empire by way of reparations or of altering allocation of this percentage as arranged at the Imperial Conference, 1921; that the problem of security will not be dealt with nor military commitment(s) entered into; we do not, if you press your objection, insist dogmatically on separate representative, but should be willing to ask one of your Ministers to be appointed to represent us. We could not agree to the appointment of a single representative for the whole of the Dominions and India, as this would have nothing to commend it either in principle or practice.

We believe that the procedure we suggest, combined of course with separate signatures for the Dominions and India as indicated by you, will meet the requirements of the Resolution of 1923, though we prefer separate representation.

In view, however, of the fact that the Conference will almost certainly discuss suggested modifications of the total amount Germany is to pay, method of payment and guarantees in connexion therewith, and of Australia's direct interest in percentage of the amount to be allotted to the British Empire, we consider it highly desirable that Sub-section D of Resolution regarding negotiations of Treaties should be vigorously adhered to and that (as in the case of the Spa Conference) we be kept fully advised, during the progress of negotiations of any points affecting us or in which we may be interested, and that a British Empire Delegation on the spot also should be used for that purpose. *Ends.*

—FORSTER.

Note.—Repeated to Canada, New Zealand, the Union of South Africa and the Irish Free State, 10th July (see No. 513).

32779

No. 511.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9.10 a.m., 10th July, 1924.)

TELEGRAM.

[*Answered by No.* 526.]

9TH JULY. Following from Prime Minister for your Prime Minister:—

Begins: On the Order of the day to-day question was asked with respect to the Inter-Allied Conference, to which I replied intimating that I would bring its contents to the attention of His Majesty's Government with a view to ascertaining your wishes in the matter. I should be obliged if you would kindly indicate the reply which you wish me to make as from His Majesty's Government. Question and answer appear in Hansard as follows:—

"Mr. Joseph T. Shaw (West Calgary): Press despatches having indicated that Premier Ramsay MacDonald has issued memorandum with reference to the proceedings at the proposed Conference

regarding the Dawes Report and that the French Press in discussing the memorandum has treated it as formulation of British policy, I want to ask the Prime Minister the following question: First, has the Government received such a memorandum? Secondly, will the Government lay on the table all correspondence in connexion with this matter? And, lastly, if for any reason the Government is unable to table all correspondence, will the memorandum referred to be tabled?

Right Honourable W. L. Mackenzie King (Prime Minister): Government has not received formal memorandum but has received a communication from the Prime Minister of Great Britain intimating the matter that would probably come before the Inter-Allied Conference. That communication is very similar in its context to the memorandum to which I think the Honourable Member refers and which I have seen in the Press. It was an intimation from the Prime Minister of Great Britain to the Government of Canada of the matter which would probably be discussed at the Inter-Allied Conference. There was, however, a further communication requesting that the Government should name a representative to meet with the representatives of the other British Dominions in Conference with His Majesty's Government in London this week. The Conference I believe takes place to-morrow, and we have asked our High Commissioner, Mr. Larkin, to represent us at that preliminary Conference, at which I understand that the policy of the British Empire in this matter will be considered. Pending authority from the British Government, I should hesitate to place on the table any of the communications which have thus far been received, but I shall have pleasure in communicating to the British Government request of the Honourable Member with a view to ascertaining their wishes in the circumstances." *Ends.*

—BYNG.

32790

No. 512.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1.5 p.m., 10th July, 1924.)

TELEGRAM.

10TH JULY. Your telegram dated 8th July.* High Commissioner will represent the Irish Free State at to-morrow, Friday's, Conference.—HEALY.

32756

No. 513.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 2.50 p.m., 10th July, 1924.)

TELEGRAM.

(Canada.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)

10TH JULY. Secret. Following from Prime Minister for [*to Canada, New Zealand, Union of South Africa:* your Prime Minister;] [*to Irish Free State:* President of Executive Council.]

Begins: Inter-Allied Conference. Message from Prime Minister of Commonwealth of Australia received as follows. [*See No.* 510.] Ramsay MacDonald. *Ends.*

—THOMAS.

---

* 32807/24: not printed: it dealt with the arrangements for the Conference.

33071

No. 514.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 11.0 p.m., 11th July, 1924.)

TELEGRAM.

[*Answered by Nos.* 517, 518, 519, 520.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Irish Free State.)

11TH JULY. Secret. Following from Prime Minister for [*To Canada, Commonwealth of Australia, New Zealand:* your Prime Minister:—] [*To Irish Free State:* President of Executive Council:—]

Begins: I have had full and frank talk at Conference with High Commissioners for Canada, Commonwealth of Australia, New Zealand and Irish Free State, and Secretary of State for India this afternoon, and have explained to them in detail difficulties which confront us in securing separate representation of Dominions and India in the same manner as at Versailles and Washington.

It is of the most urgent necessity that the Dawes Report should be put into operation without delay, and that the Inter-Allied Conference which is to deal with nothing but how this can be done, and is therefore not a Treaty-making Conference, should meet as fixed on the 16th July.

Under present arrangements, delegations of each of the Chief Powers are to consist of three representatives, and even if we were in a position to negotiate an extension now, it could not be fixed up before next Wednesday. In view of the political and economic situation in Europe that would mean that the Conference would be postponed indefinitely. This would destroy all chance of the Report being put into operation, with disastrous consequences to Europe and indeed the whole world. All that the British Government has striven for would be wrecked, and any hope of obtaining financial result from Versailles Treaty would be gone.

Whilst Australia, if separate representation at Conference is impossible, and New Zealand are prepared to be represented by a British Minister, instructions of the other High Commissioners present did not enable any definite recommendation to be made. It seemed, however, that following arrangements were likely to meet situation best.

(*a*) British representatives to keep in continuous consultation with High Commissioners or other representatives appointed by Governments of Dominions and India during course of sittings of Conference.

(*b*) Dominion Governments to be kept fully informed by telegraph of Conference proceedings.

I gave High Commissioners present and Secretary of State for India following assurance:

"Whatever is agreed to now under exceptional character of this Conference will not be regarded or quoted as a precedent, and a statement to that effect will be made by me to the Conference."

I am quite sure that you will appreciate our difficulty and do your best to help us. Please reply urgently.

I am sending this message to Prime Ministers of Canada, Commonwealth of Australia, and New Zealand, and to President of Executive Council, Irish Free State. I am also repeating it to Prime Minister of Union of South Africa.* Ramsay MacDonald. *Ends.*

—THOMAS.

---

* No. 515.

33071

No. 515.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 11 p.m., 11th July, 1924.)

TELEGRAM.

[*Answered by No.* 527.]

11TH JULY. Secret. Your telegram of 3rd July.* Please communicate to your Prime Minister following message from Prime Minister which is being sent out as result of preliminary Conference held to-day. [*See No.* 514.]—THOMAS.

32964

No. 516.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 12.50 p.m., 12th July, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

12TH JULY. Following is English text of Anglo-French Note prepared in Paris, 9th July:—

Begins: British and French Governments have agreed to submit to the Allied Governments following note, and recommend to their acceptance conclusions therein set out. [*Here follows text of Note—see Cmd.* 2191.] *Ends.*

—THOMAS.

Note.—Copy of Note sent to the Irish Free State by despatch 12th July.

33257

No. 517.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.30 a.m., 13th July, 1924.)

TELEGRAM.

[*Answered by No.* 549.]

13TH JULY. Secret. Following from my Prime Minister for Prime Minister:—

Begins: Your telegram 11th July.† I note your further remarks with regard to difficulties in the way of separate representation and the urgency of the present situation. In view thereof and your definite assurance that whatever is agreed to now under exceptional character of the Conference will not be regarded or quoted as a precedent, my Government agree to the course suggested by you under (*a*) and (*b*), namely, that British representative shall keep in continuous consultation with the High Commissioner or other

* No. 501. † No. 514.

representative appointed by my Government during the course of the sittings of the Conference and that my Government will be kept fully informed by telegraph of the Conference proceedings. *Ends.*

—FORSTER.

Note.—Repeated to Canada and New Zealand, 15th July (see No. 522), and to the Union of South Africa, 16th July (see No. 531), and copy sent to the Irish Free State by despatch, 15th July (see Note to No. 522).

33256

No. 518.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9.40 a.m., 14th July, 1924.)

TELEGRAM.

[*Answered by No.* 521.]

13TH JULY. Following from Prime Minister for your Prime Minister:—

Begins: Inter-Allied Conference. Your telegram of 11th July* was received yesterday and contents carefully considered by the Cabinet at meeting held during the day. We are naturally most anxious to avoid any embarrassment to your Government, and it was with this end in view that, when informed by you that the Inter-Allied Conference came within the scope of the 1923 Imperial Conference Resolution, in consequence we were being asked to send a representative to the preliminary Conference between His Majesty's Government and Self-Governing Dominions and India to arrange for representation at the Inter-Allied Conference, we deemed it advisable to anticipate the possibility of any misunderstanding by stating clearly our position with respect to representation in accordance with the terms of that resolution. From the statement of your telegram of 11th July it would seem that the preliminary Conference was not, as we had been led to believe, so much for the purpose of representation of the Dominions and India on British Empire Delegation, as for the purpose of informing the Dominions and India of what in advance of consultation with their representatives had been decided upon with respect of representation at the Inter-Allied Conference. This is precisely the procedure adopted with respect to representation at the Lausanne Conference to which exception has been taken, concerning which we have been told that we should have spoken more plainly at the time and which for many reasons we had hoped would not be repeated. We regret that we are unable to acquiesce in this method of proceeding or to depart from the position which we have consistently maintained of having Canada's right to representation at the Inter-Allied Conference determined in accordance with the precedent established at Versailles and Washington, and confirmed by 1923 Conference Resolution which our Government has formally approved. With regard to possible objections by other countries we deem it sufficient to observe that the British Empire has an absolute right to determine its internal organization which in relevant aspect has already received international recognition. In case a rule of procedure at the Inter-Allied Conference does not permit entire British Empire Delegation to be present at the session of the Conference, we are quite prepared to agree that representation at such session should be determined from time to time by the Delegation, but we regard as essential to our signature to any protocol or other agreement negotiated at the International Conference where there is British Empire Delegation representation of Canada on such delegation by delegate holding

* No. 514.

Full Power in the manner set forth in my previous telegram. In thus stating our position we feel that we are adopting the only course which will commend itself to our Parliament. *Ends.*
—Byng.

Note.—Repeated to the Commonwealth of Australia and New Zealand, 15th July (see No. 525), and to the Union of South Africa, 16th July (see No. 531), and copy sent to the Irish Free State by despatch, 15th July (see Note to No. 525).

33313

No. 519.

NEW ZEALAND.

The GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 12.16 p.m., 14th July, 1924.)

Telegram.

[*Answered by No.* 551.]

14th July. Secret. Your telegram of 11th July,* Inter-Allied Conference. Following for Prime Minister from my Prime Minister :—

Begins: I am entirely in agreement with what you have done under very difficult circumstances. The arrangements you propose for keeping the Dominion Governments informed of the Conference proceedings are quite satisfactory so far as New Zealand is concerned. *Ends.*
—Jellicoe.

Note.—Repeated to Canada and the Commonwealth of Australia, 15th July (see No. 523), and to the Union of South Africa, 16th July (see No. 531), and copy sent to the Irish Free State by despatch, 15th July (see Note to No. 523).

33707

No. 520.

IRISH FREE STATE.

The GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 6.30 p.m., 14th July, 1924.)

Telegram.

[*Answered by No.* 546.]

14th July. With reference to your Secret code telegram of 11th July,* it is impossible for the Irish Free State to participate other than by direct representative with Full Powers. If such representation impossible, it is necessary that the Irish Free State be specifically excluded from the negotiations and the resultant protocol.—Healy.

Note.—Repeated to Canada, the Commonwealth of Australia and New Zealand, 15th July (see No. 524), and to the Union of South Africa, 16th July (see No. 531).

---

* No. 514.

33679

No. 521.

CANADA.

The SECRETARY OF STATE to the GOVERNOR-GENERAL.

(Sent 12.15 p.m., 15th July, 1924.)

Telegram.

[*Answered by Nos.* 528, 530 *and* 539.]

15th July. Secret. Please communicate following very urgent message from me to your Prime Minister :—

Begins: In unavoidable absence of Prime Minister, I had further meeting this morning with High Commissioners for Canada, Commonwealth of Australia, New Zealand and Irish Free State. I read to them your message to Prime Minister of 13th July* and replies† from other Dominions which are being repeated to you separately. I am grateful for your suggestion that representation at sessions of Inter-Allied Conference should be determined from time to time by British Empire Delegation, which I interpreted as meaning that you think panel system (which will enable one Dominion representative to be present at Conference each day) offers way out of difficulty. This plan certainly seems best means of meeting position and I am prepared to take steps accordingly and to arrange for each Dominion representative to be furnished with necessary Full Powers. Please reply to-day in view of opening of Conference to-morrow. *Ends.*
—Thomas.

Note.—Repeated to the Commonwealth of Australia, New Zealand, the Union of South Africa and the Irish Free State, 17th July (see No. 538).

33257

No. 522.

The SECRETARY OF STATE to the GOVERNORS-GENERAL.

(Sent 12.30 p.m., 15th July, 1924.)

Telegram.

(Canada.)
(New Zealand.)

15th July. Secret. Following reply received to Prime Minister's message of 11th July‡ from Prime Minister of Commonwealth of Australia :—

Message begins: [*See No.* 517.] *Message ends.*
—Thomas.

Note.—Copy of message sent to the Irish Free State by despatch 15th July, and also repeated to the Union of South Africa, 16th July (see No. 531).

33313

No. 523.

The SECRETARY OF STATE to the GOVERNORS-GENERAL.

(Sent 12.45 p.m., 15th July, 1924.)

Telegram.

(Canada.)
(Commonwealth of Australia.)

15th July. Secret. Following reply received to Prime Minister's message of 11th July‡ from Prime Minister of New Zealand :—

Message begins: [*See No.* 519.] *Message ends.*
—Thomas.

Note.—Copy of message sent to the Irish Free State by despatch 15th July, and also repeated to the Union of South Africa, 16th July (see No. 531).

---

* No. 518. † Nos. 517, 519 and 520. ‡ No. 514.

33707

No. 524.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 1.5 p.m., 15th July, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)

15TH JULY. Secret. Following reply received from Irish Free State to Prime Minister's message of 11th July* :—

Begins: [*See No.* 520.] *Ends.*

—THOMAS.

Note.—Message also repeated to the Union of South Africa, 16th July (see No. 531).

33256

No. 525.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 2 p.m., 15th July, 1924.)

TELEGRAM.

(Commonwealth of Australia.)
(New Zealand.)

SECRET. Following reply received to Prime Minister's message of 11th July* from Prime Minister of Canada :—

Message begins: [*See No.* 518.] *Message ends.*

—THOMAS.

Note.—Copy of message sent to the Irish Free State by despatch 15th July, and also repeated to the Union of South Africa, 16th July (see No. 531).

32779

No. 526.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 2.55 p.m., 15th July, 1924.)

TELEGRAM.

[*Answered by No.* 529.]

15TH JULY. Following from Prime Minister for your Prime Minister :—

Begins: Your message 9th July.† There are really two questions involved. First, representation of Dominions in connexion with Inter-Allied Conference; second, agenda for Conference. As to first, would it not be best to defer question of publication of papers till correspondence complete? As to second, it is quite true that first part of my message of 28th June‡ contained substance of memorandum referred to in question in Canadian House of Commons, but as you know there have been later developments which resulted in my visit to Paris and joint Anglo-French note subsequently issued. This was telegraphed by Secretary of State for Colonies 12th July§ and has been published. *Ends.*

—THOMAS.

---

* No. 514. † No. 511. ‡ No. 497. § No. 516.

33802

No. 527.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5.47 p.m., 15th July, 1924.)

TELEGRAM.

[*Answered by No.* 532.]

15TH JULY. Secret. Your telegram of 11th July.* Following for Prime Minister from my Prime Minister :—

Begins: Referring to your message of 11th July to Canada and other Dominions,† and which was repeated to me, on result of the preliminary Conference regarding the Dominions representation at the forthcoming Inter-Allied Conference, I would be glad to know the exact position of the Union in regard to the main Conference, as my message to you of 3rd July‡ merely dealt with the question of preliminary Conference. *Ends.*

—ATHLONE.

33806

No. 528.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 12.40 a.m., 16th July, 1924.)

TELEGRAM.

[*Answered by No.* 536.]

15TH JULY. Prime Minister desires me to send you following message in reply to your communication of to-day§ :—

Begins: Re representation Inter-Allied Conference. Understanding of your telegram just received is that you are agreeable to following, as respects Inter-Allied Conference which opens to-morrow, precedent of Paris Peace Conference with respect to representation of self-governing Dominions on British Empire Delegation and that procedure to be followed at Inter-Allied Conference as respects British Empire Delegation will be similar to that followed at Paris Peace Conference.

In accordance with this understanding, our Government has to-day passed Order in Council appointing Honourable N. A. Belcourt as the representative of Canada at Inter-Allied Conference and request issue to him of necessary Full Powers. *Ends.*

—BYNG.

Note.—Repeated to the Commonwealth of Australia, New Zealand, the Union of South Africa and the Irish Free State, 17th July (see No. 538).

33838

No. 529.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6.5 a.m., 16th July, 1924.)

TELEGRAM.

[*Answered by No.* 537.]

16TH JULY. As correspondence regarding meeting of Inter-Allied Conference is now complete, my Ministers desire to lay before Parliament all communications which have passed between the Canadian Government and His Majesty's Government regarding the representation of the Dominion in connexion with the Inter-Allied Conference, and inquire whether there would be any objection to presenting copies of the said despatches to Parliament of Canada : may prorogue within the next few days. They request answer may be sent by telegraph.—BYNG.

---

* No. 515. † No. 514. ‡ No. 501. § No. 521.

33807

No. 530.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6.40 a.m., 16th July, 1924.)

TELEGRAM.

[*Answered by No.* 536.]

15TH JULY. Minutes of Council approved to-day recommending appointment of Honourable Napoleon Antoine Belcourt, Member of King's Privy Council, Canada, and a Senator, as Commissioner and Plenipotentiary in respect of Dominion of Canada to forthcoming Conference, London, 16th July, 1924, for the purpose of considering Dawes Report on German Reparations, and request grant Full Powers to Senator Belcourt.—BYNG.

Note.—Repeated to the Commonwealth of Australia, New Zealand, the Union of South Africa and the Irish Free State, 17th July (see No. 538).

33802

No. 531.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 1.25 p.m., 16th July, 1924.)

TELEGRAM.

16TH JULY. Secret. Your telegram of 15th July.* Following is text of replies received to Prime Minister's message of 11th July† :—

From Canada : *Begins:* [*See No.* 518.] *Ends.*
From Commonwealth of Australia : *Begins:* [*See No.* 517.] *Ends.*
From New Zealand : *Begins:* [*See No.* 519.] *Ends.*
From Irish Free State : *Begins:* [*See No.* 520.] *Ends.*

—THOMAS.

33874

No. 532.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 2.0 p.m., 16th July, 1924.)

TELEGRAM.

[*Answered by No.* 535.]

16TH JULY. Secret. Your telegram of 15th July* and my telegram of to-day.‡ Position as regards representation of Dominions in relation to Inter-Allied Conference not yet definitely settled, and I am having further meeting with High Commissioners for Canada, Commonwealth of Australia, New Zealand, and Irish Free State to-morrow morning to consider position and to report to them proceedings at opening meeting of Inter-Allied Conference, which I attended myself. Would your Prime Minister like High Commissioner for Union of South Africa to have a set of the correspondence and be invited to to-morrow's meeting with other High Commissioners, and any subsequent ones? If so, I shall be glad to arrange accordingly. Please reply urgently.—THOMAS.

---

* No. 527. † No. 514. ‡ No. 531.

33874

No. 533.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 2.20 p.m., 16th July, 1924.)

TELEGRAM.

(Commonwealth of Australia.)
(New Zealand.)
(Irish Free State.)

16TH JULY. Secret. My telegram of 11th July* and your reply.† As arrangements as regards representation of Dominions in relation to Inter-Allied Conference were not settled by this morning, I attended opening meeting of the Conference myself and am calling meeting of High Commissioners to-morrow to report result of proceedings to-day and to consider position further. Please inform [your Prime Minister,] [President of Executive Council.]—THOMAS.

33875

No. 534.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 4.45 p.m., 16th July, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)

16TH JULY. Confidential. At meeting of Inter-Allied Conference held this morning, Prime Minister was appointed Chairman. After opening speeches, which are going to be published, it was decided to refer to Committees certain of points in paragraph 5 of Anglo-French Note of 9th July [*Not to Irish Free State:* see my telegram of 12th July.‡] [*To Irish Free State only:* see my despatch of 12th July, No. 426.§], viz., first, (*c*) and (*d*), second, (*e*), third, (*g*). Please inform [*Not to Irish Free State:* your Prime Minister.] [*To Irish Free State only:* President of Executive Council.]—THOMAS.

34009

No. 535.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 11.10 p.m., 16th July, 1924.)

TELEGRAM.

[*Answered by No.* 547.]

16TH JULY. Your telegram dated the 16th July, Secret.‖ Following from my Prime Minister :

Begins: I think it advisable that our High Commissioner should be present and be able to inform us of what has been decided in order that we might determine, if he is, attitude to be adopted on behalf of the Union of South Africa. *Ends.*

—ATHLONE.

---

* No. 514. † Nos. 517, 519 and 520. ‡ No. 516. § See Note to No. 516. ‖ No. 532.

34038

No. 536.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 1.40 p.m., 17th July, 1924.)

TELEGRAM.

[*Answered by No.* 539.]

17TH JULY. Secret. Following for your Prime Minister:—

Begins: Your two messages of 15th July* in reply to my message of same day† were read at further meeting with High Commissioners to-day at which Senator Belcourt was present.

In order to avoid any possibility of misunderstanding I want to make it quite clear that proposal in my message of 15th July was that Canadian representative should attend meetings of Inter-Allied Conference, under panel system, in rotation with representatives of other Dominions.

This procedure follows that at Paris Peace Conference in so far as rules of that Conference provided that each delegation had the right to avail itself of the panel system, but is not in accordance with that part of rules of Paris Conference which provided for separate representation of Dominions and India in addition to possibility of their inclusion, if so desired, in representation of the British Empire by the panel system.

I feel bound to point this out before definite arrangements made for representation of Dominions, as I am not sure on reading your telegrams whether this position was understood.

I very much hope that my proposal (which has already been accepted on behalf of Australia, New Zealand and India) may be carried out, it being understood, of course, that arrangement is a special one and governed by Prime Minister's assurance contained in my telegram of 11th July.‡ You will also like to know that it can be arranged for representatives of Dominions to be present at meetings of Inter-Allied Conference on days when it is not their turn to sit as Members of the British Empire Delegation. This will ensure that they are fully acquainted with all that goes on in the Conference.

Personal. Unauthorized statements are appearing in Press here, and I am most anxious that matter should be settled at once, as otherwise an already complicated situation will become still more difficult. *Ends.*

—THOMAS.

Note.—Repeated to the Commonwealth of Australia, New Zealand, the Union of South Africa and the Irish Free State, 17th July (see No. 538).

33838

No. 537.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 5.50 p.m., 17th July, 1924.)

TELEGRAM.

[*Answered by No.* 541.]

17TH JULY. Secret. Your telegram of 16th July.§

As your Prime Minister will see from my separate message of to-day,‖ position as regards representation of Dominions at Inter-Allied Conference is not yet quite clear. For this reason it would seem impossible in any case to lay any papers at present. Both Prime Minister and I feel strongly, however, that it would be most undesirable to publish any of the correspondence regarding representation of the Dominions whilst the Inter-Allied Conference is proceeding, though announcement should, of course, be made as soon as matter is settled.—THOMAS.

---

* No. 528 and 530. † No. 521. ‡ No. 514. § No. 529. ‖ No. 536.

34038

No. 538.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 6.50 p.m., 17th July, 1924.)

TELEGRAM.

(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)

17TH JULY. Secret. Please communicate to your Prime Minister following correspondence with Governor-General of Canada resulting from last message* from his Prime Minister which has been repeated to you.

(1) To Canada. *Begins:* 15th July. Secret. [*See No.* 521.] *Ends.*
(2) From Canada. *Begins:* 15th July. [*See No.* 528.] *Ends.*
(3) From Canada. *Begins:* 15th July. [*See No.* 530.] *Ends.*

I have replied to two telegrams last quoted in following telegram to-day.

Begins: 17th July. Secret. [*See No.* 536.] *Ends. Message ends.*

—THOMAS.

34161

No. 539.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1.20 a.m., 18th July, 1924.)

TELEGRAM.

[*Answered by No.* 550.]

17TH JULY. Following from my Prime Minister:—

Begins: In view of representation and assurance contained in your telegram† just received, and in order to avoid as far as possible any embarrassment to His Majesty's Government in existing situation and to facilitate as far as may be in our power work of Inter-Allied Conference, our Government is prepared to accept your proposal of 15th July‡ as interpreted in your telegram of to-day.† I am advising our High Commissioner and Senator Belcourt accordingly. In view of all the circumstances and to avoid any possibility of exception being taken by any member of our Parliament to our action in thus accepting your proposals we would like to be assured that there will be included in Protocol which our representative may be expected to sign a clause similar to that which formed part of our guarantee treaty between United Kingdom and France as follows:—

Clause begins: Present protocol shall impose no obligation upon any of the Dominions of the British Empire unless and until it is approved by Parliament of Dominion concerned. *Clause ends.*

I might add that in any event it would have been an instruction to our representative to see that such clause was inserted. *Message ends.*

—BYNG.

Note.—Repeated to the Commonwealth of Australia, New Zealand, the Union of South Africa and the Irish Free State, 18th July (see No. 544).

---

* No. 518. † No. 536. ‡ No. 521.

34162

No. 540.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2.50 a.m., 18th July, 1924.)

TELEGRAM.

[*Answered by No.* 542.]

17TH JULY. Following from my Prime Minister:—

Begins: Have been asked in Parliament this morning to table correspondence in connexion with Canada's representative at meeting of Inter-Allied Conference, and have replied that I have asked British Government for permission so to do, my telegram dated 16th July.* I deem it of utmost importance that this request should be promptly met, and would like to receive reply from you which I may communicate to Parliament not later than to-morrow. Would ask that in order to complete return correspondence to be brought down should include message received from you to-day and my reply thereto.† *Ends.*

—BYNG.

34163

No. 541.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4.15 a.m., 18th July, 1924.)

TELEGRAM.

[*Answered by No.* 542.]

17TH JULY. Following from my Prime Minister:—

Begins: Since communicating with you with further reference to tabling correspondence, I have received your telegram‡ to-day which has evidently crossed mine to you.§ We expect to prorogue Saturday of this week. Members, I know, will be insistent upon having correspondence brought down before that date. I greatly fear that refusal to meet their wishes on score that His Majesty's Government does not desire immediate publication of correspondence will create an unfavourable impression and give rise to some debate as to the method of the secret diplomacy to which the Governments of the Empire are lending themselves. Were there likely to be any objection on the part of the other self-governing Dominions to the publication of any of their messages with copies of which we have been supplied we would not, of course, ask leave to bring down any such message at present. We should like, however, to place on the table of our Parliament copies of the messages which have passed between your Government and ours and which have to do with our representative at the Inter-Allied Conference. *Ends.*

—BYNG.

34133

No. 542.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 2.40 p.m., 18th July, 1924.)

TELEGRAM.

[*Answered by No.* 548.]

18TH JULY. Your two telegrams of 17th July.‖ Please inform your Prime Minister that in the circumstances we will agree to publication of correspondence between British and Canadian Governments in connexion with representation of Dominions at Inter-Allied Conference. This correspondence, as I understand position, will comprise following telegrams:

* No. 529. † Nos. 536 and 539. ‡ No. 537. § No. 540. ‖ Nos. 540 and 541.

(1) My telegram of 25th June, Secret.* We should like last sentence of this omitted.

(2) Your telegram of 25th June, Secret, and my telegram of 26th June, Secret.†

(3) My telegram of 28th June, Secret,‡ containing message from Prime Minister. We should like following words "see telegram from Secretary of State 8th May," omitted from this message.

(4) Your telegram of 30th June, Secret,§ containing message for Prime Minister, and my telegram of 3rd July, Secret,‖ containing message from Prime Minister.

(5) Your telegram of 7th July,¶ containing message for Prime Minister.

(6) Your telegram of 9th July, containing message for Prime Minister, and my telegram of 15th July,** containing message from Prime Minister.

(7) My telegram of 11th July, Secret,†† containing message from Prime Minister.

(8) My telegram of 12th July,‡‡ containing text of Anglo-French note.

(9) Your telegram of 13th July,§§ containing message for Prime Minister.

(10) My telegram of 15th July, Secret,‖‖ with message for your Prime Minister marked "Very urgent."

(11) Your telegram of 15th July,¶¶ containing reply to last message.

(12) Your telegram of 15th July,*** beginning "Minute of Council approved to-day."

(13) My telegram of 17th July, Secret,††† in reply to two last messages. I should prefer passage at end marked "Personal" to be omitted.

(14) Your telegram of 17th July,‡‡‡ in answer to telegram last mentioned.

It might be well to insert a note to first part of Prime Minister's message of 28th June (see (3) above) as follows:—

Begins: See later developments as set out in Anglo-French note of 9th July. *Ends.*

Presume word "Secret" will be omitted in all cases.—THOMAS.

34207

No. 543.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 3.5 p.m., 18th July, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)

18TH JULY. Please communicate to [*Not to Irish Free State:* Your Prime Minister] [*To Irish Free State only:* President of Executive Council] following announcement which I made in House of Commons to-day regarding representation of Dominions at Inter-Allied Conference:—

Begins: There have been several communications with the various Dominion Governments concerned, and it was found impossible to arrive at definite arrangements before the Inter-Allied Conference opened. I have now the great pleasure of announcing that it has been settled that representatives of any of the Dominions so desiring and of India shall become Members of the British Empire Delegation at the Conference on the panel system, and it has also been arranged for the representatives so appointed to be present at the meetings of the Conference on days when it is not their turn to sit as Members of the British Empire Delegation. This will ensure that they are fully acquainted with all that goes on in the Conference.

The plan adopted is a special one for this particular Conference and is not to be regarded or quoted as a precedent. *Ends.*—THOMAS.

---

* No. 494. † Nos. 495 and 496. ‡ No. 497. § No. 499. ‖ No. 502. ¶ No. 507.
** Nos. 511 and 526. †† No. 514. ‡‡ No. 516. §§ No. 518. ‖‖ No. 521. ¶¶ No. 528.
*** No. 530. ††† No. 536. ‡‡‡ No. 539.

34161

No. 544.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 3.30 p.m., 18th July, 1924.)

TELEGRAM.

(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)

18TH JULY. Secret. Please communicate to [*Not to Irish Free State:* Your Prime Minister] [*To Irish Free State only:* President of Executive Council] following reply from Prime Minister of Canada to my message of yesterday* which was repeated to you.†

Begins: [*See No.* 539.] *Ends.*

—THOMAS.

34163

No. 545.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 3.35 p.m., 18th July, 1924.)

TELEGRAM.

(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)

18TH JULY. Please inform [*Not to Irish Free State:* your Prime Minister] [*To Irish Free State only:* President of Executive Council] that at urgent request of Prime Minister of Canada we have agreed to his laying before Canadian Parliament copies of communications between British and Canadian Governments as to representation of Dominions in connexion with Inter-Allied Conference.

Correspondence to be published will include, I understand, all messages to Canada from Prime Minister and myself on subject, and the replies which have been repeated to you, but not messages to Ottawa repeating replies from other Dominions.—THOMAS.

34208

No. 546.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL

(Sent 4.35 p.m., 18th July, 1924.)

TELEGRAM.

[*Answered by No.* 557.]

18TH JULY. Your telegram of 14th July.‡ In view of message from Prime Minister of Canada repeated to you to-day,§ and announcement which I made in House of Commons this morning, which is also being telegraphed, should be glad to know as soon as possible whether Irish Free State Government is willing to participate in the arrangements now made with regard to representation of Dominions at Inter-Allied Conference on panel system. If so, please let me know by telegraph who will be Irish Free State representative.—THOMAS.

---

* No. 536. † No. 538. ‡ No. 520. § No. 544.

34208

No. 547.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL

(Sent 4.40 p.m., 18th July, 1924.)

TELEGRAM.

[*Answered by Nos.* 553 *and* 556.]

18TH JULY. Your telegram of 16th July.* In view of message from Prime Minister of Canada repeated to you to-day,† and announcement which I made in House of Commons this morning, which is also being telegraphed, would your Prime Minister wish High Commissioner for Union of South Africa to take his place on the panel system in the British Empire delegation at Inter-Allied Conference in turn with representatives of other Dominions. Please reply as soon as possible. In the meantime High Commissioner for Union attended a separate meeting of British Empire delegation to-day.—THOMAS.

34337

No. 548.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6.0 a.m., 19th July, 1924.)

TELEGRAM.

18TH JULY. Following from my Prime Minister:—

Begins: Our Government much appreciate prompt acquiescence of His Majesty's Government in our request for agreement to publish correspondence of our Government in connexion with representation of Dominion at Inter-Allied Conference. I have, however, omitted from correspondence brought down last paragraph of my telegram dated 17th July,‡ referring to Clause which we would like to have inserted in Protocol. The Clause begins, "In view of all the circumstances" and concludes telegram. I have thought that His Majesty's Government might not wish at this stage to have publicity given to this request which will naturally be a matter with which Conference itself will have to consider. Many thanks also for communicating to me announcement made by you in House of Commons to-day, which I communicated to our House of Commons this afternoon, Friday. The announcement was received with general approval. *Ends.*

—BYNG.

34493

No. 549.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 4 p.m., 19th July, 1924.)

TELEGRAM.

19TH JULY. Secret. Your telegram of 13th July,§ Inter-Allied Conference. Your Prime Minister will have seen from my latest telegrams how situation has developed and arrangements finally made for representation of Dominions.

Will you please let him know that, whilst we fully understand Commonwealth attitude as set out in his message of 10th July,‖ we are most grateful for his readiness to help in a difficult situation. We understand it to be in accordance with his wishes that High Commissioner for Commonwealth should take his place on the panel in turn with the representatives of other Dominions.—THOMAS.

---

* No. 535. † No. 544. ‡ No. 539. § No. 517. ‖ No. 510.

34161

No. 550.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 4.22 p.m., 19th July, 1924.)

TELEGRAM.

19TH JULY. Your telegram of 17th July.* Please inform your Prime Minister that I am very glad that he has been able to accept arrangements.

I am communicating with Belcourt as regards latter part of your Prime Minister's message, which, as I note from your telegram of 18th July,† is not being included amongst papers which are being published in Canada.—THOMAS.

34493

No. 551.

NEW ZEALAND.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 4.45 p.m., 19th July, 1924.)

TELEGRAM.

[*Answered by No.* 554.]

SECRET. Your telegram of 14th July.‡ Your Prime Minister will have seen from my latest telegrams how situation has developed and arrangements finally made for representation of Dominions at Inter-Allied Conference.

I hope that he will think these satisfactory.

Will you please let him know how much we have appreciated his helpful attitude in a difficult situation. We understand it to be in accordance with his wishes that Sir J. Allen should take his place on the panel in turn with the representatives of other Dominions.—THOMAS.

34492

No. 552.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 5.0 p.m., 19th July, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)

19TH JULY. Secret. Inter-Allied Conference.

Since my telegram of 16th July§ there has been no meeting of main Conference but many meetings of the three Committees. Also there have been several informal discussions between Prime Minister and chief delegates, not for purposes of negotiation but in order to elucidate any difficulties likely to arise.

First full meeting of British Empire delegation was held yesterday. First and Second Committees are in continuous session, but position not yet sufficiently clear to enable progress report to be made. Third Committee has drawn up unanimous report for submission to Conference.

Committee considers that it is for each Allied country to decide for itself what internal organization it desires to set up with a view to examining economic possibilities of absorbing deliveries in kind from Germany. It considers no new

* No. 539. † No. 548. ‡ No. 519. § No. 534.

Inter-Allied body required since Reparation Commission has already a service which has dealt with deliveries in kind since coming into force of Treaty of Versailles. Committee has invited ruling from Conference whether it is authorized to examine questions relating to maintenance and satisfactory working of deliveries in kind during whole period of operation of experts' plan.

Please inform [*Not to Irish Free State:* your Prime Minister.] [*To Irish Free State only:* President of Executive Council.]—THOMAS.

34494

No. 553.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.0 p.m., 20th July, 1924.)

TELEGRAM.

20TH JULY. Secret. Your telegram 18th July,* Representation of Union on British Empire Delegation at Inter-Allied Conference. Prime Minister is *en route* for Capetown and does not arrive until to-morrow. As soon as he arrives his decision will be communicated to you.

34495

No. 554.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.23 a.m., 21st July, 1924.)

TELEGRAM.

21ST JULY. Secret. Prime Minister asks me to thank you for your telegram of 19th July† regarding representation of the Dominions at the Inter-Allied Conference and to say that in view of the altered circumstances he would like Sir James Allen to take his place on the panel as suggested.—JELLICOE.

34657

No. 555.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 12.55 p.m., 21st July, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)

21ST JULY. Secret. My telegram of 19th July,‡ Inter-Allied Conference.

First Committee have now made following unanimous recommendations§ to Conference regarding (*c*) and (*d*) of paragraph 5 of Anglo-French Note, 9th July:—

* * * * * *

—THOMAS.

---

* No. 547. † No. 551. ‡ No. 552. § Text not printed.

34778

No. 556.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.10 p.m., 21st July, 1924.)

TELEGRAM.

21ST JULY. Your telegram of 18th July.* Following from my Prime Minister :—

Begins: I agree to the High Commissioner taking his place on the panel system in the British Empire Delegation at the Inter-Allied Conference in turn with the representatives of the other Dominions.

At the same time, I feel that nothing should be done whereby the freedom of action of the Union Parliament may be hampered, and I therefore deem it necessary that the conditions suggested by Canada, that the present protocol shall impose no obligation upon any Dominion of the British Empire unless and until it is approved by the Parliament of the Dominion concerned, should be accepted. *Ends.*

—ATHLONE.

34966

No. 557.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.30 p.m., 22nd July, 1924.)

TELEGRAM.

[*Answered by No.* 562.]

22ND JULY. Secret. With reference to your telegram 18th July,† while extremely desirous Conference successful and leads to good results, my Ministers regret that they are unable to participate in Conference on lines suggested, viz., panel system.—HEALY.

34779

No. 558.

(Uncorrected.)

EXTRACT FROM MINUTES OF MEETING OF INTER-ALLIED CONFERENCE HELD AT THE FOREIGN OFFICE ON 23RD JULY, 1924, AT 3 P.M.

MR. RAMSAY MACDONALD: I have first of all to make a statement. As the delegates are aware, the British Empire is at present considering the whole question of how, in future, delegations to conferences, which may result in obligations being imposed not only upon us here at home but upon the whole of the Empire, shall be selected. We have had to come to a very hurried and a very temporary settlement of that question amongst ourselves, and I am going to communicate to the Conference what our arrangement has been. I hope the Conference will accept it, as the delegates will see, at the end of the statement which I am about to read, that it is clearly laid down that this shall not be taken as a precedent for further conferences.

The statement I should like to make is that it has been arranged that representatives of any of the Dominions so desiring, and of India, shall become members of the British Empire Delegation at the Conference on the panel system, and, in pursuance of this arrangement, I am glad to say that the Hon. N. A. Belcourt, K.C., a member of the Privy Council and Senate of Canada, is present to-day as the representative of the Dominion of Canada.

* No. 547. † No. 546.

The representatives of the Dominions and India who are appointed will be able, even on days when it is not their turn to sit as members of the British Empire Delegation, nevertheless to be present at the meetings of the Conference; this will ensure that they are fully acquainted with all that goes on at the Conference.

The plan adopted is a special one in view of the exceptional character of this Conference, and differs from that adopted at the Peace Conference at Paris and at the Washington Conference on the Limitation of Armaments. It is therefore not to be regarded or quoted as a precedent. I may add to that, that this arrangement does not in any way increase the representation of Great Britain at this Conference; it is only a method of substituting one delegate for another. I hope that will be agreed to. (Agreed.)

The next item on the programme to-day is the appointment of a Committee of Jurists, which I think Monsieur Herriot has in hand.

34779

No. 559.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 3.15 p.m., 23rd July, 1924.)—

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)

23RD JULY. Following is text of statement by Prime Minister referred to in his message to-day :—*

Begins: I wish to make a brief announcement regarding the representation of Great Britain, the Dominions and India at this Conference.

It has been arranged that representatives of any of the Dominions so desiring, and of India, shall become members of the British Empire Delegation at the Conference on the panel system, and, in pursuance of this arrangement, I am glad to say that the Honourable N. A. Belcourt, K.C., a member of the Privy Council and Senate of Canada, is present to-day as the representative of the Dominion of Canada.

The representatives of the Dominions and India who are appointed will be able, even on days when it is not their turn to sit as members of the British Empire Delegation, nevertheless to be present at the meetings of the Conference; this will ensure that they are fully acquainted with all that goes on at the Conference.

The plan adopted is a special one in view of the exceptional character of this Conference, and differs from that adopted at the Peace Conference at Paris, and at the Washington Conference on the Limitation of Armaments. It is, therefore, not to be regarded or quoted as a precedent. *Ends.*

—THOMAS.

49259

No. 560.

EXTRACT FROM DEBATE OF THE COMMONWEALTH OF AUSTRALIA HOUSE OF REPRESENTATIVES.

(*23rd July*, 1924.)

REPARATIONS CONFERENCE.

Status of Australia.

MR. R. GREEN: I ask the Prime Minister whether Australia will be represented at the Allies Conference, and if so, whether the status of our delegates will be at least equal to that of our representatives at the Versailles Conference.

* 35608/24; not printed; it summarized the developments at the Conference and mentioned that the Prime Minister proposed at the Plenary Session to be held that day to make a statement as to representation of the Dominions and India.

MR. BRUCE: Last week, in reply to the Leader of the Opposition, I indicated that arrangements had been made for the representation of the Dominions at the Allies Conference in Britain on the basis of the panel system, under which a representative of each Dominion, in turn, sits at the main Conference. In addition to representation at the main Conference, the British Empire Delegation, which existed at the time of the Versailles negotiations, has been reconstituted, and the representative of the Commonwealth is present at each sitting of that Empire Delegation. The whole of the negotiations taking place at the main Conference are considered by the British Empire Delegation, and further, the Prime Ministers of the self-governing parts of the Empire are being kept fully informed of everything that transpires.

MR. R. GREEN: Has the Prime Minister protested against the lowering of the status of Australia's representative at the Conference, and similar Conferences arising out of the War? At the Versailles Conference Australia was allowed full representation as a nation, but apparently the Commonwealth has not now that status.

MR. BRUCE: Australia retains full status, and is represented at the Inter-Allies Conference as one of the nations concerned in the negotiations. There has been no reduction of the status of the Commonwealth.

34966

No. 561.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 7.55 p.m., 28th July, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)

28TH JULY. My telegram of 18th July* Inter-Allied Conference. Position as regards representation of Dominions is now as follows: Canada, Commonwealth of Australia, New Zealand, Union of South Africa, represented by Senator Belcourt, Sir Joseph Cook, Sir James Allen, Sir Edgar Walton, respectively.

Irish Free State Government, while extremely desirous that Conference should be successful and lead to good results, have intimated that they regret they are unable to participate on lines suggested, viz., panel system.—THOMAS.

34966

No. 562.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Secret.)

SIR, Downing Street, 1st August, 1924.

I HAVE the honour to acknowledge the receipt of Your Excellency's telegram of the 22nd July† intimating that your Ministers, whilst they are extremely desirous that the Inter-Allied Conference should be successful and lead to good results, are unable to participate in it on the lines suggested, viz., the panel system.

2. His Majesty's Government have received with regret your Ministers' decision not to take part in the Conference in the manner now agreed to by the Governments of Canada, the Commonwealth of Australia, New Zealand and the Union of South Africa.

I have, &c.,
J. H. THOMAS.

---

* No. 543. † No. 557.

37163

220

No. 563.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 1.0 p.m., 5th August, 1924.)

TELEGRAM.

[*Answered by Nos.* 564, 565, 567, 568.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)

5TH AUGUST. Secret. Following for your Prime Minister:—

Begins: As indicated in Jurists' Report telegraphed on 28th July,* which was accepted by Plenary Conference on same day, three separate agreements are desirable for the purpose of putting Dawes plan into operation. Of these only the second and third will be signed by the representatives of the Allied Governments. The first will be an agreement between the Reparation Commission and Germany. The second will be between the Allied Governments and Germany, and will set out the measures to be taken by the former for restoring the economic unity of the Reich. The third will be Inter-Allied and will provide for certain amendments being made to the Reparation Annex of the Treaty of Versailles and will contain certain limitations on the right of Allied Governments to impose sanctions on Germany.

As you will have gathered from Reports of Committees already communicated to you by telegraph, it appears certain that neither the agreement between Allied Governments and Germany nor Inter-Allied agreement will impose obligations in any real sense of that term on Dominion Governments.

Further, in order that these agreements may become binding on powers concerned as soon as signed, not proposed to make them, or Protocol referred to in Jurists' Report, instruments requiring ratification by Heads of States or subject to formal approval of Parliaments.

In these circumstances Clause suggested in message from Canadian Prime Minister of 17th July† (which was repeated to other Dominions), subsequently endorsed by Prime Minister of Union of South Africa, seems unnecessary, and Legal Adviser to Foreign Office deprecates its insertion on two grounds; first, that it would appear to have no practical application; secondly, that it would imply that, when Dominion Parliaments had approved, obligations would be imposed, which, as explained above, would not be the case in any real sense.

In these circumstances I hope that you and other Prime Ministers to whom I am sending similar message will agree to omission of Clause. Please reply urgently.

Secret and not for publication. Above message has been framed with a view to eventual publication if necessary, but you will appreciate that further argument against insertion of Clause is that it would encourage Governments like France and Belgium to demand that in their case also approval of legislature should be condition precedent to bringing Dawes plan into operation.

We are most anxious that no such demand should be made, since whole object of Conference is to bring plan into operation at once. Position of France and Belgium is quite different from that of Canada and other Dominions, since in their case very heavy obligations are imposed by agreements. *Ends.*

—THOMAS.

Note.—Copy sent to the Irish Free State in Secret despatch of 5th August.

---

* 34966/24: not printed. † No. 539.

37285

No. 564.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6.20 a.m., 6th August, 1924.)

TELEGRAM.

5TH AUGUST. Secret. Following from my Prime Minister:—

Begins: In view of the assurance contained in your telegram of 5th August* as to the absence of additional obligations in the new Agreement and the other considerations advanced, Canadian Government agrees to omission of the clause suggested in my telegram of 17th July.† Have already instructed Belcourt to this effect. Please convey to the Prime Minister my hearty congratulations to himself and the other members of the Conference on the goodwill and skill displayed in bringing their momentous task to the successful issue which now seems assured. *Ends.*

—BYNG.

Note.—Copy sent to the Irish Free State in Secret despatch of 6th August.

37286

No. 565.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.45 a.m., 6th August, 1924.)

TELEGRAM.

6TH AUGUST. Secret. Your telegram of 5th August,* Inter-Allied Conference. Following for Prime Minister from my Prime Minister:—

Begins: I quite concur in the omission of the clause referred to. *Ends.*

—JELLICOE.

Note.—Copy sent to the Irish Free State in Secret despatch of 6th August.

37285

No. 566.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 11.45 a.m., 6th August, 1924.)

TELEGRAM.

(Commonwealth of Australia.)
(Union of South Africa.)

6TH AUGUST. Secret. My telegram 5th August.* Please inform your Prime Minister that Prime Ministers of Canada and New Zealand have agreed to omission of clause.—THOMAS.

* No. 563. † No. 539.

37524

No. 567.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6.20 p.m., 6th August, 1924.)

TELEGRAM.

6TH AUGUST. Secret. Your telegram of 5th August, Secret,* Following from Prime Minister:—

Begins: If no obligation will be imposed on Dominion Government(s) in proposed agreement Union Government agrees to omission of suggested clause concerning approval by Parliament. *Ends.*

—ATHLONE.

37849

No. 568.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.20 a.m., 9th August, 1924.)

TELEGRAM.

9TH AUGUST. Your telegram 5th August.* Following from my Prime Minister:—

Begins: I agree with the opinion expressed by you and legal adviser of Foreign Office that insertion of Clause suggested by the Prime Minister of Canada would have no practical application, and approval of Dominion Parliaments might imply acceptance of obligation. In the circumstances and to avoid any unnecessary delay in arriving at an agreement which is of urgent importance not only to Europe but the world in general, my Government does not insist on inclusion of Clause. *Ends.*

—GOVERNOR-GENERAL.

39354

No. 569.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 9.15 p.m., 16th August, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)

16TH AUGUST. Following from Prime Minister for [your Prime Minister.:] [President of Executive Council:]

Begins: You will like to know at once that International Conference ended successfully to-night. Details of Protocol and Agreements will be sent separately. Notes have been exchanged between the Governments of France, Belgium and Germany by which it is agreed that evacuation of Ruhr shall take place within maximum period of twelve months from to-day. In the meantime certain areas will be evacuated without delay. Ramsay MacDonald. *Ends.*

—SECRETARY OF STATE FOR THE COLONIES.

* No. 563.

34779

No. 570.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.

Dominions No. 386. Confidential.)

[My Lord,] [Sir,] Downing Street, 18th August, 1924.

With reference to my telegram of the 23rd of July,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of an extract from the English text of the Stenographic Record of the Meeting of the Inter-Allied Conference held on the 23rd of July, containing a statement by the Prime Minister on the representation of the British Empire.

I have, &c.,
(for the Secretary of State),
HENRY LAMBERT.

Enclosure in No. 570.

EXTRACT FROM RECORD OF THE MEETING OF THE INTER-ALLIED CONFERENCE HELD ON THE 23RD JULY.

REPRESENTATION OF BRITISH EMPIRE.

MR. RAMSAY MACDONALD: I have first of all . . . [*as in No. 558.*] . . . agreed to.

(Agreed.)

39965

No. 571.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.

Dominions No. 399.)

[My Lord,] [Sir,] Downing Street, 21st August, 1924.

With reference to my despatch Dominions No. 377 of the 11th of August,† I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of the Final Protocol and Agreements‡ arising out of the work of the London Conference on the application of the plan presented to the Reparation Commission on 9th April, 1924, by the First Committee of Experts appointed by it on 30th November, 1923.

I have, &c.,
(for the Secretary of State),
HENRY LAMBERT.

---

* No. 559. † 38666/24: not printed. ‡ Not printed here: see Cmd. 2270.

42383 222

No. 572.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.

Dominions No. 457.)

[My Lord,] [Sir,] Downing Street, 16th September, 1924.

With reference to my despatch Dominions No. 399 of the 21st of August,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copies of a Note addressed to the German Ambassador on the 30th of August relative to the Agreements signed on that date with the object of bringing the Dawes plan into operation, and of his reply embodying a declaration of the German Government in regard to the modification of Part VIII of the Treaty of Versailles which was made at the London Conference: together with copies of the four Agreements† as signed.

I have, &c.,
(for the Secretary of State),
ARNOLD.

Enclosure 1 in No. 572.

Your Excellency, Foreign Office, S.W.1, 30th August, 1924.

I have the honour to transmit to you herewith certified copies of three agreements signed on this date with the object of bringing the Dawes plan into operation.

2. I have the honour to add that the fourth instrument, signed to-day, which modifies Annex II of Part VIII of the Treaty of Versailles, has been transmitted in original to the French Government, who will in due course distribute certified copies, as provided in the last paragraph of the said Agreement.

I have, &c.,
(in the absence of the Secretary of State),
MILES W. LAMPSON.

His Excellency
Monsieur Friedrich Sthamer,
&c., &c., &c.

Enclosure 2 in No. 572.

(Translation.)

Sir, German Embassy, 30th August, 1924.

I have the honour to acknowledge receipt of your Note of to-day's date, in which you communicated to me a certified copy of the agreement between the Allied Governments concluded at the London Conference, and to make, on behalf of the German Government, the following observations:—

Notwithstanding the legal point of view as explained by the German delegation at the meetings of the heads of the delegations, the German Government raise no objection to the use which the Allies are making of the provisions of paragraph 22 (Annex II, Part VIII of the Treaty of Versailles). This declaration cannot, however, be invoked against the German Government if the Allies should in the future apply the above-mentioned paragraph in any other cases.

I have, &c.,
STHAMER.

The Right Honourable
Sir Eyre Crowe,
&c. &c., &c.

---

* No. 571. † Not printed here: see Cmd. 2270.

(2) Conference of Financial Experts in Paris.

49226

No. 573.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNOR.

(Sent 5.20 p.m., 15th October, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

(Extract.)

* * * * * *

PART II.

IN the near future a Conference of Financial Experts, to be followed, if necessary, by a Conference of Finance Ministers, is to be held in Paris to deal with various accounting questions which have to be settled in connexion with the end of the occupation of the Ruhr and the putting into force of the Experts' Plan. Countries to be represented at the Conference will be the United Kingdom, France, Italy, Belgium and Japan (that is to say, Powers which signed the previous financial arrangement of 11th March, 1922 [Cmd. 1616], see my despatch of 31st March, 1922, Dominions 107*), together with a representative of the United States of America. This Conference will have to discuss, on the one hand, the method in which the proceeds of the Ruhr sanctions are to be brought to account and also the expenditure incurred in the occupation of the Ruhr and, on the other hand, the exact arrangements required in consequence of the fact that the annuity under the Experts' Plan is to cover all Treaty charges and not only reparation: that is to say it will cover cost of occupation, Belgian War debt, and "restitution" as well as reparation proper. Conference is not, however, to discuss the percentages agreed to at Spa, which His Majesty's Government would, under no circumstances, agree to alter now, nor general financial questions such as War debts. There is of course no intention of altering the apportionment of the Empire reparation percentage which was agreed to at Imperial Conference, 1921.

Please inform your Prime Minister.—THOMAS.

Note.—Copy sent to the Governor-General of the Irish Free State in Confidential despatch of the 18th October.

51347

No. 574.

CANADA.

OFFICE OF THE HIGH COMMISSIONER to COLONIAL OFFICE.

[*Answered by No.* 575.]

Office of the High Commissioner for Canada,
Kinnaird House, Pall Mall East, London, S.W.1,
29th October, 1924.

DEAR SIR,

Re Reparations:

I BEG to refer to your communication of the 18th instant,† covering copy of a telegram from the Secretary of State for the Colonies to the Governor-General of Canada on the above subject.

I refer particularly to Part 2 of this message.

The Counsellor to the Department of External Affairs and the Under-Secretary of State and Deputy Custodian of Canada have been in London and have discussed the matter set forth in the message, and the conclusion reached, with which I agree, is that the Canadian Government desires to send a representative to attend the Experts' Conference now assembled in Paris in the capacity only of an observer.

I request under the circumstances that you will obtain for Lieutenant-Colonel J. Reid Hyde, C.B.E., on my behalf, such credentials as may be necessary to permit him to attend the meetings, and through the British Experts to obtain relative documents.

Yours faithfully,
PETER C. LARKIN.

51347

No. 575.

CANADA.

COLONIAL OFFICE to OFFICE OF THE HIGH COMMISSIONER.

[*Answered by No.* 576.]

Downing Street, 31st October, 1924.

SIR,

I AM directed by Mr. Secretary Thomas to acknowledge the receipt of Mr. Larkin's letter of 29th October* regarding the Conference of Financial Experts now taking place at Paris.

2. The whole question was discussed at a Conference held at the Treasury on the 30th October between the Controller of Finance and the Under-Secretary of State for Canada and Colonel Reid Hyde. The Secretary of State understands that at that Conference Sir Otto Niemeyer explained the difficulties in the way of complying with the High Commissioner's request, but discussed various alternative methods of meeting the position, and in particular promised that he would arrange for a document to be drawn up and supplied to Mr. Mulvey giving an indication, so far as the available data permit, of the amount which may be available for Canada by way of reparation as the outcome of the Dawes Report, during the next few years. This document will be forwarded as soon as possible.

I am, &c.,
C. T. DAVIS.

51807

No. 576.

CANADA.

OFFICE OF THE HIGH COMMISSIONER to COLONIAL OFFICE.

[*Answered by No.* 577.]

Office of the High Commissioner for Canada,
Kinnaird House, Pall Mall East, London, S.W.1,
3rd November, 1924.

DEAR SIR,

I AM to acknowledge the receipt of Sir Charles Davis's letter of the 31st October† regarding the Conference of Financial Experts now taking place in Paris.

The representatives of His Majesty's Treasury discussed, as stated in your letter, various alternative methods of meeting the position, and the High Commissioner would be glad to receive a letter briefly outlining these alternatives.

It was at the request of the Under-Secretary of State of Canada that a document be supplied, indicating as far as available data permits, the amount which might be available to Canada, and I am glad to note that this memorandum is to be supplied.

It is desirable, I think, that the suggestions made by the Treasury should be put forward for consideration as soon as possible.

Yours faithfully,
J. REID HYDE.

---

* 12473/22: not printed: it enclosed a copy of the Parliamentary Paper referred to.
† I.F., enclosing copy of No. 573.

* No. 574. † No. 575.

52153

No. 577.

CANADA.

COLONIAL OFFICE to OFFICE OF THE HIGH COMMISSIONER.

Sir, Downing Street, 6th November, 1924.

I am directed to acknowledge the receipt of Colonel Reid Hyde's letter of the 3rd November* and to transmit to you, to be laid before the High Commissioner, copies of a note† prepared in the Treasury, showing, so far as the available data permit, the amounts with which it may be possible to credit the Dominions and India by way of reparation as the outcome of the Dawes Report during the next few years.

2. With reference to paragraph 2 of Colonel Reid Hyde's letter, it is understood that, at the Conference at the Treasury, referred to in paragraph 2 of the letter from this Department of the 31st October,‡ Sir Otto Niemeyer stated that, although he had not been able to consult Ministers, he felt sure that the Chancellor of the Exchequer would be ready to consult with representatives of the Dominions before proceeding to Paris to attend the proposed Conference of Allied Finance Ministers.

3. A copy of a Parliamentary Paper§ containing the Agreement of May, 1923, referred to in paragraph 6 of the note, is enclosed.

I am, &c.,
E. J. HARDING.

57247

No. 578.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 6.35 p.m., 9th December, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

9TH DECEMBER. Confidential. United States Government are asking that claims which private United States citizens may have against Germany under the separate German-American Treaty for damages to person or property should be met out of the annuities fixed by the Dawes plan for Treaty of Versailles charges. Amount of these claims being assessed by a Mixed Commission and is not known, but latest estimate is that amount will be about $250,000,000. United States do not propose apparently to set against their claim, even though it includes private damages before the United States entered War, very large German assets in their hands, despite the fact that similar pre-War claims of Allies are not claimable as reparation and can only be met out of German assets. They would spread claim over a period of years.

We regard this claim as not well founded either in law or in equity so long as United States does not bear burdens or submit to restrictions of Treaty of Versailles. We have therefore replied contesting the claim though we have reason to believe French and Belgian Governments have given way on it.

Our objections are:—

(1) As to legal position we cannot admit that Germany, by her later Treaty with United States, could alter or vary obligations already contracted by Treaty of Versailles towards Powers which ratified that Treaty;

(2) Legal position could not be altered by report of Dawes Committee since Committee was appointed by Reparation Commission, which derives its authority with regard to Germany from Treaty of Versailles alone, to consider means of

* No. 576. † Not printed. ‡ No. 575. § Cmd. 1973.

balancing German Budget and measures to be taken to stabilize currency, and any question as to States which were to share in reparation payments or proportions of share of each was clearly outside scope of Committee;

(3) Under Treaty of Versailles amount of damage for which compensation was to be made by Germany was left to be determined by Reparation Commission which had to take into account various claims put forward by Allied Governments. So far as we are aware, at no time did United States Government intimate that they wished to put forward claim for inclusion in total to be demanded from Germany nor does any reservation appear to have been made by any United States representative of any possible future right of United States to make such claim;

(4) As regards equities, we have drawn attention to very large sums under control of United States Government in respect of German property and to sums in respect of ships retained by the United States in excess of their tonnage losses, which we have understood as likely to be about equal to sums assessed by Mixed Commission.

Note to United States Government adds that we should be quite willing to examine whole matter in connexion with forthcoming meeting of Finance Ministers in Paris (see my telegram 15th October*) if United States Government would supply statement of any further grounds on which it appears that claim can be maintained, and would state what amount of claim actually is and whether United States Government prepared to set off against it any credit balance arising from dealing with German assets which have come into their hands and to have net claim fixed by Reparation Commission and made subject to same reductions as apply to countries claiming under Treaty of Versailles. Note mentions that Dominions interest in reparations would in any case require us to consult them before arriving at any new decisions.

Copies of Note from United States Ambassador and of reply summarized above being sent by mail.†—AMERY.

57247

No. 579.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 6.45 p.m., 9th December, 1924.)

TELEGRAM.

[*Answered by Nos.* 580 *and* 581.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)

9TH DECEMBER. Confidential. My telegram of 9th December.‡ United States Claim. Chancellor of Exchequer proposes to invite High Commissioners to a meeting preparatory to Conference of Allied Finance Ministers (see my telegram of 15th October*), which will probably begin 6th January and contemplated that attitude towards United States claim should be further explained and discussed then.—AMERY.

59768

No. 580.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5.0 a.m., 21st December, 1924.)

TELEGRAM.

20TH DECEMBER. Your telegram of 9th December.§ Proposed meeting of Chancellor of the Exchequer and High Commissioner for Canada on Reparation Claims. My Ministers expect to communicate views to the High Commissioner for Canada early next week on the questions involved.—BYNG.

---

* No. 573. † 57247/24: not printed. ‡ No. 578. § No. 570.

60356

No. 581.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.45 a.m., 29th December, 1924.)

TELEGRAM.

28TH DECEMBER. Your telegram of 9th December* stating that the Chancellor of the Exchequer proposes to invite the High Commissioner for Canada to meeting preparatory to Conference of Allied Financial Ministers in Paris. My Ministers, without prejudice to the question of the method of participation in reparation Conferences, have requested the High Commissioner for Canada to accept the invitation and are communicating to him some considerations on the questions involved.—BYNG.

RHINE NAVIGATION CERTIFICATES.

Convention relating to:

(Treaty Series 1925, *No.* 46.)

47602

No. 582.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
} Dominions No. 484.)

[MY LORD,] [SIR,] Downing Street, 7th October, 1924.

I HAVE the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of a Parliamentary Paper [Cmd. 2255,] containing a Convention and additional Protocol drawn up by the Central Commission of the Rhine to replace certain Articles of the Convention of 17th October, 1868, and the Convention of 4th June, 1898, regarding Rhine Navigation Certificates.

I have, &c.,
J. H. THOMAS.

54054

No. 583.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
} Dominions No. 545.)

[MY LORD,] [SIR,] Downing Street, 24th November, 1924.

WITH reference to my predecessor's despatch Dominions No. 484 of the 7th of October,† I have the honour to request [Your Excellency,] [you,] to inform your Ministers that it is proposed to take steps to effect at an early date the

* No. 579. † No. 582.

ratification of Protocols 43 of the 14th of December, 1922, and 22 of the 22nd of December, 1923, of the Rhine Commission, which relate to the issue of navigation certificates to masters of vessels navigating the Rhine.

I have, &c.,
L. S. AMERY.

RUSSIA.

(1) *De jure* Recognition of the Soviet Government.

5039

No. 584.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 12.30 p.m., 30th January, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

30TH JANUARY. Secret. His Majesty's Government have had under consideration question of future relations with Russia and have come to conclusion that resumption of normal intercourse is urgently required in interests of European resettlement. Accordingly they propose to address to Soviet Government within next few days note of which following is substance:—

Begins: His Majesty's Government recognize Union of Socialist Soviet Republics as *de jure* rulers of those territories of old Russian Empire which they now administer. Recognition will not itself suffice to create normal conditions of complete friendly relations and full commercial intercourse which it is earnest desire of His Majesty's Government to see restored at earliest possible moment. For this purpose it will be necessary to conclude definite practical agreements on variety of matters some of which not directly connected with *de jure* recognition, while others intimately bound up with fact of recognition. Question of existing treaties is in latter category. His Majesty's Government advised that recognition will, according to accepted principles of international law, automatically bring into force all treaties concluded previous to Revolution except where these denounced or have otherwise juridically lapsed, obviously to advantage of both countries that position in this respect should be regularized simultaneously with recognition. Technically unconnected with recognition but clearly of utmost importance to resumption of full commercial intercourse are problems of settlement of existing claims by Government and nationals of one party against other and restoration of Russia's credit. Also manifest that genuinely friendly relations cannot be said to be completely established so long as either party has reason to suspect other of carrying on propaganda against its interests and directed to overthrow of its institutions.

In the circumstances His Majesty's Government invite Russian Government to send to London at earliest possible date representatives with full powers to discuss these matters and draw up preliminary bases of complete treaty to settle all outstanding matters.

His Majesty's Government have in past been associated with Allies and other Powers in negotiations with Russia and in interests of general peace desire to continue to be so associated. They therefore propose to invite any other Powers prepared to recognize Soviet Government *de jure* to participate in discussions.

Meanwhile British Agent Moscow given status of Chargé d'Affaires pending appointment of Ambassador. *Ends.*

—THOMAS.

5039

No. 585.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL

[*Answered by No.* 591.]

(Secret.)

SIR, Downing Street, 30th January, 1924.

I HAVE the honour to transmit to Your Excellency, to be laid before your Ministers, a copy of a telegram* to the Governors-General of Canada, the Commonwealth of Australia, New Zealand and the Union of South Africa, and the Governor of Newfoundland, on the subject of future relations with Russia.

I have, &c.,

J. H. THOMAS.

5278

No. 586.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 9.10 p.m., 8th February, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

8TH FEBRUARY. Secret. My telegram 30th January.* Note received to-day from Russian Government expressing satisfaction at contents of British Note recognizing Soviet Government. Note states that Russian Government prepared to send to London in immediate future representatives to negotiate on outstanding questions.—THOMAS.

5278

No. 587.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 12.1 p.m., 9th February, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

9TH FEBRUARY. My telegram 8th February.† Russian note published to-day. Copy will be sent as soon as possible by despatch.—THOMAS.

5278

No. 588.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 3.50 p.m., 9th February, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

9TH FEBRUARY. Secret. My telegram 8th February.† British Government regard Russian reply as satisfactory.

Prime Minister has suggested to Rakowsky, who has been appointed Russian Chargé d'Affaires, London, that notes should be interchanged first of all between

* No. 584. † No. 586.

Russian and British Governments regarding subjects outstanding, and that terms of reference to the Commission which is to negotiate regarding resumption of relations should be also discussed. Rakowsky agreed and will proceed to Russia as soon as he has discussed with the British Government minute which the Prime Minister is preparing on the subjects for negotiation. He will take minute up with the Russian Government, and hopes to be back in London within three weeks when negotiations could proceed.—THOMAS.

5278

No. 589.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 83.)

SIR, Downing Street, 9th February, 1924.

WITH reference to my Secret despatch of the 30th January,* which need no longer be regarded as Secret, I have the honour to transmit to Your Excellency, to be laid before your Ministers, copies of telegrams† to the Governors-General of Canada, the Commonwealth of Australia, New Zealand, and the Union of South Africa, and the Governor of Newfoundland on the subject of relations with Russia.

I have, &c.,

J. H. THOMAS.

5278

No. 590.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Secret.)

SIR, Downing Street, 11th February, 1924.

WITH reference to my despatch No. 83 of the 9th February,‡ I have the honour to transmit to Your Excellency, to be laid before your Ministers, a copy of a further telegram§ to the Governors-General of Canada, the Commonwealth of Australia, New Zealand and the Union of South Africa, and the Governor of Newfoundland, on the subject of relations with Russia.

I have, &c.,

J. H. THOMAS.

8828

No. 591.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 23rd February, 1924.)

[*Answered by No.* 603.]

(Secret.)

SIR, Vice Regal Lodge, Dublin, 22nd February, 1924.

I HAVE the honour to acknowledge receipt of your Secret despatch of the 30th January* transmitting copy of telegram to the Governors-General of Canada, the Commonwealth of Australia, New Zealand, and the Union of South Africa, and the Governor of Newfoundland, on the subject of future relations with Russia.

2. My Ministers note the proposal of His Majesty's Government to recognize the Union of Soviet Republics as *de jure* rulers of those territories of the old Russian Empire which they now administer, subject to the settlement of all claims by the Governments and nationals of both parties.

3. They assume that the reservations as to agreements, propaganda and other matters mentioned in the despatch under reference are intended to protect the position of the Irish Free State and its nationals as well as that of Great Britain, and accordingly, that no action prejudicial to the rights of the Irish Government or its nationals will be taken by His Majesty's Government in the course of the negotiations with Russia.

I have, &c.,

T. M. HEALY.

---

* No. 585. † Nos. 586 and 587. ‡ No. 589. § No. 588.

15680

No. 592.

FOREIGN OFFICE to COLONIAL OFFICE.

[*Answered by No.* 594.]

SIR, Foreign Office, S.W.1, 1st April, 1924.

I AM directed by Mr. Secretary Ramsay MacDonald to call your attention to the enclosed cutting from *The Times*, which states that the Prime Minister of Canada has written to the head of the Soviet Trade Delegation now in Canada stating that Canada is prepared to recognize the Union of Soviet Socialist Republics.

2. I am to suggest that, if Mr. Secretary Thomas sees no objection, a despatch should be addressed to the Canadian Government asking whether this report is correct and, at the same time, reminding the Canadian Government of the Colonial Office telegram to the Dominions of 30th January,* which informed them of the proposal of His Majesty's Government to recognize the Government of the Soviet Union.

3. The Canadian Government should also be informed that *de jure* recognition can, in international law, only be conveyed through diplomatic channels and on behalf of the whole Empire.

I am, &c.,
GEORGE MOUNSEY.

Enclosure in No. 592.

EXTRACT FROM *The Times* OF 27TH MARCH, 1924.

CANADA AND RECOGNITION OF RUSSIA.

OTTAWA, 26th March.—The Prime Minister, Mr. Mackenzie King, has written to M. Yasikoff, the head of the Soviet Trade Delegation now in Canada, stating "in the best interests of both countries Canada is prepared to recognize the Union of Soviet Socialist Republics."

The Prime Minister wrote in response to the request of M. Yasikoff, who asked whether *de jure* recognition of the Soviet Republics, which was proclaimed by His Britannic Majesty on 1st February, comprehended recognition by Canada.—*Reuter.*

20892

No. 593.

SIR R. A. BLANKENBERG to SIR C. T. DAVIS.

[*Answered by No.* 595.]

DEAR DAVIS, Trafalgar Square, London, W.C.2, 30th April, 1924.

ON the 25th February, the Secretary to the Office of the High Commissioner for the Irish Free State wrote as follows:—

"I am directed by the High Commissioner to inquire whether you would be so good as to inform me what action the South African Government proposes taking in reference to the recognition by Great Britain of the Union of Soviet Republics."

I put the matter to South Africa and have now received the following reply from the Prime Minister's Office:—

"With reference to your letter 12/305/21 of 4th March, 1924, addressed to the Secretary for the Interior, enclosing copy of a letter from the Secretary to the High Commissioner of the Irish Free State, I have to inform you that the Union Government have taken note of the *de jure* recognition of the Union of Socialist Soviet Republics by His Majesty's Government.

In view of the fact that the Union Government was not consulted, it is not proposed to take any action."

Shall I tell the Irish High Commissioner's Office, or would you care to deal with the matter?

Yours sincerely,
R. A. BLANKENBERG.

---

* No. 584.

15680

No. 594.

COLONIAL OFFICE to FOREIGN OFFICE.

SIR, Downing Street, 5th May, 1924.

I AM directed by Mr. Secretary Thomas to acknowledge the receipt of your letter of the 1st of April,* relative to the reported recognition by Canada of the Union of Soviet Socialist Republics.

2. As Mr. Secretary Ramsay MacDonald is aware, the question of the extent to which the *de jure* recognition of the Union of Soviet Socialist Republics applies has, since the receipt of your letter, been raised by the Soviet Delegation. In view of the action then taken,† Mr. Thomas is not addressing any communication to the Canadian Government, but a copy of a newspaper report of the correspondence between the Prime Minister of Canada and the head of the Soviet Trade Delegation in Canada is enclosed for record.

I am, &c.,
E. J. HARDING,
for the Under Secretary of State.

Enclosure in No. 594.

EXTRACT FROM *Toronto Globe*, OF 27TH MARCH, 1924.

CANADA RECOGNIZES RUSSIAN SOVIETS.

PREMIER KING SO ASSURES TRADE COMMISSIONER FROM MOSCOW.

(Canadian Press Despatch.)

OTTAWA, 26th March.—Complete recognition by the Canadian Government of the Russian Soviet Republics is implied in an exchange of correspondence between Prime Minister Rt. Hon. W. L. Mackenzie King and Alex. Yasikoff of Montreal, agent in Canada of the Union of Soviet Socialist Republics. M. Yasikoff, who heads a trade commission from Moscow, now established in Canada, was received by the Canadian Government recently. Following his interview with the Government, M. Yasikoff wrote to the Prime Minister as follows:

"Referring to the conference I had with you yesterday, and wishing for a more definite basis of trade negotiations and for the performance of my other functions, I would ask you to be good enough to inform me whether the *de jure* recognition of the Union of Soviet Socialist Republics proclaimed by His Britannic Majesty's Government on the first of February last comprehends recognition by Canada."

Replying under date of 24th March, the Prime Minister said:

"Following up my conversation with you a few days ago with a special reference to your letter of 20th March, I have the honour, in the best interests of both countries, to represent that Canada is prepared to recognize the Union of Soviet Socialist Republics."

---

* No. 592.

† *Note.*—The question was raised by the Soviet representatives at the first meeting of the Second Committee of the Anglo-Soviet Conference. The British representatives undertook to endeavour to obtain a legal opinion on the point. At the second meeting of the Committee, they circulated the following opinion:—

"The British Delegation are advised that, in view of the terms of the note of 1st February, it is unlikely that the Courts in any part of the British Empire would maintain that the Government of the Union of Soviet Socialist Republics had not been recognized. In accordance with the usual British constitutional practice, the various self-governing portions of His Majesty's Dominions will make their own arrangements with regard to their future commercial relations with the Union. Any agreement or agreements which may be concluded as the result of the present negotiations will not bind the Dominion Governments."

20892

No. 595.

SIR C. T. DAVIS to SIR R. A. BLANKENBERG.

DEAR BLANKENBERG, 22nd May, 1924.

IN reply to your letter of the 30th April,* as to *de jure* recognition of the Soviet Government, we think that it would be most convenient if you were to communicate with the Office of the High Commissioner for the Irish Free State, and we would suggest that it would be sufficient to tell them that the Union Government have taken note of the *de jure* recognition of the Union of Socialist Soviet Republics by His Majesty's Government.

As regards the last sentence of the reply from the Prime Minister's Office, which you quote, you may like to know that a telegram giving the substance of the proposed note intimating the *de jure* recognition of the Soviet Government by His Majesty's Government was sent to the Dominion Governments two days before the note was actually delivered.

Yours sincerely,
C. T. DAVIS.

25648

No. 596.

THE HIGH COMMISSIONER, UNION OF SOUTH AFRICA, to THE HIGH COMMISSIONER, IRISH FREE STATE.

(Received in Colonial Office from the High Commissioner, Union of South Africa, with reference to Sir C. T. Davis' semi-official note of the 22nd May.†)

26th May, 1924.

Recognition of the Union of Soviet Republics by Great Britain.

SIR,

REFERRING to your letter of the 25th February on the above subject, I am directed by the High Commissioner to say that the Government of the Union of South Africa have taken note of the *de jure* recognition of the Union of Socialist Soviet Republics by His Majesty's Home Government.

I am, &c.,
R. A. BLANKENBERG.
Secretary.

Attached 6556

No. 597.

COMMONWEALTH OF AUSTRALIA.

EXTRACT FROM PARLIAMENTARY DEBATES.

(21st August, 1924.)

Anglo-Soviet Agreements.

MR. BRUCE (Flinders—Prime Minister and Minister for External Affairs)—(By leave): I have been asked several questions about the agreements recently arrived at between the British Government and the Government of the Soviet Union of Russia. For the information of honourable members I now propose to amplify the replies which I have previously given. Action, in three directions, has recently been taken by two Governments concerned, namely: (1) The recognition of the Soviet Union Government in Russia by the British Government, (2) the making of a general treaty on outstanding questions between the two governments, and (3) the making of a commercial treaty. As to the first matter, action was taken by the present British Government immediately after it assumed office, without consultation with the other self-governing parts of the Empire. Technically, this was not a compliance with the now established principle of consultation with the Dominions on all questions of Imperial foreign policy. But, as the Commonwealth Government did not consider that the interests of Australia were affected by, or that any complications involving Australia were likely to arise from, its not being consulted, it made

* No. 593. † No. 595.

no protest, particularly in view of subsequent assurances which it has received from the British Government of its desire for the closest consultation, showing that the course adopted on this occasion will not form a precedent for action in the future.

* * * * * * *

---

(2) Anglo-Soviet Conference, 1924 and Treaties of 8th August, 1924, (Cmd. 2116 and 2215).

7398

No. 598.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 1.30 p.m., 14th February, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

14TH FEBRUARY. Secret. My telegram 9th February.* Prime Minister has now written to Rakowski enclosing schedule of more important outstanding questions. These are as follows:—

I. *Treaties.*

(*a*) Treaties concluded by Russia before 1917, whether bilateral or multilateral, to which His Majesty's Government are parties.

(*b*) Treaties concluded by Great Britain and Russia respectively with other countries since 1917.

(*c*) Substitution of full Commercial Treaty or other arrangement for Trade Agreement, 1921.

II. *Debts.*

(*a*) Pre-War, falling under main heads of:—
(i) State loans.
(ii) Municipal loans.
(iii) Securities of Municipal credit societies, etc.
(iv) Guaranteed railway loans.
This category includes for convenience individual British holdings in State and railway loans floated during War, Treasury bills and bonds, and Holy Synod loan, 1916.

(*b*) War, i.e., advances by His Majesty's Government to Russian Government during War, including advances to firms working on account of Russian Government.

(*c*) Russian counter-claims advanced by Soviet Government on account of alleged intervention by His Majesty's Government in Russia during disturbances which followed revolution.

III. *Determination of means for restoration of Russia's credit in Great Britain.*

IV. *Claims of British subjects against Russian Government and Russian citizens against His Majesty's Government.*

(*a*) Compensation for nationalized property of British subjects in Russia.—
(i) Industrial and commercial property.
(ii) Other immovable property, e.g., agricultural land.
(iii) Miscellaneous, including trade and other private debts, bank balances, salaries, shares, etc.

(*b*) Compensation for damage to property of Russian citizens during military operations.

---

* No. 588.

Supplementary Questions.

(*a*) Claims of British subjects against Russian Government in respect of imprisonment and personal injury.

(*b*) Territorial waters.

(*c*) Duty of Russian Government to receive its own nationals and application of Soviet law of citizenship.

(*d*) Russian refugees.

Letter to Rakowski explains that schedule must not be read as complete expression of views of His Majesty's Government, but designed to serve as preliminary survey of ground to be covered and that inclusion of particular items, e.g., advances by His Majesty's Government to Russian Government and compensation for damage to property of Russian citizens must not be understood to commit His Majesty's Government or imply that Russian Government committed to any particular view on such items.

Prime Minister then states that he proposes that British side of negotiating Commission should consist of three or four officials working under his supervision or temporary supervision of some other Minister, his idea being that Commission should begin by setting up two Committees dealing respectively with political and economic questions. Representatives on Committees would be free to call in experts *ad hoc* where necessary.

If Russian Government agree, Prime Minister suggests that Political Committee should first review bilateral treaties in force 7th November, 1917, and frame for submission to main Commission broad recommendations as to which should be renewed, which abrogated, and what agreements, if any, substituted for those annulled. It should then do same for multilateral treaties and consider position arising out of post-war Treaties between lately Allied Governments and ex-enemy Powers and between Russia and other countries, and would finally draft terms of general treaty of commerce and amity to take place of Trade Agreement and dispose of supplementary questions at end of schedule.

Simultaneously Economic Committee would discuss claims and counter-claims under Head IV with a view to agreeing upon principles of settlement and making provision for machinery for assessment and liquidation of proved liabilities. It would also prepare statements of claim and counter-claim under Head II, and of measures which Russian Government contemplate that His Majesty's Government should take as regards Head III, terms of definite agreement under these two Heads being reserved for discussion in full Commission or between Prime Minister and head of Russian Delegation.

Letter concludes with assumption that Russian Government will not give to any other Government now negotiating settlement more advantageous terms than they can offer to His Majesty's Government and British subjects.

Copy of letter follows by mail.—THOMAS.

7398

No. 599.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.

Dominions No. 58. Secret.)

[MY LORD.] [SIR.] Downing Street, 15th February, 1924.

WITH reference to my [*Not to Irish Free State:* telegram of the 14th February,*] [*To Irish Free State:* Secret despatch of the 11th February,†] I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, a copy of a letter‡ from the Prime Minister to the Russian Chargé d'Affaires on the subject of the proposed negotiations on questions outstanding with Russia.

I have, &c.,
J. H. THOMAS.

---

* No. 598. † No. 590. ‡ Foreign Office print N 1039/10/38 dated 11th February, 1924: its substance is summarized in No. 598.

8264

No. 600.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 6.25 p.m., 21st March, 1924.)

TELEGRAM.

[*Answered by No.* 601.]

21ST MARCH. Secret. My despatch 15th February, Secret.* List of Treaties in Enclosure 2 to Prime Minister's letter has been under examination and hoped to inform your Ministers at early date of views of His Majesty's Government as to renewal or otherwise of Treaties in question. Meanwhile it would be convenient to His Majesty's Government to learn wishes of Canadian Government as to two particular questions:—

(1) Whether Notes of 1893—1894, in so far as these continue in force, and Convention, 1911, relating to seal fishery, should be maintained.

(2) Whether in event of Trade Agreement, 1921, being replaced as regards this country by new provisions on commercial matters, Canadian Government would desire Agreement to be maintained so far as Canada concerned.

Anticipated that negotiations with Russian representatives will open first week April.—SECRETARY OF STATE FOR THE COLONIES.

19123

No. 601.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.20 a.m., 18th April, 1924.)

TELEGRAM.

[*Answered by Nos.* 614 *and* 617.]

17TH APRIL. Secret. Your telegram of 21st March.† Treaty, Russia. Department of Marine and Fisheries is of the opinion that Notes of 1893 and 1894 are no longer of effect since the legislation of 1912 giving effect to the Convention of 1911 and the Order in Council passed thereunder, sealing being prohibited in all Pacific waters north of thirtieth parallel north latitude including Behring Sea. It is desired, however, that the Convention of 1911 relating to seal fisheries should be maintained. It is also the desire of the Canadian Government that the Trade Agreement of 1921 should be maintained so far as Canada is concerned.—BYNG.

17092

No. 602.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 2.20 p.m., 19th April, 1924.)

TELEGRAM.

[*Answered by No.* 604.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

19TH APRIL. Secret. My despatch 15th February, Secret.* General lines which it is considered advisable that British representatives should pursue in negotiations with Russian representatives have now been settled. As regards debts and claims endeavour will be made to secure acceptance of following principles:—

---

* No. 599. † No. 600.

(1) Claims in respect of advances made by His Majesty's Government to former Russian Government and Russian counter claim on account of alleged intervention by His Majesty's Government in Russia during disturbances which followed revolution to be reserved for later discussion.

(2) As regards Russian State and municipal bonds, Russia to acknowledge obligation to individuals, but it may be necessary to leave detailed settlement for eventual negotiation with bondholders. Actually great bulk of these obligations are foreign-owned, and Russian acceptance may be limited to British holders only.

(3) Russia to undertake to give compensation, whether in form of concessions of properties or otherwise, in respect of properties or concessions nationalized or cancelled, terms to be arranged by Russian Government with persons in question subject to reference to arbitration Tribunal in event of disagreement.

(4) As regards claims of individuals and companies not specified above, Russian Government to provide fixed sum for payment to claimants. Claims to be assessed, and any sum obtained to be distributed, as far as it will go, in accordance with decisions of Tribunal to be set up by us.

As regards credits, action on part of His Majesty's Government seems impracticable except that Russian applications for guarantees under Trade Facilities Act and Export Credits schemes might be admitted for consideration on same terms as applications from other quarters. It will be pointed out to Russian Government that satisfactory general agreement should materially assist them to obtain credits from private sources.

As regards treaties, little prospect that any action will be possible in case of multilateral treaties, since this would involve discussion with other Powers interested. Hoped to secure acceptance by Russia of principle that existing bilateral treaties are revived unless definitely abrogated. List of treaties of which abrogation seems desirable will be sent as soon as possible.

If general settlement reached, proposed that there should be provisions for future commercial relations. These would be on lines of ordinary commercial treaties with special provisions in view of position of Soviet Government in matters of trade and would include usual stipulations as to accession of Dominions.

Should your Ministers have any observations on any of above points His Majesty's Government would be glad to receive them as soon as possible.—THOMAS.

17092

No. 603.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 612.]

(Secret.)

SIR, Downing Street, 22nd April, 1924.

WITH reference to my Secret despatch of the 15th February, Dominions No. 58,* and to Your Excellency's Secret despatch of the 22nd February,† on the subject of the negotiations on questions outstanding with Russia, I have the honour to transmit to you, for the consideration of your Ministers, a copy of a telegram‡ to the other self-governing Dominions setting out the general lines which it is considered advisable that the British representatives should pursue in the course of the negotiations.

2. Should your Ministers wish to offer any observations on any of the points mentioned in this telegram, His Majesty's Government would be glad to receive them as soon as possible.

I have, &c.,
J. H. THOMAS.

---

* No. 599. † No. 601. ‡ No. 602.

20354

230

No. 604.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4.50 p.m., 28th April, 1924.)

TELEGRAM.

28TH APRIL. Secret. Your telegram of 19th April,* Russia negotiations. Ministers have no observations.—ATHLONE.

17567

No. 605.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 3.30 p.m., 29th April, 1924.)

TELEGRAM.

[*Answered by Nos.* 607, 608, 609, 611, 641.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

29TH APRIL. Secret. My telegram of 19th April.* Russian Negotiations. Anticipated that, if settlement reached with Russian representatives, it will be necessary to include provisions for restoration of properties owned by former Russian Government in self-governing Dominions, including Territories mandated to latter, and in particular for restoration of freehold buildings, if any, of former Russian Consulates. Should be grateful if your Ministers would supply any information available as to nature of ownership and tenure of such properties and buildings.

Similar telegram sent to other Dominions.—SECRETARY OF STATE FOR THE COLONIES.

17567

No. 606.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 610.]

(Secret.)

SIR, Downing Street, 1st May, 1924.

WITH reference to my Secret despatch of the 22nd April,† on the subject of the negotiations on questions outstanding with Russia, I have the honour to transmit to Your Excellency, for the consideration of your Ministers, a copy of a telegram‡ to the other self-governing Dominions requesting information as to the nature of ownership and tenure of property which was formerly owned by the former Russian Government.

2. I should be glad to be placed in possession of any information available to your Ministers in regard to properties of this nature which may exist in the Irish Free State.

I have, &c.,
J. H. THOMAS.

---

* No. 602. † No. 603. ‡ No. 605.

21661

No. 607.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.35 a.m., 6th May, 1924.)

TELEGRAM.

6TH MAY. Your telegram of 29th April, Secret.* No Russian property of any kind has been appropriated in any Territory over which the Commonwealth Government at present exercises control.—GOVERNOR-GENERAL.

21944

No. 608.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 11.5 a.m., 8th May, 1924.)

TELEGRAM.

8TH MAY. Secret. Your telegram of 29th April.* Russian Negotiations. My Ministers state that no property belonging to the Russian Government or to Russian Nationals has been sequestrated in New Zealand or in Western Samoa. —JELLICOE.

22075

No. 609.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 5.55 p.m., 8th May, 1924.)

TELEGRAM.

8TH MAY. Secret. Your telegram of 29th April.* As Russian Government owned no property in Newfoundland matter does not affect this Government.

23549

No. 610.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 17th May, 1924.)

(Secret.)

SIR, Vice Regal Lodge, Dublin, 16th May, 1924.

WITH reference to your Secret despatch of the 1st instant,† I have the honour to state that my Ministers are not aware of the existence in the Irish Free State of any properties formerly owned by the former Russian Government.

I have, &c.,
T. M. HEALY.

24583

No. 611.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5.35 p.m., 22nd May, 1924.)

TELEGRAM.

22ND MAY. Secret. Your telegram of 29th April, Secret.* Russian negotiations. Ministers state that no exceptional measures of restriction were applied in Union or South-West Africa to properties owned by former Russian

* No. 605. † No. 606.

Government, and that, therefore, question of restoration of freeholds of buildings of former Russian Consulate does not arise as far as they are concerned. From inquiries, it would appear that former Russian Government did not possess any freehold property in the Union or Mandated Territory.—ATHLONE.

25016

No. 612.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 26th May, 1924.)

(Secret.)

SIR, Vice Regal Lodge, Dublin, 24th May, 1924.

I HAVE the honour to acknowledge receipt of your Secret despatch of the 22nd April* transmitting a copy of a telegram† to the other self-governing Dominions setting out the general lines which the British Representatives should pursue in the course of the negotiations with Russia.

2. My Ministers desire me to inform you that they have no observations to make thereon.

I have, &c.,
T. M. HEALY.

33956

No. 613.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 8.50 p.m., 14th July, 1924.)

TELEGRAM.

[*Answered by Nos.* 616, 618, 619, 625.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

14TH JULY. Secret. My telegram of 19th April.† Protracted negotiations have taken place with Soviet Delegation for the conclusion of a Commercial Treaty to replace Trade Agreement 1921. Negotiations started from the basis of a British draft following usual lines of our Commercial Treaties, with certain modifications intended to meet the special conditions of Russia. Whilst final agreement has not yet been reached on all points, Treaty as provisionally settled provides for most-favoured-nation treatment in practically all matters of commerce, including Customs duties, right of entry, residence and exercise of trade, etc., in the Soviet Union; national and most-favoured-nation treatment in regard to taxation; national and most-favoured-nation treatment in matters of navigation. There are also provisions giving legal rights to individuals and companies; freedom from transit duties for goods; exemption from military service, compulsory labour, etc.; freedom to communicate by post and telegraph and to make use of telegraphic codes; national treatment in regard to the possession and disposal but not the acquisition of property; recognition of arbitration clauses in contracts; guarantee against unfair trade competition and a provision for the conclusion of a special Convention in regard to industrial, literary and artistic property. In general, most-favoured-nation treatment is subject to the right of the Soviet Union to give special favours to States which previously formed part of the Russian Empire and continental Border States in Asia. It should be noted that most-favoured-nation treatment as regards Customs duties was conceded by the Soviet Delegation with the greatest reluctance, and only when His Majesty's Government made it clear that a Treaty without it was impossible. Even now this concession is made dependent in form on the extension by His Majesty's Government of the Export Credits Scheme to the Soviet Union.

* No. 603. † No. 602.

Treaty is to continue in force for three years, and to be thereafter subject to a year's notice of termination .

On the following points it has not been possible to obtain an absolutely satisfactory agreement :—

(1) Taxation of companies. We asked for national and most-favoured-nation treatment, but the Soviet Government declined to treat British companies operating in Russia, which would be private companies, as favourably in regard to taxation as Russian state-owned organizations or organizations in which Soviet State is interested.

(2) Although the Treaty secures national and most-favoured-nation treatment in regard to the carriage of passengers, the Soviet Delegation made it clear that the emigrant and pilgrim traffic is a State monopoly and is therefore outside the ordinary provisions of the Treaty. They have undertaken, however, that they will not discriminate against British vessels on the basis of their flag in this traffic. This, of course, does not preclude them from favouring national vessels.

It was felt to be impossible to press them further on these points, and Treaty as it now stands is about as satisfactory a document as it is possible to expect in relation to a State where the State controls practically everything and ordinary rights of property are subject to a special concession in almost all cases. Value of the provisions will necessarily depend largely on attitude of the Soviet Government in regard to foreign trade in general and British trade in particular.

When usual clauses providing for accession on behalf of Dominions, etc., came to be discussed Soviet Delegation raised difficulties. They had no objection to these clauses so far as Colonies and Protectorates were concerned, but intimated that, in case of self-governing Dominions, particularly Canada and Australia, they might wish to make special agreements either generally as regards trade relations or particularly as regards Customs duties. Hence Article which provided that Dominions might accede by means of a declaration in which Soviet Government had no option but to agree was very unacceptable, as also clause which provided that most-favoured-nation treatment must be given to Dominion goods so long as Dominions gave similar treatment to goods from Soviet Union.

His Majesty's Government undertook to consult Dominion Governments on matter, and following clause has been prepared which it is understood would meet points raised by Soviet Delegation :

Begins: Stipulations of the present Treaty shall not apply to any of His Britannic Majesty's self-governing Dominions, but, subject to any modifications mutually agreed, may be extended thereto by an exchange of notes to be effected between the Government of the Union and the Government of the Dominion concerned.

In the event of the Treaty not being extended to any particular Dominion, goods produced or manufactured in such Dominion shall enjoy in the territories of the Union complete and unconditional most-favoured-nation treatment so long as goods manufactured or produced in the territories of the Union are accorded in such Dominion treatment as favourable as that accorded to goods manufactured or produced in any other foreign country, but liberty is reserved by the Government of the Union to denounce this paragraph at any time in respect of any particular Dominion. *Ends.*

Please telegraph as soon as possible whether your Ministers would see any objection to insertion in Treaty of clause on above lines.—THOMAS.

33956

No. 614.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 9.15 p.m., 14th July, 1924.)

TELEGRAM.

14TH JULY. My telegram* of to-day. Proposed Commercial Treaty with Union of Soviet Republics. Arrangements not intended to affect position of Canada in the meantime under Trade Agreement of 1921, as to which understood that Soviet delegation agree to accept proposal at end of your telegram of 17th April.†—THOMAS.

---

* No. 613. † No. 601.

33956 — 232

No. 615.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Secret.)

SIR, Downing Street, 17th July, 1924.

WITH reference to my Secret despatch of the 22nd of April* and to Your Excellency's Secret despatch of the 24th of May† in reply, I have the honour to transmit to you, to be laid before your Ministers, the accompanying copy of a telegram‡ to the other self-governing Dominions regarding the progress of the negotiations with the Soviet Delegation for the conclusion of a Commercial Treaty.

2. I shall be glad to learn as soon as possible whether your Ministers have any objection to the insertion in the proposed Treaty of a clause on the lines indicated in the telegram.

I have, &c.,
J. H. THOMAS.

34131

No. 616.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.15 p.m., 17th July, 1924.)

TELEGRAM.

17TH JULY. Secret. Your telegram dated 14th July, Secret.‡ Commercial Treaty with Soviet Government. Ministers have no objection to insertion of suggested draft clause providing that most-favoured-nation treatment will be given to Dominion goods so long as Dominion gives similar treatment to goods from Soviet Russia.—ATHLONE.

34830

No. 617.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 7.0 p.m., 21st July, 1924.)

TELEGRAM.

[*Answered by Nos.* 625 *and* 634.]

21ST JULY. Confidential. Your telegram 17th April, my despatch 22nd May, Dominions 231, Confidential.§ Fourth Committee of Anglo-Soviet Conference is about to submit to Conference further report recommending that Protocol or other similar instrument should be drawn up which, in addition to giving effect to paragraphs two, three and five of Committee's report, 9th May, as regards bilateral Treaties, would contain provision that there is no obstacle to observance of stipulations of certain multilateral Treaties to be set out in schedule and that these Treaties shall in future be applied as between two countries. Where these Treaties are not in fact being applied at present, application should commence at latest on coming into force of Protocol. Committee recommend that schedule should include Convention, 7th July, 1911, respecting protection of fur seals in North Pacific and that joint declaration should be made that Convention has been included on assumption that Government of United States of America and Government of Japan regard it as still in force and are willing to observe its provisions, that His Majesty's Government will on coming into force of Protocol address communications to Government of United States of America and Government of Japan with a view to avoiding any misunderstanding of position, and that in event of unfavourable answer being received from those Governments or from either of them His Majesty's Government and Soviet Government will concert together as to further measures which should be taken. His Majesty's Government will be glad to learn as soon as possible whether your Ministers would regard this arrangement as satisfactory.—SECRETARY OF STATE FOR THE COLONIES.

---

* No. 603. † No. 612. ‡ No. 613. § No. 601 and 21927/24 : not printed; it enclosed a copy of a Report by the Committee specifying those existing treaties which should and those which should not be maintained.

35136

No. 618.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 3.40 a.m., 24th July, 1924.)

TELEGRAM.

23RD JULY. Secret. Your telegram of 14th July,* Soviet Treaty. My Ministers have no objection to insertion of clause.—ALLARDYCE.

35307

No. 619.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 11.40 a.m., 24th July, 1924.)

TELEGRAM.

SECRET. 24th July. Commercial Treaty with Russia. New Zealand Government has no objection to offer to the clause framed in the form set forth at the end of your telegram of 14th July* except that it considers that any note for the purpose should be conducted so far as a Dominion is concerned through His Majesty's Government and not directly with Russia. New Zealand Government considers that there is a special danger in apparently authorizing direct communication of the kind between a Dominion Government and the Government of Russia.

My Government desire to be understood as expressing merely its views upon the specific clause relating to the self-governing Dominions and not as expressing concurrence in the general policy of the proposed Commercial Treaty with the Government of Russia.—JELLICOE.

36925

No. 620.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent (Part I) 1.40 p.m., (Part II) 2.40 p.m., 1st August, 1924.)

TELEGRAM.

[*Answered by No.* 625.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

(PART I.) Secret. 1st August. As a result of prolonged discussions at Anglo-Soviet Conference two draft treaties between Great Britain and Northern Ireland and Soviet Union have now been prepared and approved by Cabinet. Drafts have been communicated to Soviet Government with a view to signature early next week if approved by them. First deals with general questions outstanding, second is Commercial Treaty. Following is summary of first Treaty:—

Begins: (1) Treaty replaces as between Great Britain and Northern Ireland and Soviet Union Trade Agreement 16th March, 1921.

(2) Certain specified treaties recognized as having lost force. These comprise treaties enumerated in paragraph 3 report, enclosed my despatch 22nd May, Dominions 231, Confidential,† and Agreement August, 1896, relating to Zanzibar.

(3) Certain treaties regarded as still in force, but agreed that in existing circumstances they require modification, and negotiations for this purpose will be undertaken on coming into force of present Treaty. Pending com-

* No. 613. † 21927/23: not printed; it enclosed a copy of the Report of the Committee of the Conference specifying those treaties which should and those which should not be maintained.

pletion of negotiations provisions of these treaties will be applied so far as existing circumstances permit. These treaties comprise first three and fifth mentioned in paragraph 5 report enclosed my despatch 22nd May.

(4) Certain multilateral treaties to be applied in future as between contracting parties. These include Telegraph Convention 1875 and Regulations, 1908, Submarine Cables Convention, 14th March, 1884, Declaration 1st December, 1886, and Protocol, 7th July, 1887, and Convention relating to Fur Seals, North Pacific, 1911. Additions to list may be made by mutual accord.

(5) Fishery in waters contiguous to North Russian coast to be regulated by provisions in Annex, which are based on those in North Sea Fisheries Convention, 1882, and give Soviet citizens exclusive rights of fishing within three miles of coast and in White Sea waters south of parallel of 67 degrees north. This provision is to be deemed not to prejudice views of either party as to limits of territorial waters.

(6) Disputes between His Majesty's Government and Soviet Government as to interpretation of a treaty, as to questions of international law, as to existence of any fact which if established would constitute breach of an international obligation, or as to extent and nature of reparation to be made for any such breach arising out of incidents occurring after signature of Treaty to be referred to arbitration or judicial settlement.

(7) Soviet Government recognize that British holdings in loans issued or taken over or guaranteed by former Russian Governments or by municipalities in territory now included in Union constitute obligations binding on them. His Majesty's Government recognize that existing financial and economic position of Union renders impracticable at present full resumption of service of such British holdings. Soviet Government will on coming into force of Treaty initiate negotiations with British holders with a view to arranging acceptable terms for resumption of service of these loans and agree to resume service in respect of holdings by British subjects or companies (other than those acquired by purchase since 16th March, 1921, and proved to have been in other than British ownership on that date) in accordance with terms arranged as result of such negotiations, provided that terms have been accepted by holders of not less than one-half capital values of such British holdings.

(8) All questions connected with claims of Soviet Government against His Majesty's Government or of His Majesty's Government against Soviet Government arising out of events between 4th August, 1914, and 1st February, 1924, and questions connected with claims by nationals of either party in respect of loss or damage suffered in territory, whose national claimant is, and resulting from warlike operations or hostile measures during above period are reserved for later discussion.

(PART II.) (9) Claims by nationals, including juridical persons, of one party against other in respect of loss or injury due to events since 1st August, 1914, other than claims covered by other Articles of Treaty or claims arising since 1st April, 1918, out of trading relations between any Government exercising authority in territories of Union or its agent and British nationals or between His Majesty's Government and Soviet citizens, to be finally settled by payment of lump sum by Soviet Government to His Majesty's Government to be distributed by latter. Claims to be examined by board of six persons, three appointed by each party, which is to report amount at which they consider lump sum should be fixed.

(10) Board of experts to be appointed to investigate losses suffered by British nationals, including juridical persons, in respect of industrial businesses or concessions nationalized or cancelled by Soviet Government.

(11) Terms agreed with bondholders in accordance with (7) and amount and method of compensation to be paid under (9) and (10) to form subject of further treaty on signature of which His Majesty's Government will recommend to Parliament to guarantee interest and sinking fund of loan to be issued by Soviet Government. Pending conclusion of this Treaty Article 10 of Trade Agreement maintained provisionally.

(12) Documents, papers and securities belonging to British subjects on 1st November, 1917, which were then in Soviet territories to be returned if not already returned, and if still in existence and under control of Soviet Government or public institutions.

(13) Suitable provision to be made in separate Conventions for restoration and protection of industrial property rights affected by exceptional war legislation or administrative action.

(14) Soviet Government will not institute or cause institution of proceedings to question transactions entered into in British territory before coming into force of Treaty on ground that transactions invalid by reason of act of nationalization by Soviet Government.

(15) Soviet Government to discharge from assets of nationalized businesses of persons or corporations in Great Britain or Northern Ireland liabilities of business to persons resident or carrying on business in Great Britain or Northern Ireland.

(16) Questions as to contracts entered into before 7th November, 1917, between (*a*) persons resident in Great Britain or Northern Ireland and persons resident in Soviet territories, (*b*) His Majesty's Government and persons resident in Soviet territories, (*c*) Soviet Government and persons resident in Great Britain or Northern Ireland, to be dealt with in Treaty referred to under (11).

(17) Soviet Government will extend to His Majesty's Government and to British nationals, in regard to matters dealt with in present Treaty, exemptions and rights granted to any third State or its nationals.

(18) Contracting parties affirm desire and intention to live in peace and amity, to respect right of State to order its own life, and to restrain all persons and organizations under their direct or indirect control, including organizations in receipt of any financial assistance, from acts liable to endanger tranquillity or prosperity of any part of territory of British Empire or Soviet Union or to affect unfavourably relations of British Empire or Soviet Union with third parties. *Ends.*

Commercial Treaty follows lines described in my telegram 14th July, Secret.* Article relating to Dominions now begins "Stipulations of present Treaty may, subject to any modifications mutually agreed upon, be extended to any of His Britannic Majesty's self-governing Dominions or India by an exchange of notes," etc.—THOMAS.

36925

No. 621.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 4.10 p.m., 1st August, 1924.)

TELEGRAM.

[*Answered by No.* 625.]

1ST AUGUST. Secret. My telegram of to-day.† Treaties with Soviet. Proposed that provision as to maintenance of Trade Agreement between Canada and Soviet Union should be inserted in separate exchange of notes. As it is desired that, if approved by Soviet Government, treaties should be signed early next week, His Majesty's Government would be grateful for reply as soon as possible to my telegram 21st July,‡ Fur Seals Convention, my telegram 14th July,§ Commercial Treaty.—THOMAS.

36925

No. 622.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 4.15 p.m., 1st August, 1924.)

TELEGRAM.

SECRET. My telegram of to-day.† As it is desired that treaties with Soviet should be signed early next week, if approved by Soviet Government, His Majesty's Government would be grateful for reply as soon as possible to my telegram 14th July,* Commercial Treaty.—THOMAS.

---

* No. 613. † No. 620. ‡ No. 617. § No. 614.

36925

234

No. 623.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Secret (3).)

SIR, Downing Street, 1st August, 1924.

I HAVE the honour to transmit to Your Excellency, to be laid before your Ministers, a copy of a telegram* to the other Dominions summarizing the provisions of draft treaties between Great Britain and Northern Ireland and the Union of Soviet Socialist Republics which have been communicated to the Soviet Government.

2. As it is desired that these treaties, if approved by the Soviet Government, should be signed early next week, His Majesty's Government would be grateful for your Ministers' observations, at the earliest possible moment, on the Article in the proposed Commercial Treaty dealing with the extension of the Treaty to the self-governing Dominions referred to in my Secret despatch of the 17th July.†

3. It will be observed from the enclosed telegram that the main Treaty with the Soviet Government replaces, as between Great Britain and Northern Ireland and the Soviet Union, the Trade Agreement of the 16th March, 1921 (Cmd. 1207, a copy of which is enclosed for convenience of reference). It would appear to follow that the Trade Agreement would be regarded as remaining in force as between the Irish Free State and the Soviet Union. In the case of Canada, to which the Trade Agreement was extended, it is intended to provide by an exchange of notes that the operation of the Agreement, as between Canada and the Soviet Union, will not be affected by the conclusion of the present Treaty. If your Ministers should desire any statement to be made as to the position of the Irish Free State in relation to the Trade Agreement of 1921, His Majesty's Government would be glad to be advised at once.

I have, &c.,
J. H. THOMAS.

36925

No. 624.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 12.20 p.m., 4th August, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(Irish Free State.)

4TH AUGUST. Secret. [*To Canada and Australia:* My telegram 1st August,*] [*To Irish Free State:* My despatch 1st August,‡] Secret. Treaties with Soviet. His Majesty's Government would be grateful for reply if possible before to-morrow since, if draft treaties approved by Soviet Government, immediate signature contemplated.—THOMAS.

37172

No. 625.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.50 a.m., 5th August, 1924.)

TELEGRAM.

[*Answered by Nos.* 630 *and* 635.]

4TH AUGUST. Following from my Prime Minister:—

Begins: Your telegram 1st August.* Treaties with the Soviet Union. Provision regarding the North Pacific Fur Seal(ing) Convention contained in

---

* No. 620. † No. 615. ‡ No. 623.

your telegram 21st July* quite acceptable. Assume that if subsequent negotiations necessary on this point Canadian representative(s) will participate. Provision in the Commercial Treaty regarding extension to the Dominions contained in your telegram 14th July† and your telegram 1st August‡ satisfactory, provided that liberty of denunciation of most-favoured-nation customs treatment is made reciprocal and open to Dominions as well as to the Union. Desirable also, though not so essential, to provide twelve or six months' notice of such denunciation. Provision in your telegram 1st August‡ for maintenance of trade agreement between Canada and the Soviet Union to be inserted in exchange of notes satisfactory. Canadian Government understands that this agreement ensures most-favoured-nation customs treatment so long as in force. Canada now accords Union such treatment.

As both Treaties are stated to be drawn between Great Britain and Northern Ireland and Union, presume they apply only to Great Britain and require ratification only by the British Government or Parliament. In the General Treaty, however, some paragraphs appear from the cable summary cover all Empire subjects, for example, paragraphs 7 and 9 regarding loans and claims. Please advise intended scope this respect, also whether said loans include loans issued by the Russian Government during war time and subscribed privately. *Ends.*

—Byng.

37191

No. 626.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 12 noon, 5th August, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)

5TH AUGUST. Secret. [*Not to Irish Free State:* My telegram 1st August, Secret.‡] [*To Irish Free State:* My despatch 1st August, Secret 3.§] Draft treaties with Soviet Government were discussed at plenary session Anglo-Soviet Conference yesterday. Discussion continued until 7 a.m. this morning when it was found impossible to reach agreement and negotiations were broken off. Announcement will be made in Parliament either to-day or to-morrow.—THOMAS.

37191

No. 627.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 7 p.m., 6th August, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)

6TH AUGUST. Secret. My telegram 5th August.‖ Anglo-Soviet Conference. Negotiations have been resumed and prospect that agreement may now be reached. —THOMAS.

---

* No. 617. † No. 613. ‡ No. 620. § No. 623. ‖ No. 626.

37737

No. 628.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 7.30 p.m., 7th August, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)

7TH AUGUST. Agreement with Soviet Delegation finally reached 6th August and anticipated that Treaty will be signed to-morrow. Soviet Delegation accepted Commercial Treaty substantially in form presented to them. Modifications in General Treaty will be [*Not to Irish Free State:* telegraphed] [*To Irish Free State:* communicated] to you to-morrow.—THOMAS.

36630

No. 629.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.) } Dominions No. 371. Secret.)

[MY LORD,] [SIR,] Downing Street, 7th August, 1924.

WITH reference to my [*To all except Irish Free State:* Secret telegram of the 1st August,*] [*To Irish Free State only:* Secret despatch (3) of the 1st August,†] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, printed copies of the draft treaties with the Soviet Government, together with copies of telegrams‡ to His Majesty's Representative at Moscow, regarding their communication to the Soviet Government.

I have, &c.,
J. H. THOMAS.

Enclosure in No. 629.

(Confidential.)
(No. 218.)

MR. MACDONALD to MR. HODGSON (Moscow).

TELEGRAM.

Foreign Office, 30th July, 1924.

PLEASE make the following communication to M. Rakovski:—

"Cabinet have decided that, provided the general treaty, of which the text is given in my immediately succeeding telegram, and the commercial treaty, are signed in their present form before 6th August, and are faithfully executed, His Majesty's Government will be prepared, as soon as the treaty contemplated in Article 14 has been signed, to recommend Parliament to guarantee a loan to be issued by the Government of the Union of Soviet Socialist Republics. A provision to this effect has been inserted in Article 15 of the treaty."

---

* No. 620. † No. 623. ‡ One telegram only printed here.

37172

No. 630.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 2.15 p.m., 9th August, 1924.)

TELEGRAM.

[*Answered by No.* 636.]

9TH AUGUST. Your telegram 4th August.* Treaties with Soviet Union. As regards Fur Seals Convention, your Prime Minister's presumption correct. As regards Commercial Treaty, provision referred to leaves non-acceding Dominions liberty to withdraw most-favoured-nation treatment from Soviet goods at any time.

Obligations under both Treaties confined on British side to Great Britain and North Ireland, but it is established practice His Majesty's Government to interpret provisions of Commercial Treaties conferring rights on British subjects generally as applying to all British subjects. Similarly, they regard benefits conferred by General Treaty on British nationals in matter of claims, etc., as extending to all British subjects irrespective of part of Empire with which connected.

As regards scope of provision relating to loans, will reply later.—SECRETARY OF STATE FOR THE COLONIES.

37172

No. 631.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 5.10 p.m., 9th August, 1924.)

TELEGRAM.

(Paraphrase.)

SECRET. With reference to my telegram† of to-day. The question of the interpretation of Article 1 of the Russian Trade Agreement, 1921, has apparently never arisen in practice. Had the question arisen, His Majesty's Government would have interpreted the provision prohibiting discrimination against trade between Soviet Union and this country as compared with that carried on with any other foreign country in sense of ensuring unconditional most-favoured-nation treatment in customs matters, but that this would have been the view of the Soviet Government is, in view of discussions at the Commercial Treaty Committee of Anglo-Soviet Conference (see my telegram 14th July‡), by no means certain:—SECRETARY OF STATE FOR THE COLONIES.

37737

No. 632.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 10.15 p.m., 9th August, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

9TH AUGUST. My telegram 7th August.§ Treaties with Soviet Union signed 8th August. Following are principal modifications in General Treaty as compared with draft of which summary contained in my telegram 1st August, Secret.‖

(*a*) In fishery provisions (see (5) in my telegram) parallel of 67 degrees 40 minutes substituted for 67 degrees.

* No. 625. † No. 630. ‡ No. 613. § No. 628. ‖ No. 620.

(*b*) Articles summarized under (6), (14), (15), (16) and (17) omitted. Article summarized under (13) omitted but appears in modified form in Commercial Treaty.

(*c*) Provisions as to claims and loan form separate chapter, which is stated to constitute single and indivisible unit as follows: (i) Article dealing with bonds (see (7) in my telegram), now provides that Soviet Government will satisfy, in conditions prescribed in present treaty, claims of British holders of Government and Municipal loans payable in non-Russian currency. His Majesty's Government recognize that full satisfaction of these claims impracticable. Soviet Government agree to meet claims referred to in respect of holdings by British subjects or companies other than those acquired by purchase since 16th March, 1921, which were in other than British ownership on that date. After negotiation between parties concerned, terms on which these claims shall be satisfied will form subject of agreement with His Majesty's Government which will be included in further treaty, provided that His Majesty's Government satisfied that terms accepted by holders of not less than one half capital values of British holdings in loans referred to; (ii) Articles summarized under (8) and (9) in my telegram substantially unaltered; (iii) Article summarized under (10) now provides that Soviet Government will negotiate with British nationals, including juridical persons, in respect of industrial businesses or concessions nationalised or cancelled in order to arrange for just compensation. Commission to be appointed of six persons, three nominated by each Government, to examine validity and ascertain amount of claims. Where Soviet Government conclude agreement with claimant, Commission shall be informed in order that claim may be withdrawn from its competence; (iv) Article summarized under eleven in my telegram now provides that second treaty will be entered into which will contain conditions accepted in accordance with (i), amount and method of payment of compensation for claims by nationals under (ii), and agreed settlement of property claims other than those directly settled by Soviet Government. Provisions as to guarantee of loan by His Majesty's Government unaltered.

(*d*) Article summarized under (12) in my telegram made reciprocal and reference to securities omitted.

Revised text of General Agreement and Commercial Agreement being sent by mail.—THOMAS.

37737

No. 633.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 477.)

SIR,

Downing Street, 12th August, 1924.

WITH reference to my telegram of the 7th August,* I have the honour to transmit to Your Excellency, for the information of your Ministers, a copy of a telegram† to the other self-governing Dominions regarding the Treaties with the Union of Soviet Socialist Republics.

I have, &c.,
(for the Secretary of State,)
ARNOLD.

---

* No. 628. † No. 632.

38832

No. 634.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 11.50 p.m., 13th August, 1924.)

TELEGRAM.

13TH AUGUST. Confidential. Your telegram of 21st July.* Fur Seals. Minute of Privy Council approved 9th August. It is the desire of the Canadian Government that the Treaty referred to, which is at present being fully respected by Canada, United States and Japan, should be maintained and that the arrangement proposed is satisfactory. Despatch follows by mail.—BYNG.

37172

No. 635.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 3.40 p.m., 14th August, 1924.)

TELEGRAM.

14TH AUGUST. Your telegram 4th August,† last sentence. Article in General Treaty with Soviet Union summarized under (*c*) (one) my telegram 9th August‡ would apply to loans issued by Russian Government during war and subscribed privately if payable in non-Russian currency. Very few claims under this head registered here.—SECRETARY OF STATE FOR THE COLONIES.

39351

No. 636.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9.15 p.m., 16th August, 1924.)

TELEGRAM.

16TH AUGUST. Your telegram dated 9th August§ *re* Treaties with Soviet Union. We note doubt as to whether the Union would admit Trade Agreement involves most-favoured-nation treatment in Customs matters but consider this ensured by exchange of notes‖ of Foreign Office and Russian Trade Delegation of 3rd July, 1922, stating agreement applies to Canada and to merchandise the products and manufactures of Canada. We note (that) obligations of both treaties confined to Great Britain and Northern Ireland but certain rights extend to all parts of the Empire. This attitude appreciated but position ambiguous and would seem to require consideration later.—BYNG.

39455

No. 637.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.14 a.m., 18th August, 1924.)

TELEGRAM.

[*Answered by No.* 640.]

18TH AUGUST. Press message states that His Majesty's name has been omitted from the Anglo-Soviet Treaty. This is the subject of comment in the leading column of the newspapers here, and my Prime Minister, who is being questioned in Parliament, asks me to inquire whether the report is correct, and, if so, the reason which led to this omission. Please telegraph reply. Urgent.—JELLICOE.

---

* No. 617. † No. 625. ‡ No. 632. § No. 630. ‖ Enclosures 1 and 2 in No. 267 in Dominions No. 87.

39641

No. 638.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
} Dominions No. 391.)

[MY LORD,] [SIR,] Downing Street, 19th August, 1924.

WITH reference to my despatch Dominions No. 382 of the 13th of August,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of Parliamentary Papers containing:—

(*a*) The draft of a proposed General Treaty between Great Britain and Northern Ireland and the Union of Soviet Socialist Republics [Cmd. 2215], and

(*b*) The draft of a proposed Treaty of Commerce and Navigation between Great Britain and Northern Ireland and the Union of Soviet Socialist Republics [Cmd. 2216.]

2. The treaties were signed, in the form in which they appear in the enclosed Parliamentary Papers, on the 8th August.

I have, &c.,
(for the Secretary of State),
HENRY LAMBERT.

39641

No. 639.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

(No. 333.)

SIR, Downing Street, 19th August, 1924.

I HAVE the honour to transmit to you, for the information of your Ministers, copies of Parliamentary Papers containing:—

(*a*) The draft of a proposed General Treaty between Great Britain and Northern Ireland and the Union of Soviet Socialist Republics [Cmd. 2215], and

(*b*) The draft of a proposed Treaty of Commerce and Navigation between Great Britain and Northern Ireland and the Union of Soviet Socialist Republics [Cmd. 2116], together with copies of the House of Commons Official Reports† of the 6th and 7th of August and the House of Lords Official Report† of the 7th of August containing debates on the subject of the proposed Treaties.

2. The treaties were signed, in the form in which they appear in the enclosed Parliamentary Papers, on the 8th August.

I have, &c.,
(for the Secretary of State).
HENRY LAMBERT.

40823

No. 640.

NEW ZEALAND.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 5.20 p.m., 28th August, 1924.)

TELEGRAM.

YOUR telegram 18th August.‡ Treaties with Soviet Union were not prepared in name of His Majesty the King because there is no individual Head of

---

* 38756/24: not printed; it enclosed copies of the Treaties. † Not reprinted. ‡ No. 637.

State in Soviet system and not considered that Treaty could properly be in form between His Majesty on one side and a Government on the other. In case of other Republics, such as France and United States of America, usual practice is for treaties to be concluded between His Majesty and President of Republic, but under Soviet system there are four Presidents who have no treaty-making powers, and consequently there is no individual official with whom His Majesty could contract Full powers in virtue of which treaties with Soviet Union were signed emanated from and were signed by His Majesty and contemplated that ratification should be effected by act of His Majesty.—SECRETARY OF STATE FOR THE COLONIES.

51108

No. 641.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.15 p.m., 29th October, 1924.)

TELEGRAM.

29TH OCTOBER. Secret. Your telegram of 29th April.* Property owned by former Russian Government in Canada. My Ministers represent that inquiries made in the Provinces of British Columbia and Quebec, in which the late Russian Government had Consulates at Vancouver and at Montreal, have resulted in the following information being obtained:—

British Columbia: Constantine Ragasin was Russian Consul up to the year 1920. He resided at No. 719, Jervis Street, Vancouver, in 1918, then changed his residence to No. 1240, Haro Street. Consular Office was apparently directed from his private house. Mr. Ragasin was not the registered owner nor did the Russian Government appear to have any interest in either of these properties, and it would therefore appear that he was only the tenant. Registrar of Titles at Vancouver states that his indices have been searched and that he cannot find that Mr. Ragasin or the Russian Government have any registered interest in land in the district.

Quebec: Upon investigation, conclusion has been reached that the late Russian Government did not possess any personal property or real estate in the Province of Quebec when the Consular representative of that country left his office in Montreal in June, 1922. *Ends.*—BYNG.

54627

No. 642.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 8.30 p.m., 20th November, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

20TH NOVEMBER. Secret. Following from Prime Minister for your Prime Minister:—

Begins: You will have seen Press reports of Note addressed to Soviet Chargé d'Affaires on 24th October with regard to letter over signature of Zinovieff to Central Committee of British Communist Party containing instructions to British subjects to work for violent overthrow of existing institutions in this country and subversion of His Majesty's armed forces. In Rakovsky's reply above letter was declared to be gross forgery. As soon as present Government took office Cabinet Committee was appointed which after exhaustive investigation has come to conclusion that there can be no possible doubt as to authenticity of letter. Rakovsky will be informed that

* No. 605.

this is view of His Majesty's Government and that they are not prepared to discuss matter. Reply points out that activities of which His Majesty's Government complained in note of 24th October are not confined to one particular letter but extend to whole body of revolutionary propaganda of which Zinovieff's letter is fair specimen, and that pronouncements of Zinovieff which have been broadcast throughout world are in themselves sufficient evidence of a propaganda in which Third International, with knowledge and consent of Soviet Government, perpetually indulges, and it is this system which, in view of His Majesty's Government, is inconsistent with solemn undertakings given by Soviet Government. Finally Soviet Government are invited to reflect on necessary consequences of continued neglect of late Prime Minister's warning on this subject.

His Majesty's Government have further decided to inform the Soviet Government that they are unable to proceed with the treaties negotiated by the late Government.

Date of despatch of these notes is not yet determined; no publication is possible till after note is actually in Soviet representatives' hands. Meanwhile, I request that strictest secrecy may be observed. *Ends.*
—AMERY.

54627

No. 643.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Secret.)

SIR, Downing Street, 21st November, 1924.

I HAVE the honour, at the wish of the Prime Minister, to transmit to Your Excellency, for communication to the President of the Executive Council, a copy of a telegram* to the Governors-General of Canada, the Commonwealth of Australia, New Zealand, and the Union of South Africa and the Governor of Newfoundland on the subject of relations with Russia.

I have, &c.,
L. S. AMERY.

57362

No. 644.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 521.) Dominions No. 580.)

[MY LORD,] [SIR,] Downing Street, 17th December, 1924.

WITH reference to my predecessor's despatch [Dominions No. 490] [No. 427] of the 9th October,† I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of correspondence‡ with the Chargé d'Affaires of the Union of Soviet Socialist Republics regarding the activities of the Communist International in this country and conveying the decision of His Majesty's Government not to recommend to the consideration of Parliament or to submit to the King for His Majesty's ratification the Treaties negotiated by their predecessors with the Government of the Union of Soviet Socialist Republics.

I have, &c.,
L. S. AMERY.

---

* No. 642. † 47720/24: not printed; it enclosed copies of Cmd. 2260 and Cmd. 2261.
‡ Enclosures 1, 2, 3 and 6: not printed.

Enclosure 4 in No. 644.

(Confidential.)
(N 8664/7016/38.)

Mr. Austen Chamberlain to M. Rakovski.

SIR, Foreign Office, 21st November, 1924.

HIS MAJESTY'S Government have had under review the Treaties negotiated by their predecessors with the Government of the Union of Soviet Socialist Republics and signed on the 8th August last.

2. I have the honour to inform you that, after due deliberation, His Majesty's Government find themselves unable to recommend the Treaties in question to the consideration of Parliament or to submit them to the King for His Majesty's ratification.

I have, &c.,
AUSTEN CHAMBERLAIN.

Enclosure 5 in No. 644.

(Confidential.)
(N 8809/7016/38.)

M. Rakovski to Mr. Austen Chamberlain.

(Received 28th November.)

SIR, 128, New Bond Street, London, 28th November, 1924.

I RECEIVED and acquainted my Government with your Note of the 21st November, in which the British Government notifies its refusal to advise the ratification of the General and Commercial Treaties of the 8th August, signed by Mr. Ramsay MacDonald, the British Prime Minister and Secretary of State for Foreign Affairs, and by Mr. Arthur Ponsonby, the Under-Secretary of State for Foreign Affairs.

The Soviet Government expresses its regret at the rejection of these Treaties, the conclusion of which constituted an important step towards securing general peace and in particular towards the strengthening of friendly relations between the peoples of Great Britain and of the Soviet Republic.

I am directed by my Government to state that, on its part, it has displayed the maximum of goodwill and of concessions in connexion with the working out of a basis of agreement on questions of particular interest to the British Government, to the working class and to other sections of the British population. Therefore, my Government cannot take any of the responsibility for the feeling of discontent which the decision of the British Government will cause in both countries.

I have, &c.,
C. RAKOVSKI.

SALVADOR.

Proposed Commercial Treaty.

38548

No. 645.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 346.) } Dominions No. 405.)

[MY LORD,] [SIR,] Downing Street, 22nd August, 1924.

I HAVE the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, the accompanying copy of a draft Treaty of Commerce* with

* Not printed here; it was in the usual form.

Salvador which has been forwarded to His Majesty's Chargé d'Affaires at San Salvador with a request that he will present it to the Salvadorean Government for their consideration and report their views on the matter in due course.

I have, &c.,
(for the Secretary of State),
HENRY LAMBERT.

Note.—Negotiations were still in progress at the end of 1924.

SIAM.

Revision of Commercial Treaties.

20257

No. 646.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. } Dominions No. 308. Confidential.)

[MY LORD,] [SIR,] Downing Street, 9th July, 1924.

[*Not to Irish Free State:* With reference to my Confidential despatch Dominions No. 149 of the 30th April, 1923,*] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copies of correspondence† with His Majesty's Minister at Bangkok, together with a Memorandum prepared in the Foreign Office in 1919, relative to the jurisdiction over British subjects in Siam.

2. I enclose also a copy of correspondence† with His Majesty's Ambassador at Paris regarding the reported conclusion of a new Commercial Treaty between France and Siam. No reply has yet been received to the note referred to by Lord Crewe in his despatch of 22nd May.

I have, &c.,
J. H. THOMAS.

Enclosure in No. 646.

MEMORANDUM ON THE JURISDICTION OVER BRITISH SUBJECTS IN SIAM.

THE jurisdiction over British subjects in Siam is regulated by Article 8 of the Treaty of the 3rd September, 1883, and by the Treaty of the 10th March, 1909, and the jurisdiction Protocol annexed to it.

For purposes of jurisdiction, British subjects in Siam are divided into two classes; the first consisting of those registered at the British Consulate before the 10th March, 1909, called "pre-registrants," and the second of the rest, called "post registrants." Pre-registrants are subject to the jurisdiction of the Siamese International Courts, which were established under the 1883 Treaty. The judges of these Courts are appointed by the King of Siam and administer Siamese law. The Consul, however, has the right of "evocation," i.e., he can, in any case in which both parties are British subjects or in which the accused or defendant is a British subject, signify his desire that the case should be transferred for adjudication to the British Consular Court, and the case is thereupon transferred accordingly. The right of evocation disappears, as regards matters coming within the scope of codes or laws regularly promulgated, when the text of such codes or laws is communicated to the British Legation, and the jurisdiction of the international Courts will be transferred to the ordinary Siamese Courts after certain Siamese

* 18365/23: not printed; it enclosed copies of enclosures in No. 647. † Not printed here.

Codes, namely, the Penal Code, the Civil and Commercial Codes, the Codes of Procedure and the Code for the Organization of Courts, have been promulgated and come into force—an event which so far has not happened.

Owing to an oversight in the Treaty, non-contentious probate matters in connexion with the estates of deceased pre-registrants are dealt with by British Consular authorities.

All other British subjects in Siam are subject to the jurisdiction of the ordinary Siamese Courts, but the Treaty provides that in all cases, whether in the International Courts or in the ordinary Siamese Courts, in which a British subject is defendant or accused, a European legal adviser shall sit in the Court of First Instance; and in all cases in which a British born or naturalized subject, not of Asiatic descent, is a party, a European adviser shall sit as a judge in the Court of First Instance, and where such British subject is defendant or accused, the opinion of the adviser shall prevail. Appeals against the decisions of the International Courts of First Instance lie to the Siamese Courts of Appeal at Bangkok; the British Consul has the right to give a written opinion upon the case to be annexed to the record. Judgments on appeal from either the International Courts or the ordinary Siamese Courts shall bear the signature of two European judges.

The effect of these provisions is that, as regards post registrants, British extra-territorial jurisdiction has completely disappeared, since the provisions as to the presence of European judges in certain cases do not amount to extra-territorial privileges; the judges are servants of the Siamese Government and apply Siamese law. In the case of pre-registrants a rather shadowy fragment of extra-territoriality remains:—

1. By reason of the right of evocation, which, however, will come to an end when the Siamese Codes have been promulgated;

2. In consequence of the fact that non-contentious probate business is dealt with by the British Consuls, which is due to an oversight and will probably vanish with the right of evocation.

6th February, 1919.

H. W. MALKIN.

20257

No. 647.

IRISH FREE STATE.

THE SECRETARY OF STATE to the GOVERNOR-GENERAL.

(Confidential.)

SIR, Downing Street, 9th July, 1924.

WITH reference to my Confidential despatch Dominions No. 308 of even date,* I have the honour to request Your Excellency to inform your Ministers that the question of the revision of the Commercial Treaties with Siam of 1855, 1856 and 1883 has been for some time under consideration.

2. A draft Treaty,† of which a copy is enclosed, was drawn up in 1923, but it was not considered desirable that any immediate steps should be taken to approach the Siamese Government on the matter for the reasons stated in the correspondence with His Majesty's Ambassador at Paris, of which copies are enclosed.

3. I may add that the Anglo-Siamese Treaties to which reference is made in this despatch, together with the later Treaty of 1909, are printed on pages 781 *et seq.* of the published volume entitled "Treaties, etc., of Commerce and Navigation between Great Britain and Foreign Powers wholly or partially in force on 31st December, 1912." The Treaty concluded in 1920 between the United States and Siam is printed in League of Nations Treaty Series, Volume VI, pp. 292 *et seq.*

I have, &c.,
J. H. THOMAS.

---

* No. 646. † Not printed.

[18365] 240

Enclosure 2 in No. 647.

MY LORD, British Embassy, Paris, 26th February, 1923.

I HAVE the honour to transmit to Your Lordship, herewith, copy of the reply of the French Government to my note, dated the 29th ultimo, in which, in accordance with the instructions contained in your despatch No. 313 of the 25th ultimo, I informed Monsieur Poincaré that His Majesty's Government were prepared to co-operate with the French Government in negotiating new Treaties with Siam, and requested that I might be informed of any proposals which they had formulated in the matter.

Your Lordship will observe that Monsieur Poincaré expresses his complete agreement with your suggestion that the two Governments should keep each other informed of their negotiations with the Siamese Government. He adds, however, that the negotiations between the French and Siamese Governments have not yet reached a sufficiently advanced stage to enable the French Government to draw up as concrete a proposal as that contained in the memorandum enclosed in your despatch under reference, of which I forwarded a copy to him for his consideration.

As regards the question of jurisdiction, Monsieur Poincaré states that the French Government have not yet drawn up counter-proposals to take the place of those communicated to His Majesty's Government in January, 1920, and to which the Siamese Government have raised serious objections.

No definite proposals have yet been drawn up as regards the commercial clauses of a future agreement. Monsieur Poincaré states, however, that the proposals will contain certain clauses analogous to those contained in the memorandum enclosed in your despatch and, in particular, that it will authorise the Siamese Government to raise their Customs Tariff on condition that other Powers consent to the same concession.

Monsieur Poincaré concludes his note with the request that Your Lordship may inform him as to the result of the negotiations between His Majesty's Government and the Siamese Government, and undertakes on his side to furnish information as to the course of the Franco-Siamese negotiations.

I have, &c.,
CREWE.

The Most Honourable
The Marquess Curzon of Kedleston, K.G.,
&c., &c., &c.

REPUBLIQUE FRANCAISE.

Ministère des Affaires Etrangères, Direction Politique,

MONSIEUR L'AMBASSADEUR, Paris, le 24 février, 1923.

PAR une lettre du 29 janvier dernier, Votre Excellence a bien voulu m'informer de l'intention du Gouvernement de Sa Majesté de soumettre au Gouvernement siamois un projet de révision des traités anglo-siamois, dont la préparation se poursuit actuellement, et m'a marqué l'intérêt qui s'attacherait, dans la conduite des négociations à intervenir avec le Gouvernement siamois, à ce que le Gouvernement de Sa Majesté pût s'assurer des vues du Gouvernement français en ce qui concerne la révision des traités entre la France et le Siam.

J'ai l'honneur d'accuser réception de cette communication, dont je remercie Votre Excellence. Le Gouvernement de la République ne peut que se féliciter de tout ce qui doit tendre, de part et d'autre, à faciliter le règlement d'une question intéressant également la Grande-Bretagne et la France, et j'estime, comme le Marquis Curzon of Kedleston, que des vues pourront être échangées utilement, entre les Gouvernements britannique et français, sur la conduite et les résultats de leurs négociations respectives.

Les pourparlers entamés entre le Gouvernement français et le Gouvernement siamois, pour la révision des accords franco-siamois, n'ont pu aboutir encore à l'établissement d'un projet aussi avancé que le projet britannique.

Dans l'ordre juridictionnel, le Gouvernement français n'a pas encore arrêté le texte des nouvelles contre-propositions destinées à remplacer celles qui ont été communiquées, à titre d'information, au Gouvernement britannique, en janvier 1920 et qui, depuis lors, ont fait l'objet, de la part du Gouvernement siamois, de sérieuses objections.

En matière commerciale, le projet français n'est pas encore complet. Mais il résulte des maintenant des travaux préparatoires en cours que ce projet contiendra certaines dispositions semblables à celles indiquées dans le mémorandum anglais, et qu'il autorisera notamment le Gouvernement siamois à élever son tarif douanier à condition que cette concession lui soit faite par toutes les autres Puissances. D'autres clauses assureront la protection des articles importés contre la concurrence déloyale.

Je serai reconnaissant à Votre Excellence des informations qu'elle voudra bien me faire parvenir sur les résultats de la négociation anglo-siamoise et je ne manquerai pas, moi-même, de compléter, lorsque je serai en mesure de la faire, les indications relatives à la révision des accords franco-siamois.

Veuillez agréer, &c.,
POINCARÉ

Son Excellence
le Marquis de Crewe,
Ambassadeur de Sa Majesté Britannique
à Paris.

[18365]

Enclosure 3 in No. 647.

MY LORD, Foreign Office, S.W.1, 21st March, 1923.

I HAVE received Your Excellency's despatch No. 498 (C) of the 26th February, in which is enclosed Monsieur Poincaré's reply to your note informing him that His Majesty's Government were prepared to co-operate with the French Government in negotiating new treaties with Siam.

2. It appears from paragraph 3 of Monsieur Poincaré's note that the French Government may be under the impression that His Majesty's Government have already started negotiations with the Siamese Government. This is not the case. The memorandum enclosed in my despatch No. 313 of the 25th of January set forth the more important points in a draft Treaty, which is being drawn up in consultation with the departments concerned in readiness when required to serve as a basis for negotiation. No negotiations have as yet been carried on between His Majesty's Government and the Siamese Government, nor do His Majesty's Government at the present moment intend to initiate negotiations or to enter upon them, unless pressed to do so by the Siamese Government, as they think it may be desirable to proceed as slowly as possible until the first effects of the American concessions have disappeared.

3. I shall be glad if you will make this point clear to the French Government, in order to avoid any possible misunderstanding which may exist.

I am, &c.,
(For the Secretary of State),
VICTOR WELLESLEY.

His Excellency
The Most Honourable
The Marquess of Crewe, K.G.,
&c., &c., &c.

43032

No. 648.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.

Dominions No. 468. Confidential.)

[MY LORD,] [SIR,] Downing Street, 23rd September, 1924.

WITH reference to my Confidential despatch of the 30th of August Dominions No. 421* and previous correspondence on the subject of the proposed treaty

* 38390/24: not printed; it enclosed copies of correspondence as to the Franco-Siamese negotiations.

negotiations with Siam, I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, a copy of a despatch* from His Majesty's Minister at Bangkok. In reply to this despatch His Majesty's Chargé d'Affaires is being informed that there seems no reason why His Majesty's Government should not adhere to their previous decision that negotiations should be conducted at Bangkok, and he is being instructed to make this clear to the Siamese Government should they again raise the matter.

2. A draft Treaty, of which a copy was enclosed in [*Not to Irish Free State:* my predecessor's Confidential despatch of the 10th of March, 1923, Dominions No 80†,] [*To Irish Free State:* my Confidential despatch of the 9th July,‡] has already been prepared to serve as a basis for a new Commercial Treaty. As regards the attitude to be adopted towards a new Jurisdictional Treaty, it is proposed to adopt the policy recommended by Mr. Greg in paragraph 10 of his despatch of 7th April, a copy of which was enclosed in my Confidential despatch of the 9th of July, Dominions No. 308,§ viz., that His Majesty's Government should not agree to the immediate revision of the jurisdictional clauses of the present treaties, but that they should give an undertaking to accept arrangements similar to those in the recent Siamese Treaty with the United States of America, if, at the end of a stated period, such as five years, after the publication of the Siamese Codes and of the date of the termination of the right of evocation enjoyed by the United States Government under that Treaty, they are satisfied that the situation permits such action, using the arguments for delay advanced by Mr. Greg in the passage in question.

3. The difference between the system at present in force as regards British subjects and that established for United States citizens by the recent Siamese-American Treaty is described in paragraphs 2-7 of the despatch to Mr. Greg No. 14 of 22nd January, as modified by paragraphs 2-4 of Mr. Greg's above-mentioned despatch of 7th April, copies of which were enclosed in my despatch of the 9th of July.

4. It would appear that the only really valuable safeguard for British subjects is the continued presence of a European, and preferably a British, element in the Siamese Courts; and that, if His Majesty's Government can be satisfied as to this, there would be no grave objection to accepting a system similar to that now in force for United States citizens. If it should prove that the new Franco-Siamese Treaty now in course of negotiation accords more favourable treatment to French citizens than that now enjoyed by United States citizens, it will no doubt be desirable to press for a similar minimum for British subjects, but this would not appear to be essential, should the Siamese Government set great store by the acceptance of the American system.

5. The adoption of this attitude as regards the jurisdictional question will, however, make it the more difficult, in view of the promise given by His Majesty's Government to consider revision, and of the attitude of the other Governments concerned, to delay negotiations for a new Commercial Treaty; and it is therefore proposed to agree in principle to the initiation of commercial negotiations at Bangkok after the signature and the publication of the new Franco-Siamese Treaty, the terms of which will presumably show the extent of the commercial concessions for which the Siamese Government will press.

I have, &c.,
(for the Secretary of State),
ARNOLD.

Enclosure in No. 648.

(Extract.)
(No. 135.)

SIR, The British Legation, Bangkok, 14th July, 1924.

As I am leaving Bangkok this week I called last Friday at the Ministry for Foreign Affairs to say good-bye to the Minister, Friday being the day on which His Highness is at home to the foreign Diplomatic Representatives. As Prince Traidos had already intimated to me that he had something which he wished to speak to me

* Extract only printed. † 7028/23: not printed; it enclosed a copy of the draft Treaty.
‡ No. 647. § No. 646.

about, I was all the more desirous of seeing him some little time before my actual departure. I assumed that he would probably raise the question of Treaty negotiations and I was not mistaken.

2. Prince Traidos opened the conversation by stating that, as the Franco-Siamese Treaty would be signed in the early autumn, it was the desire of the Siamese Government to commence negotiations with His Majesty's Government both for a new Commercial Treaty and for the revision of the Jurisdictional Clauses of the 1909 Treaty. He said that as Dr. Sayre, Adviser in the Ministry for Foreign Affairs, was leaving for Europe next September in connexion with diplomatic business at various European capitals, it was his wish that he, Dr. Sayre, and the Siamese Minister in London should conduct these negotiations at home. I said that as I had received no instructions from you on the subject I would communicate the proposal to you by telegraph but that I thought, were His Majesty's Government prepared to entertain the suggestion in principle, that it was more probable that they would wish the actual negotiations to take place in Bangkok following the precedent of the 1909 Treaty. I thought it better not to inform His Highness that your predecessor had given me definite instructions in this sense in his despatch No. 94 of 21st June last year, as I felt that any such admission would be tantamount to committing His Majesty's Government to negotiate, and would thus somewhat exceed the instructions which I had received last year to the effect that any such proposals should emanate from the Siamese Government and not from His Majesty's Government.

* * * * * *

I have, &c.,
ROBERT GREG.

The Right Honourable
J. Ramsay MacDonald, P.C., M.P.,
&c., &c., &c.

SPAIN.

(1) Commercial Treaty, 1922.

(*Treaty Series* 1924, *No.* 21.)

21

No. 649.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 1 p.m., 4th January, 1924.)

TELEGRAM.

4TH JANUARY. Your telegram 20th October.* Commercial relations with Spain. Following telegram received from His Majesty's Ambassador at Madrid :—

Begins: Spanish Government has sent me note stating that, in view of the fact that Canada is not included in the list of 14th August of British Dominions, Colonies, etc., adhering to provisional arrangement of 9th March because she does not concede most-favoured-nation treatment to Spanish products, Canadian imports are considered subject to First Column duty rates. Spanish Government hope that certain administrative changes here will make it possible to begin negotiations shortly. Translation of note by post. *Ends.*

For list of 14th August, see my despatch of 3rd September, No. 408.†—DEVONSHIRE.

21

No. 650.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 20.)

MY LORD, Downing Street, 7th January, 1924.

WITH reference to my telegram of the 4th January,‡ I have the honour to transmit to Your Excellency, to be laid before your Ministers, a copy of a telegram§

* No. 370 in Dominions No. 88. † No. 364 in Dominions No. 88. ‡ No. 649. § Embodied in No. 649.

from His Majesty's Ambassador at Madrid regarding the treatment to be accorded to Canadian goods on importation into Spain.

2. A copy of the *Gazette* notice of the 14th August, to which reference is made, was enclosed in my despatch No. 408 of the 3rd September, 1923.*

I have, &c.,
DEVONSHIRE.

1397

No. 651.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 1.55 p.m., 15th January, 1924.)

TELEGRAM.

15TH JANUARY. My telegram 4th January.† British Ambassador, Madrid, reports little likelihood of Spanish Government immediately negotiating separate Treaty with Canada, and that (on assumption that adherence to 1922 Treaty with Spain not contemplated) only means whereby Canadian goods on importation into Spain can secure Second Column rates Spanish tariff, appears to be for Canadian Government to extend to Spain most-favoured-nation treatment with retrospective effect from date when it ceased. He adds that matter very important for importers of Canadian goods in Spain who are incurring serious financial loss. Despatch† follows.—DEVONSHIRE.

1397

No. 652.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 29.)

MY LORD, Downing Street, 16th January, 1924.

WITH reference to my telegram of the 15th January,§ I have the honour to transmit to Your Excellency, to be laid before your Ministers, copies of correspondence between His Majesty's Ambassador at Madrid and the Spanish Government on the subject of commercial relations between Canada and Spain. The Commercial Secretary of the British Embassy has received direct from the Canadian Department of Customs a copy of the Canadian Customs Tariff with the latest Amendments and Appendices, indicating that Canada has ceased to grant most-favoured-nation treatment to Spanish goods.

2. Sir E. Howard has further reported that on the 4th January the Commercial Secretary had an interview with Senor Castedo, one of the Members of the Spanish Tariff Commission, as to the duties on Canadian goods. Senor Castedo made it quite clear that the reason why the Spanish Government had decided to subject Canadian goods to First Column rates of duty was that they had been informed by the Spanish Consul at Montreal that Spain was not included amongst the countries which were receiving the benefits of the Franco-Canadian Convention. He went on to say that the Treaties Commission, which was in process of reorganization, but of which he was still a member, was of the opinion that it would not be possible for Spain to negotiate a separate Treaty with Canada, as its interpretation of the Anglo-Spanish Commercial Treaty of 1922 was that the Dominions, Colonies, etc., must either adhere to the Treaty or, in return for most-favoured-nation treatment to Spain, receive the second column rates of the Spanish Tariff. Sir E. Howard points out that this interpretation cannot be regarded as well-founded, since there is no clause in the Treaty to prevent the Dominions or India from making separate Trade Agreements if they wish to do so.

3. It was as a result of this conversation that Sir E. Howard expressed the opinion referred to in my telegram, that there is little likelihood of the Spanish

* No. 364 in Dominions No. 88. † No. 649. ‡ No. 652. § No. 651.

Government immediately negotiating a separate Treaty with Canada, and that (on the assumption that adherence to the 1922 Treaty is not contemplated) the only means whereby Canadian goods on importation into Spain can secure Second Column rates appears to be for the Canadian Government to grant most-favoured-nation treatment to Spain with retrospective effect from the date when such treatment ceased to be given.

4. Sir E. Howard has added that the imposition of First Column rates on Canadian goods as a result of the alteration in the treatment of Spanish goods imported into Canada involves serious financial loss to several firms importing Canadian goods, who have suddenly become liable to pay very large sums in Customs duties.

I have, &c.,
DEVONSHIRE.

Enclosure 1 in No. 652.

Translation.

Ministry of State. M.M. Commerce.

(No. 299.)

MEMORANDUM.

His Britannic Majesty's Embassy refers, in a Memorandum addressed to this Department on the 13th instant, to the fact that the Customs House at Cadiz wished recently to assess under the First Column of the Customs Tariff certain goods proceeding from Canada, and in this connexion the Embassy expressed the opinion that "although the note published in the *Gazette* of the 9th March, 1923 (page 856)* was annulled by the note published in the *Gazette* of 14th August (page 705),† the fact that the former note states that the treatment shall continue to be in force thenceforward and until six months after it has been denounced, would appear to indicate that Canadian products should continue to pay duty under the Second Column of the Tariff until the 14th February, 1924."

In reply to the above-quoted statement the Ministry of State has to say that His Majesty's Government having based the concession of the second column of the Tariff to the countries specially cited in the notice published in the *Gazette* of the 14th August last on the circumstance that the countries in question concede most-favoured-nation treatment to Spanish products, bearing in mind in this connexion the provisions of heading five of the Customs Law of the 20th March, 1906, and as Canada does not figure amongst the said countries since in that country Spanish imports are assessed under the general tariff and not that of the most-favoured-nation, it is evident that in no case, not even, therefore, on the supposition that the notice of the 14th August did not cancel that of the 9th March preceding, have Canadian goods a right to enjoy the Second Column of the Tariff, but should be assessed under the First Column, since Canada has not deemed it fitting to adhere to the Anglo-Spanish Treaty of Commerce of the 31st October, 1922.

The Ministry of State wishes at the same time to point out to His Britannic Majesty's Embassy, with reference to the last paragraph of the above-quoted Memorandum, that it has not been possible up to the present time for His Majesty's Government to proceed to the negotiation of a Commercial Agreement between Spain and Canada, as the Government of the latter country proposed, in the first place owing to special circumstances connected with the appointment of the Spanish representative on the corresponding Commission, and, secondly, because the Government subsequently agreed to suspend or postpone the negotiation of commercial agreements in general until the future constitution and working of the organisms which have, or will have, to deal with this class of work have been decided upon.

As the said reorganization will take place shortly, His Majesty's Government hopes that the negotiation of the Commercial Agreement between Spain and Canada will be able to commence at an early date.

Madrid, 24th December, 1923.

---

* Enclosure in No. 345 in Dominions No. 88. † Enclosure in No. 364 in Dominions No. 88.

Enclosure 2 in No. 652.

(No. 4.)
(9.2.)

3rd January, 1924.

His Britannic Majesty's Embassy acknowledges the receipt of Memorandum No. 299 of 24th December last, received from the Spanish Ministry of State, regarding the question of the duties payable on goods imported from Canada.

In the second paragraph of this Memorandum His Catholic Majesty's Government state that, as Canada did not figure amongst the countries specially cited in the notice published in the *Gazette* of 14th August last, Canadian goods have no right to enjoy the Second Column of the Tariff. His Britannic Majesty's Embassy desires to call the attention of the Spanish Ministry of State to the last sentence of the notice published on 9th March, which reads as follows:—

"Aquel régimen . . . regirá por un primer período de seis meses, a contar de la entrada en vigor de dicho Tratado, y continuará rigiendo luego hasta seis meses después de que el régimen en cuestión fuese denunciado."

In view of this notice, His Britannic Majesty's Embassy confirms the opinion expressed in its Memorandum dated 13th December last, that, as the notice of 14th August is considered by His Catholic Majesty's Government as cancelling the notice of 9th March, the period of six months under the Agreement of 9th March must commence from 14th August, and consequently does not expire until 14th February.

The fact that Canada does not adhere to the Anglo-Spanish Commercial Treaty does not, in the opinion of His Britannic Majesty's Embassy, entitle His Catholic Majesty's Government to place Canadian goods on the First Column rates of the Tariff on their importation into this country, without at least six months' notice. This or similar notice is always customary in international agreements of this nature, and His Britannic Majesty's Embassy trust that His Catholic Majesty's Government will re-consider the position in this light, and ventures to request that a reply be furnished with the least possible delay.

Madrid, 3rd January, 1924.

His Excellency
The President of the Military Directorate,
Ministry of State.

4234

No. 653.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 28th January, 1924.)

[*Answered by No.* 654.]

(No. 30.)

SIR,

Vice Regal Lodge, Dublin, 25th January, 1924.

I HAVE the honour to refer to the Duke of Devonshire's despatch No. 619 of the 24th October last,* regarding the arrangements for the treatment of goods exchanged between the Irish Free State and Spain.

2. My Ministers are prepared to give an assurance on behalf of the Irish Free State that Spanish products will receive treatment as favourable as that which the Irish Free State may have conceded, or may in the future concede, to any other country. In giving this assurance my Ministers contemplate that it will not involve the extension to Spain of any system of preference granted to Empire products.

3. My Ministers will feel obliged if you will cause the necessary steps to be taken to have the foregoing assurance communicated to the Spanish Government.

I have, &c.,
T. M. HEALY.

---

* No. 371 in Dominions No. 88.

7006

No. 654.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 100.)

SIR, Downing Street, 18th February, 1924.

WITH reference to Your Excellency's despatch No. 30 of the 25th January,* I have the honour to transmit to you, to be laid before your Ministers, a copy of a despatch to His Majesty's Chargé d'Affaires at Madrid regarding the assurance to be conveyed to the Spanish Government, on behalf of the Government of the Irish Free State, relative to the treatment to be accorded to Spanish goods on importation into the Irish Free State.

I have, &c.,
J. H. THOMAS.

Enclosure in No. 654.

(No. 90.)

SIR, Foreign Office, S.W.1, 11th February, 1924.

WITH reference to Sir E. Howard's despatch No. 458 of the 16th August last, I transmit herewith a copy of a letter from the Colonial Office regarding the treatment to be accorded to Spanish goods on importation into the Irish Free State.

2. I request that you will convey to the Spanish Government an assurance, on behalf of the Irish Free State, that Spanish products will receive, on importation into the Free State, treatment as favourable as that which the Free State may have conceded or may in the future concede to any foreign country. The expression "any other country" should not be used as it might conceivably be claimed to cover other self-governing units of the British Empire.

3. It has invariably been held by His Majesty's Government, and it was made clear during the negotiations for the Anglo-Spanish Commercial Treaty, that the grant of most-favoured-nation treatment to a foreign country does not involve the extension to such country of any preference granted to any part of the Empire. If necessary, you may explain this to the Spanish Government orally, but as such an explanation might form an inconvenient precedent, and was not offered when assurances were given of most-favoured-nation treatment of Spanish products in other self-governing dominions, it should not be given unless it appears necessary.

I am, &c.,
R. H. CAMPBELL.

Hugh Gurney, Esq., C.M.G., M.V.O.,
&c., &c., &c.

9940

No. 655.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 154.)

SIR, Downing Street, 7th March, 1924.

WITH reference to my despatch No. 100 of the 18th February,† I have the honour to transmit to Your Excellency, to be laid before your Ministers, a copy of a Note addressed by His Majesty's Ambassador at Madrid to the Spanish Government relative to the treatment on importation into the Irish Free State and Spain respectively of Spanish and Irish Free State goods.

I have, &c.,
J. H. THOMAS.

---

* No. 653. † No. 654.

Enclosure in No. 655.

British Embassy, Madrid, 20th February, 1924.

YOUR EXCELLENCY,

IN his Note No. 214 of the 8th August last,* His Excellency Monsieur Alba was so good as to inform His Majesty's Chargé d'Affaires as to the conditions on which the Spanish Government were prepared to grant to goods produced or manufactured in the Irish Free State, on importation into Spain, the rates of duties specified in the Second Column of the Spanish Customs Tariff.

I am now instructed by His Majesty's Principal Secretary of State for Foreign Affairs to convey to Your Excellency, in reply to this Note, an assurance on behalf of the Irish Free State that Spanish products will receive, on importation into the Free State, treatment as favourable as that which the Free State may have conceded or may in the future concede to any foreign country.

I assume that this arrangement, which is to remain in force for an indefinite period subject to six months' notice of its termination on either side, may be regarded as concluded by the present Note and the above-mentioned Note from Monsieur Alba.

I avail, &c.,
HORACE RUMBOLD.

His Excellency
The President of the Military Directorate,
Ministry of State.

15500

No. 656.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 216.)

SIR, Downing Street, 5th April, 1924.

WITH reference to my despatch No. 154 of the 7th March,† I have the honour to transmit to Your Excellency, to be laid before your Ministers, a copy of a despatch from His Majesty's Ambassador at Madrid regarding the conclusion of the commercial *modus vivendi* between Spain and the Irish Free State.

I have, &c.,
J. H. THOMAS.

Enclosure in No. 656.

SIR, British Embassy, Madrid, 22nd March, 1924.

WITH reference to my despatch No. 137 of 22nd February, I have the honour to transmit herewith a translation of a notice of the conclusion of a "commercial *modus vivendi*" between Spain and the Irish Free State published in the *Madrid Gazette* of the 21st instant.

A copy of the *Gazette* is also attached.

I have, &c.,
HORACE RUMBOLD.

The Right Honourable
James Ramsay MacDonald, M.P.,
&c., &c., &c.

TRANSLATION FROM "MADRID GAZETTE," 21ST MARCH, 1924, PAGE 1507.

Under-Secretary's Office. Commercial Section.

BY an exchange of Notes between the Ministry of State and His Britannic Majesty's Embassy, a commercial "*modus vivendi*" has been concluded between Spain and the Free State of Ireland, on the following terms:—

1. Spain concedes to products emanating from the Free State of Ireland the duties of the second-column of the Tariff in force.

2. The Free State of Ireland on its side concedes to Spanish products the most favoured treatment already conceded or which may in future be conceded to any foreign country.

---

* Enclosure in No. 365 in Dominions No. 88. † No. 655.

3. This commercial arrangement is established for an indefinite period, on the understanding that it shall cease to operate six months after either of the contracting parties denounces it.

This is made public for general information.

F. Espinosa de los Monteros,
The Under-Secretary.

Madrid, 14th March, 1924.

20786

No. 657.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
Dominions No. 206.)

[My Lord,] [Sir,] Downing Street, 9th May, 1924.

With reference to my predecessor's despatch [*Not to Irish Free State*: Dominions No. 415 of the 6th of December, 1922,* and subsequent correspondence] [*To Irish Free State only*: No. 696 of the 6th of December last†] I have the honour to request [Your Excellency] [you] to inform your Ministers that ratifications of the Anglo-Spanish Commercial Treaty of the 31st October, 1922, were exchanged in Madrid on the 23rd of April, 1924.

I have, &c.,
J. H. THOMAS.

20786

No. 658.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to the GOVERNOR.

(No. 171.)

Sir, Downing Street, 20th May, 1924.

With reference to the Administrator's despatch to the High Commissioner for South Africa No. 207 of the 30th of May, 1923,‡ I have the honour to request you to inform your Ministers that ratifications of the Anglo-Spanish Commercial Treaty of the 31st of October, 1922, were exchanged in Madrid on the 23rd of April, 1924.

I have, &c.,
J. H. THOMAS.

36177

No. 659.

CANADA.

THE GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 30th July, 1924.)

[*Answered by No.* 661.]

(No. 317.)

Sir, Government House, Ottawa, 18th July, 1924.

With reference to my telegram of the 17th May, 1923, § on the subject of the Anglo-Spanish Commercial Treaty of the 31st October, 1922, I have the honour to transmit herewith copies of an approved Minute of the Privy Council to the effect that the Government of Canada, while unable to accept either the Treaty or the Second Column tariff, is willing to proceed with the negotiation of a commercial agreement between Canada and Spain.

I have, &c.,
BYNG OF VIMY.

---

* No. 285 in Dominions No. 87. † No. 372 in Dominions No. 88. ‡ 35552/23: not printed; it estimated that Southern Rhodesia would be unable to accede to the Treaty. § No. 353 in Dominions No. 88.

Enclosure in No. 659.

CERTIFIED COPY OF A MINUTE OF A MEETING OF THE COMMITTEE OF THE PRIVY COUNCIL, APPROVED BY HIS EXCELLENCY THE GOVERNOR-GENERAL ON THE 12TH JULY, 1924.

(P.C. 1208.)

The Committee of the Privy Council have had before them a Report, dated 10th July, 1924, from the Secretary of State for External Affairs, submitting that Article 24 of the Treaty of Commerce and Navigation concluded between the United Kingdom and Spain on the 31st October, 1922, provides:

"The stipulations of the present Treaty shall not be applicable to any part of His Britannic Majesty's territories outside the United Kingdom unless notice is given by His Britannic Majesty's representative at Madrid of the desire of the Government of such part of His Britannic Majesty's territories that the said stipulations shall be so applicable.

"As regards the parts of His Britannic Majesty's territories to which the stipulations of the present Treaty shall have been made applicable under this Article, either of the Contracting Parties shall have the right to terminate it separately any time on giving six months' notice to that effect."

The Minister states that the opinion was expressed by Mr. Fielding, Minister of Finance, to the Spanish Ambassador that the terms of the Treaty with the United Kingdom were not adapted to Canadian conditions.

The following is an extract from a letter, dated 19th February, 1923,* sent to His Excellency Sir Esmé Howard, British Ambassador at Madrid, by the Spanish Minister of Foreign Affairs:

"I have the honour to inform you that His Majesty's Government, in their desire to meet the wishes of the Government of His Britannic Majesty, agree to extend to six months the term that must elapse between the denunciation and the date of termination of the Agreement which both Governments have arrived at, and in virtue of which the products of India and of the British Colonies and Dominions will be dutiable in Spain, until such time as they adhere to the above-mentioned Treaty, at the rates of the Second Column of the Customs Tariff, in exchange for the concession by these countries of most-favoured-nation treatment to Spanish products."

The Minister is of opinion that the benefits of the rates of the Second Column of the Spanish Customs Tariff would not be suitable to Canadian conditions, as these rates would leave the products of Canada at a disadvantage when imported into Spain in comparison with importations of like goods from other countries, and especially from the United States, which is our principal competitor.

The Committee concur in the foregoing, and on the recommendation of the Secretary of State for External Affairs, with the concurrence of the Acting Minister of Finance, advise that Your Excellency may be pleased to forward a copy hereof to the Secretary of State for the Colonies, for communication of its purport to the Spanish Ambassador in London, with a request that he would be good enough to inform the Government of Spain that the Government of Canada, while unable to accept either the Treaty or the Second Column tariff, are willing to proceed with the negotiation of a commercial agreement between the two countries.

All of which is respectfully submitted for Your Excellency's approval.

E. J. Lemaire,
Clerk of the Privy Council.

36852

No. 660.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to the GOVERNOR-GENERAL.

(No. 256.)

My Lord, Downing Street, 13th August, 1924.

With reference to my predecessor's despatch No. 221 of the 3rd of September, 1923,† regarding the arrangement for the treatment of goods imported into Spain

* Enclosure in No. 344 in Dominions No. 88. † No. 304 in Dominions No. 88.

from those parts of the British Empire to which the provisions of the Anglo-Spanish Commercial Treaty have not been made applicable, I have the honour to request Your Excellency to inform your Ministers that the attention of the Spanish Government was drawn to the fact that the list of Mandated Territories in the *Madrid Gazette* notice of the 14th of August, 1923, did not include South-West Africa. This has now been rectified by a *Gazette* notice of the 2nd of July, of which a copy is enclosed.

I have, &c.,
(for the Secretary of State)
ARNOLD.

Enclosure in No. 660.

Translation from *La Gaceta de Madrid*,
11th July, 1924, page 269.

South-West Africa having been omitted from the notice, dated the 8th August, 1923, which was published in the *Madrid Gazette* of the 14th of the same month, concerning the Agreement arrived at between Spain and Great Britain respecting the commercial treatment to be applied to various dominions, colonies, protectorates and territories of British Mandate, the above-mentioned notice is hereby rectified, it being understood that South-West Africa is included in the group of British Mandated Territories, to which the Second Column Rates of the Spanish Customs Tariff were to be applied, in exchange for most-favoured-nation treatment for goods of Spanish origin.

The foregoing is published for general information.

Madrid, 2nd July, 1924.

The Under-Secretary,
F. Espinosa de los Monteros.

40633

No. 661.

CANADA.

The SECRETARY OF STATE to the GOVERNOR-GENERAL.

(No. 383.)

My Lord, Downing Street, 2nd September, 1924.

I have the honour to acknowledge the receipt of Your Excellency's despatch No. 317 of the 18th of July,* and to transmit to you, for the information of your Ministers, the accompanying copy of a despatch to His Majesty's Ambassador at Madrid regarding commercial relations between Canada and Spain.

I have, &c.,
(for the Secretary of State)
HENRY LAMBERT.

Enclosure in No. 661.

(No. 439.)

Sir, Foreign Office, S.W.1, 18th August, 1924.

With reference to my predecessor's despatch No. 50 of the 24th January last, I transmit herewith a copy of a letter† from the Colonial Office, with enclosures, to the effect that the Canadian Government, while unable to accept the Anglo-Spanish Commercial Treaty of the 31st October, 1922, or the Second Column of the Spanish Customs Tariff, are willing to proceed with the negotiation of a separate commercial agreement with the Spanish Government.

2. I request that Your Excellency will communicate this decision to the Spanish Government.

I am, &c.,
(for the Secretary of State)
G. H. Villiers.

His Excellency
The Right Honourable
Sir H. Rumbold, Bart., G.C.M.G., M.V.O.,
&c., &c., &c.

---

* No. 659. † 36177/24: not printed: it enclosed copy of No. 659.

48401

No. 662.

CANADA.

The SECRETARY OF STATE to the GOVERNOR-GENERAL.

(No. 442.)

My Lord, Downing Street, 20th October, 1924.

With reference to my despatch No. 383 of the 2nd of September,* I have the honour to transmit to Your Excellency, for the information of your Ministers, the accompanying copy of a despatch from His Majesty's Ambassador at Madrid regarding commercial relations between Canada and Spain.

I have, &c.,
J. H. THOMAS.

Enclosure in No. 662.

(No. 500.)

Sir, British Embassy, Madrid, 3rd October, 1924.

With reference to your despatch No. 439 of 18th August last,† in which I was instructed to inform the Spanish Government that the Canadian Government were desirous of proceeding with the negotiation of a separate commercial agreement with His Catholic Majesty's Government, I have the honour to transmit herewith a translation of a note which I have received from the Under-Secretary of State for Foreign Affairs, in reply to a note which I did not fail to address to him in this sense.

I have, &c.,
Horace Rumbold.

The Right Honourable
James Ramsay MacDonald, M.P.,
&c., &c., &c.

(Translation.)

Ministry of State.

V.—Commerce.

(No. 221.)

Your Excellency, Madrid, 18th September, 1924.

I have the honour to acknowledge the receipt of Your Excellency's esteemed Note No. 272, of the 5th of this month, in which you state that the Canadian Government, being unable to accept the Anglo-Spanish Treaty of the 31st October, 1922, or the Second Column of the Spanish Tariff, is desirous of proceeding to negotiate a separate Commercial Agreement with His Majesty's Government.

I have the honour to inform Your Excellency that, as soon as may be possible, and after the matter has been carefully studied, the decision of His Majesty's Government will be communicated to Your Excellency.

I avail myself, &c.

His Excellency
Sir Horace Rumbold,
His Britannic Majesty's Ambassador.

53476

No. 663.

CANADA.

The SECRETARY OF STATE to the GOVERNOR-GENERAL.

(Sent 11.40 a.m., 15th November, 1924.)

Telegram.

[*Answered by* No. 664.]

15th November. My despatch 20th October, 442.‡ British Ambassador, Madrid, telegraphs that Canadian Trade Commissioner, Italy, has informed Com-

---

* No. 661. † Enclosure in No. 661. ‡ No. 662.

mercial Secretary, British Embassy, Madrid, that he has received instructions from Canadian Minister of Commerce to proceed to Madrid to enter into preliminary negotiations with Spanish Government as representative of Canadian Government and has asked that Ambassador will inform Spanish Government that he has been accredited as Canadian representative for these negotiations. Ambassador understands that Spanish Government, who have not yet sent further communication referred to in note 18th September, enclosed in my despatch 20th October, are not ready to begin negotiations at present. In the circumstances, Secretary of State for Foreign Affairs suggests that Commissioner should be informed that he should not proceed to Madrid pending further communication. Do your Ministers agree? If so, presumed that they will communicate with Commissioner accordingly.—AMERY.

54711

No. 664.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.45 p.m., 21st November, 1924.)

TELEGRAM.

[*Answered by Nos.* 665 *and* 666.]

21ST NOVEMBER. Your telegram 15th November.* Clarke, Canadian Trade Commissioner in Italy, has already started for Madrid. Under the circumstances my Ministers trust that it may be possible to open negotiations on his arrival. Please advise me by telegraph so that necessary instructions may be issued to Clarke.—BYNG.

54711

No. 665.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 519.)

MY LORD, Downing Street, 29th November, 1924.

WITH reference to Your Excellency's telegram of the 21st of November,† I have the honour to transmit to you, for the information of your Ministers, the accompanying copy of a despatch from His Majesty's Ambassador at Madrid stating that it would appear improbable that the Spanish Government can commence negotiations for a commercial agreement with Canada until negotiations with certain other countries are completed.

I have, &c.,
L. S. AMERY.

[54661]

Enclosure in No. 665.

(No. 581.)

SIR, British Embassy, Madrid, 13th November, 1924.

WITH reference to my telegram No. 115 of 11th November,‡ regarding the question of the negotiation of a Commercial Agreement between the Canadian Government and Spain, I have the honour to report that I understand that the negotiations which were commenced by the Spanish Government in the early part of the year with Sweden, Denmark and Austria, and which were suspended during the summer months, are shortly to be resumed, although the representatives of these countries have informed me that they are meeting with great difficulty in obtaining the re-opening of these negotiations.

2. The Treaty Commission, which now forms part of the Council of National Economy, have published a statement that at a meeting held on the 13th October

* No. 663. † No. 664. ‡ Summarized in No. 663.

the question of future negotiations with Czecho-Slovakia, Canada, Poland and Persia was discussed, but there is no evidence that any decision was arrived at. They have called on their technical advisers to furnish them immediately with information concerning the commercial exchange between Spain and Finland, Latvia, Lithuania, and Poland, countries with which they intend to commence negotiations at an early date.

3. I have thought it advisable to inform your Department of this, as it would appear improbable that the Spanish Government can commence negotiations with Canada until those referred to above are out of the way.

4. Finally, I have the honour to add that my Commercial Secretary has been informed that the Spanish Government have denounced the Belgian *modus vivendi* which, if no Agreement is arrived at, will cease to be effective as from the 11th December next. This action on the part of the Spanish Government is no doubt due to the introduction of the new Belgian Tariff, under which certain Spanish goods are heavily taxed.

I have, &c.,
HORACE RUMBOLD.

The Right Honourable
Austen Chamberlain, M.P.,
&c., &c., &c.

56471

No. 666.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 3.0 p.m., 2nd December, 1924.)

TELEGRAM.

2ND DECEMBER. Your telegram 21st November.* His Majesty's Ambassador, Madrid, was asked to inquire whether Spanish Government willing to negotiate, and to report by telegraph attitude of Spanish Government. He now states that, while no official reply received, President of Spanish Treaty Commission has expressed view that there should be no difficulty in arranging for preliminary meeting with Canadian Commissioner early December. He understands that this view shared by Spanish Under-Secretary of State for Foreign Affairs. He has addressed note to Spanish Government informing them of Clarke's appointment and asking them to arrange preliminary meeting between him and Treaty Commission at early date.—AMERY.

Note.—The meeting referred to took place and discussions were still proceeding at the end of 1924.

---

(2) Agreement respecting treatment of Companies.

(*Treaty Series* 1924, *No.* 25.)

30543

No. 667.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.)
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 267.)

} Dominions No. 330.)

[MY LORD,] [SIR,] Downing Street, 23rd July, 1924.

I HAVE the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers copies of an extract† from the *Board of Trade Journal* of

* No. 664. † Not reprinted; for the text of the Agreement see Treaty Series 1924, No. 25.

the 10th of July, containing the text of an agreement with Spain respecting the treatment of companies, signed at Madrid on the 27th of June.

2. The negotiation of this agreement was provided for in Article I of the Anglo-Spanish Commercial Treaty of the 31st of October, 1922, as to which I would invite reference to my despatch [Dominions No. 206 of the 9th of May*] [No. 171 of the 20th of May†] and previous correspondence.

I have, &c.,
J. H. THOMAS.

SPITZBERGEN.
Treaty of 1920.
(*Treaty Series* 1924, *No.* 18.)

10573

No. 668.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
Dominions Treaty No. 9.)

[MY LORD,] [SIR,] Downing Street, 18th March, 1924.

I HAVE the honour to transmit to Your Excellency, for the information of your Ministers, certified copies of the Procès-verbaux‡ of the deposit of His Majesty's ratification and the ratification by Denmark of the Treaty relating to Spitzbergen, signed at Paris on the 9th February, 1920.

I have, &c.,
J. H. THOMAS.

10573

No. 669.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 171.)

SIR, Downing Street, 18th March, 1924.

WITH reference to my despatch Dominions Treaty No. 9 of the 18th of March,§ regarding ratifications of the Treaty relating to Spitzbergen, I have the honour to request Your Excellency to inform your Ministers that this Treaty will be found on pages 8-19 of League of Nations Treaty Series, 1920, Volume 2, No. 1.

2. I enclose a copy of the Mining Ordinance‖ for Spitzbergen and Bear Island, which was drawn up by the Norwegian Government in accordance with Article 8 of the Treaty.

3. I also enclose a copy of a despatch¶ from His Majesty's Chargé d'Affaires at Christiania enclosing a copy of a Note from the Norwegian Minister for Foreign Affairs relative to certain amendments to these regulations, which were proposed by the Netherlands Government and accepted by the Norwegian Government. It will be observed that the latter also suggested minor alterations in the French translation of the regulations designed to give a more accurate rendering of the Norwegian text. His Majesty's Government had no objection to the proposed amendment subject to the English version of Article 12 (2) (c) being amended so as to read—

> "The claim shall be given as a plain superficies the area of which, fixed in accordance with the request of the applicant and the character of the deposit, shall not exceed 1,000 hectares."

and His Majesty's Minister at Christiania was in due course authorized to inform the Norwegian Government that the regulations were accepted on behalf of His Britannic Majesty.

I have, &c.,
J. H. THOMAS

---

* No. 657. † No. 658. ‡ 10573/24: not printed; the date of deposit of the ratification was the 20th December, 1923. § No. 668. ‖ Not reprinted. ¶ Enclosure in No. 373 in Dominions No. 88.

TANGIER.
Convention, 1923.
(*Treaty Series* 1924, *No.* 23.)

10831

No. 670.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
Dominions No. 113.)

[MY LORD,] [SIR,] Downing Street, 12th March, 1924.

WITH reference to my predecessor's despatch [*Not to Irish Free State:* Dominions No. 483] [*To Irish Free State:* No. 760] of the 31st of December,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of a print† containing a despatch from His Majesty's Representative at the Tangier Conference forwarding copies of the Tangier Convention and Annexes thereto.

I have, &c.,
J. H. THOMAS.

16167

No. 671.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 137.)
Dominions No. 181.)

[MY LORD,] [SIR,] Downing Street, 16th April, 1924.

[*Not to Southern Rhodesia:* With reference to my despatch Dominions No. 113 of the 13th of March,‡] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of a Parliamentary Paper, Cmd. 2096, containing the text of the Convention regarding the organization of the Statute of the Tangier Zone, signed at Paris on the 18th of December, 1923.

[*Not to New Zealand and Irish Free State:* 2. Further copies are being sent in Library despatch.]

I have, &c.,
J. H. THOMAS.

16167

No. 672.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 2.15 p.m., 1st May, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

1ST MAY. My despatch 12th March, Dominions 113.‡ Considered desirable that Tangier Convention should be now ratified. Position regarding Tangier was

---

* No. 377 in Dominions No. 88. † Not reprinted (see Treaty Series No. 23 of 1924). ‡ No. 670

referred to at Imperial Conference, but in view of nature of Convention it would appear in accordance with Conference Resolution on subject of Negotiation Signature and Ratification of Treaties that ratification should be effected at instance of His Majesty's Government, and accordingly His Majesty's Government are advising His Majesty to ratify. Deposit of ratification expected next week.—THOMAS.

16167

No. 673.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 263.)

SIR, Downing Street, 1st May, 1924.

WITH reference to my despatch Dominions No. 181 of the 16th April,* I have the honour to request Your Excellency to inform your Ministers that it is considered desirable that the Convention regarding the Organisation of the Statute of the Tangier Zone should now be ratified.

2. The position regarding Tangier was referred to at the Imperial Conference but, in view of the nature of the Convention, it would appear to be in accordance with the Resolution of the Conference on the subject of the Negotiation, Signature and Ratification of Treaties that its ratification should be effected at the instance of His Majesty's Government, and accordingly His Majesty's Government are advising His Majesty to ratify it. The deposit of His Majesty's ratification is expected to take place next week.

3. A telegram in similar terms has been sent to the other self-governing Dominions.

I have, &c.,
J. H. THOMAS.

21855

No. 674.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. — Dominions No. 227.)

[MY LORD,] [SIR,] Downing Street, 16th May, 1924.

WITH reference to my [*Not to Irish Free State:* telegram of the 1st of May,†] [*To Irish Free State only:* despatch No. 263 of the 1st of May,‡] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, a copy of a despatch to His Majesty's Ambassador at Paris regarding the deposit of His Majesty's ratification of the Convention relating to the status of the zone of Tangier.

I have, &c.,
J. H. THOMAS.

Enclosure in No. 674.

(No. 1459.)

MY LORD, Foreign Office, S.W.1, 6th May, 1924.

I TRANSMIT to Your Lordship herewith the King's ratification of the Convention between the United Kingdom, Spain and France relating to the status of the zone of Tangier, which was signed at Paris on the 18th December last. I request

* No. 671. † No. 672. ‡ No. 673.

that you will inform the French Government that you are ready to deposit His Majesty's ratification as soon as the French and Spanish Governments are likewise ready to ratify.

2. I am informing His Majesty's Ambassador at Madrid by telegram that you are now ready to deposit His Majesty's ratification.

I am, &c.,
G. H. VILLIERS.

His Excellency
The Most Honourable
The Marquess of Crewe, K.G.,
&c., &c., &c.

24709

No. 675.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. — Dominions No. 266.)

[MY LORD,] [SIR,] Downing Street, 13th June, 1924.

WITH reference to my despatch Dominions No. 227 of the 16th May,* I have the honour to request [Your Excellency] [you] to inform your Ministers that His Majesty's Ambassador at Paris has reported that he deposited the King's ratification of the Tangier Convention on the 16th May, and that the ratifications of the French and Spanish Governments were deposited at the same time.

I have, &c.,
J. H. THOMAS.

29101

No. 676.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. — Dominions No. 282.)

[MY LORD,] [SIR,] Downing Street, 25th June, 1924.

WITH reference to my despatch Dominions No. 266 of the 13th June,† I have the honour to request [Your Excellency] [you] to inform your Ministers that it has now been ascertained from His Majesty's Ambassador at Paris that the King's ratification of the Tangier Convention was deposited on the 14th May and not on the 16th May, as previously reported.

I have, &c.,
J. H. THOMAS.

---

* No. 674. † No. 675.

TERRITORIAL WATERS.

(1) Conclusions of Imperial Conference, 1923.

61805

No. 677.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNOR.

[*Answered by Nos.* 678, 679, 680, 681 *and* 682.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.

Dominions No. 13. Confidential.)

[My Lord,] [Sir,] Downing Street, 10th January, 1924.

With reference to my despatch [*Not to Irish Free State:* Dominions No. 238 Confidential of the 3rd July,*] [*To Irish Free State*: Confidential despatch of the 23rd July,†] I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, a copy of the Report‡ of the Inter-Departmental Committee on the limits of territorial waters in the form in which it was circulated to the members of the Imperial Conference.

2. The Report was referred to a Committee of the Conference, and I enclose a copy of the conclusions of the Committee, which were approved by the full Conference at its fourteenth meeting on the 31st October. It will also be observed that on page 12 of the Summary of Proceedings of the Conference (Cmd. 1987), in connexion with the question of the regulation of the liquor traffic off the American coasts, reference is made to the view of the Conference that the principle of the three-mile limit should be affirmed and safeguarded as a cardinal feature of British policy.

3. His Majesty's Government are prepared to accept the Resolutions set out in the Conclusions of the Imperial Conference Committee, as interpreted in the Report and Memorandum of the Inter-Departmental Committee, and steps are being taken to draw up, so far as this country and the Colonies and Protectorates are concerned, schedules of "territorial inlets" such as are referred to in Resolution 3 and in paragraph 17 of the Inter-Departmental Committee's Memorandum.

4. His Majesty's Government will be glad to learn whether your Ministers also are prepared to accept the Resolutions and, in that event, to receive in due course particulars of any waters which your Ministers would desire to be regarded as "territorial inlets" for the purpose of Resolution 3.

I have, &c.,
DEVONSHIRE.

Enclosure in No. 677.

Conclusions.

The Committee endorsed the following Resolutions of the Inter-Departmental Committee on the limits of territorial waters, as interpreted in the Report and Memorandum of that Committee (E/64 Revised), and recommends them for acceptance by the Governments of the British Empire so that, in negotiations with foreign Governments or at any International Conference where the question of territorial waters is discussed, they may be put forward as embodying the policy of the Empire:—

"*Resolution* 1.—It is essential that the general limit of territorial waters should be fixed at a distance of three miles from low-water mark.

Resolution 2.—The limit of territorial waters should be the same for the purposes of belligerency, neutrality, customs, fisheries, control of vessels, and all other purposes.

Resolution 3.—The limit of territorial waters should, in the case of bays whose width at the entrance does not exceed six miles, be three miles to seaward of a straight line drawn across the entrance.

* 31347/23; not printed; it enclosed copies of the Committee's Report in its original form.
† 31709/23; not printed; it enclosed copies of the Committee's Report in its original form. ‡ Not reprinted (E/64. Revised).

Similar territorial rights may, in addition, be admitted in respect of a certain number of larger bays or inlets, to be known as territorial inlets, which should be specifically enumerated and geographically defined.

Resolution 4.—The coast-line from the low-water mark of which the three miles limit of territorial waters should be measured is that of the mainland and also that of all islands. The word "island" covers all portions of territory permanently above high water in normal circumstances and capable of use or habitation."

It was understood that the application of Resolution 3 would be subject to the provisions of any existing International Agreements and to the considerations in regard to fisheries set out in paragraphs 19 and 20 of the Inter-Departmental Committee's Memorandum.

It was further understood that the Governments represented at the Conference would be asked to draw up schedules of territorial inlets referred to in paragraph 17 of the Inter-Departmental Committee's Memorandum; these could be considered at the next Imperial Conference, or, in the event of an International Conference on territorial waters being held before the next Imperial Conference meets, by the representatives of the various parts of the Empire at that Conference.

10491

No. 678.

UNION OF SOUTH AFRICA.

The GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 4th March, 1924.)

(Confidential.)

Sir, Governor-General's Office, Cape Town, 11th February, 1924.

I have the honour to transmit to you herewith, with reference to the Duke of Devonshire's despatch Dominions No. 13, Confidential, of 10th January, 1924,* a copy of Minute from Ministers on the subject of the limits of territorial waters.

I have, &c.,
ATHLONE,
Governor-General.

Enclosure in No. 678.

Minute No. 88.

Prime Minister's Office, 8th February, 1924.

Ministers have the honour to acknowledge the receipt of His Excellency the Governor-General's Confidential Minute 2/2015 of 1st February, 1924, on the subject of the limits of territorial waters, and to inform His Excellency the Governor-General that a list of "territorial inlets" for the Union of South Africa, in terms of the Report and Memorandum of the Inter-Departmental Committee, is in the course of preparation.

J. C. Smuts.

18980

No. 679.

NEW ZEALAND.

The GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 22nd April, 1924.)

(Confidential.)

Sir, Government House, Wellington, 5th March, 1924.

I have the honour to acknowledge the receipt of your predecessor's despatch, Confidential, Dominions No. 13, of the 10th January,* regarding the limits of territorial waters.

* No. 677.

2. My Prime Minister advises me, in reply to the last paragraph of the despatch, that the New Zealand Government are prepared to accept the Resolutions set out in the Conclusions of the Imperial Conference Committee, as interpreted in the Report and Memorandum of the Inter-Departmental Committee.

3. A further despatch will be addressed to you giving particulars of the waters which the Government would desire to be regarded as "territorial inlets" for the purpose of Resolution 3.

I have, &c.,
JELLICOE,
Governor-General.

32796

No. 680.

NEW ZEALAND.

THE GOVERNOR-GENERAL TO THE SECRETARY OF STATE.

(Received 11th July, 1924.)

[*Answered by No.* 683.]

(Confidential (2).)

SIR, Government House, Wellington, 29th May, 1924.

WITH reference to my Confidential despatch of the 5th March,* relative to the limits of territorial waters, I have the honour to inform you that my Prime Minister further advises me, in reply to the last paragraph of your predecessor's despatch No. 13, Confidential, of the 10th January,† that the New Zealand Government desire that the following should be regarded as "territorial inlets" for the purpose of Resolution 3, as set out in the Report and Memorandum of the Inter-Departmental Committee:—

Number of chart.			*Description.*
			South Island
2553	..	..	Toitoi Bay.
2553	..	..	Howell Road.
2553	..	..	Tewaewae Bay.
2529	..	..	Pegasus Bay.
695	..	..	Queen Charlotte Sound.
2616	..	..	Tasman Bay and Golden Bay.
			North Island.
2525	..	..	Rangaunu Bay.
2525	..	..	Bay of Islands.
2543	..	..	Bream Head to Maori Tiri Head to Moko Hinau Island to Needle Point, i.e., northern entrance to Hauraki Gulf.
2543	..	..	Colville Channel—Cape Barrier to Cuvier Island to Red Mercury Island.
2528	..	..	Hawkes Bay.
695	..	..	Palliser Bay.
			Chatham Islands.
1417	..	..	Petrie Bay.
1417	..	..	Hanson Bay.
			Ross Dependency.
3173	..	..	Robertson Bay. Between Birthday Point and Cape Adare.
3173	..	..	Lady Newnes Bay. Between Capes Jones and Sibbald.
3177	..	..	Wood Bay.
3177	..	..	Terra Nova Bay.
3177	..	..	McMurdo Sound.
3177	..	..	Discovery Inlet.
3177	..	..	Bay of Whales. Between Eastern and Western Extremes.
3177	..	..	Biscoe Bay. Between Cape Colbeck and Avery Ice Island.

I have, &c.,
JELLICOE,
Governor-General.

---

* No. 679. † No. 677.

45114

No. 681.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL TO THE SECRETARY OF STATE.

(Received 23rd September, 1924.)

(Confidential.)

SIR, Governor-General's Office, Cape Town, 1st September, 1924.

I HAVE the honour to transmit to you herewith, with reference to the Duke of Devonshire's despatch Dominions No. 13, Confidential, of 10th January, 1924,* and my despatch, Confidential, of 11th February, 1924,† copy of Ministers' Minute, on the subject of the limits of territorial waters.

I have, &c.,
ATHLONE,
Governor-General.

Enclosure in No. 681.

(P.M. 54/6.)

Prime Minister's Office, Cape Town, 2nd August, 1924.

MINUTE No. 676.

WITH further reference to His Excellency the Governor-General's Confidential Minute No. 2/2015 of the 1st February, 1924, on the subject of the limits of territorial waters, Ministers have the honour to request His Excellency to inform the Secretary of State for the Colonies that the Union Government is prepared to accept the Resolutions of the Inter-Departmental Committee on the limits of Territorial Waters.

In view of the principles laid down in the memorandum regarding a common policy for the British Empire on the question of the limits of Territorial Waters, embodied in the Imperial Conference, 1923, Secret Paper E.64, the Union Government does not wish to press for the recognition of territorial rights beyond the 3-mile limit, in respect of certain of the larger bays or inlets on the South African coast, in view of the fact that the width at the entrance of such bays considerably exceeds the limit of six miles.

J. B. M. HERTZOG.

51820

No. 682.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL TO THE SECRETARY OF STATE.

(Received 4th November, 1924.)

(Confidential.)

SIR, Governor-General's Office, Melbourne, 26th September, 1924.

WITH reference to your predecessor's despatch dated 10th January, 1924, Dominions No. 13, Confidential,* covering a copy of the Report of the Inter-Departmental Committee on the Limits of Territorial Waters, and a copy of the Conclusions of the Committee of the Imperial Conference, 1923, to which the Report was referred, I have the honour to inform you that I am advised by the Prime Minister that the Commonwealth Government is prepared to accept the Resolutions set out in the Conclusions of the Imperial Conference Committee, as interpreted in the Report and Memorandum of the Inter-Departmental Committee.

Steps are being taken to prepare a list of Australian waters which it is desired should be regarded as "territorial inlets" for the purposes of Resolution 3 contained in the above-mentioned Conclusions.

I have, &c.,
STRADBROKE,
Deputy of the Governor-General.

---

* No. 677. † No. 678.

43037

No. 683.

NEW ZEALAND.

THE SECRETARY OF STATE TO THE GOVERNOR-GENERAL.

(Confidential.)

MY LORD, Downing Street, 6th November, 1924.

I HAVE the honour to acknowledge the receipt of Your Excellency's despatch Confidential (2) of the 29th May,* regarding the limits of territorial waters, and to transmit to you, to be laid before your Ministers, a copy of a memorandum prepared in the Admiralty as to the waters which the New Zealand Government would desire to be regarded as "territorial inlets" for the purpose stated in Resolution 3 of the Inter-Departmental Committee on the limits of Territorial Waters which was endorsed by the Imperial Conference of 1923.

2. As your Ministers are aware, the Lords Commissioners of the Admiralty are, on strategic grounds, strongly opposed to any departure from the general principle stated in Resolution 1 of the Inter-Departmental Committee that the limit of territorial waters should be fixed at a distance of three miles from low-water mark, except where such a departure is absolutely necessary. The conception of "territorial inlets" was accepted as providing a means of dealing with certain specific claims in special localities which would fall outside the scope of Resolution 1, but Their Lordships are particularly desirous that the claims put forward on behalf of the British Empire in respect of "territorial inlets" should be restricted as much as possible, as this will afford the best method of resisting successfully unreasonable demands by foreign countries at any International Conference on the subject.

3. In the circumstances, Their Lordships hope that the New Zealand Government will not press a claim in respect of all the waters enumerated in your despatch, and they would suggest that, for the purpose of examination of the question of "territorial inlets" at the next Imperial Conference, as contemplated by the Imperial Conference of 1923, it would be convenient if a brief statement could be prepared showing the grounds for claiming exclusive jurisdiction over each of the inlets in respect of which it is desired that a claim should be put forward. The various grounds on which such claims have been based in the past are enumerated in paragraph 16 of the Memorandum of the Inter-Departmental Committee (see page 4 of Paper E.64, Revised, of which a copy was enclosed in my predecessor's Confidential despatch Dominions No. 13 of the 10th January†).

4. It is not at present contemplated that any claim will be put forward for any of the waters adjoining the coasts of England and Wales to be regarded as "territorial inlets" except as regards a portion of the Bristol Channel. I enclose copies of despatches‡ from the Governor-General of the Union of South Africa, from which it will be seen that the Union Government do not desire to press for any of the waters adjoining the Union to be recognized as "territorial inlets."

I have, &c.,

J. H. THOMAS.

Enclosure in No. 683.

NOTES ON THE LIST OF "TERRITORIAL INLETS" PREPARED BY THE NEW ZEALAND GOVERNMENT.

N.B.—In the particulars of these inlets given in the following notes, the term "ingress" is used to denote the approximate extension, into the general line of the coast, of the inlet in question, measuring from the centre of a straight line drawn across the entrance and following the main direction of that extension.

Reference No. 1. Chart B. Name: Toitoi Bay.
Approximate breadth at entrance ... ... 141 miles
Approximate ingress ... ... 43 miles

Remarks.

The memorandum E.64 did not contemplate bays of this configuration being regarded as "territorial inlets." Besides this, the extra amount of territorial waters thus gained would be comparatively trifling.

---

* No. 680. † No. 677. ‡ Nos. 678 and 681.

252

Reference No. 2. Chart B. Name: Howell Road
Approximate breadth at entrance ... ... 107 miles
Approximate ingress ... ... 45 miles

Remarks.

As for No. 1.

Reference No. 3. Chart B. Name: Taewaewae Bay.
Approximate breadth at entrance ... ... 15 miles
Approximate ingress ... ... 77 miles

Remarks.

The configuration of this bay is not of so shallow a type as that of Nos. 1 and 2, and the extra area obtainable by regarding it as a "territorial inlet" is accordingly greater in proportion. But its configuration does not appear to warrant its being so regarded.

Reference No. 4. Chart C. Name: Pegasus Bay.
Approximate breadth at entrance ... ... 388 miles
Approximate ingress ... ... 17 miles

Remarks.

As for No. 3.

Reference No. 5. Chart D. Name: Queen Charlotte Sd.
Approximate breadth at entrance ... ... 64 miles
Approximate ingress ... ... 25 miles

Remarks.

Considered in the light of its configuration, this Sound would have an excellent claim to be considered a "territorial inlet." But such a claim is superfluous, since it lies wholly within New Zealand territorial waters, as appears from the position of the 3-mile limit on the chart.

The apparent paradox of a gulf with an entrance more than 6 miles in width lying entirely within the 3-mile limit is explained by the configuration of the coast-line, and the fact that the line of the entrance lies obliquely across the mouth of the gulf.

Reference No. 6. Chart E. Name: Tasman Bay and Golden Bay:
Tasman Bay—
Approximate breadth at entrance ... ... 364 miles
Approximate ingress ... ... 29 miles
Golden Bay—
Approximate breadth at entrance ... ... 104 miles
Approximate ingress ... ... 175 miles

Remarks.

It is doubtful whether the New Zealand Government desire these two bays to be considered separately, or as one "inlet," whose entrance would, in the latter case, presumably run from the east extremity of Farewell Spit to Nile Head, this distance being practically equal to the "entrance" of Tasman Bay. Considering the bays separately, there is a far better case (from the point of view of configuration) for regarding Golden Bay as a "territorial inlet" than Tasman Bay, but neither is very strong.

Reference No. 7. Chart F. Name: Rangaunu Bay.
Approximate breadth at entrance ... ... 122 miles
Approximate ingress ... ... 66 miles

Remarks.

As for No. 3.

Reference No. 8. Chart F. Name: Bay of Islands.
Approximate breadth at entrance ... ... 124 miles
Approximate ingress ... ... 13 miles

Remarks.

As for No. 1. Practically the whole extent of this bay is already covered by the application of the 3-mile limit.

Reference No. 9. Chart G. Name: Hauraki Gulf, north entrance.

Reference No. 10. Chart G. Name: Hauraki Gulf, south entrance.

Remarks.

The configuration of this "gulf" is peculiar, and can only be discussed with the assistance of the Chart G. The eastern shore, northward of C. Colville, consists of a number of off-lying islands, widely separated. In view of this multiplicity of entrances, the width of the channels, and the discontinuity of the coast enclosing them are claimed as a "territorial inlet," it is suggested that, while some sort of case could, undoubtedly, be made out in support of the claim, its endorsement would very seriously weaken the opposition which could be made to extravagant claims by other Powers.

Reference No. 11. Chart H. Name: Hawkes Bay.
Approximate breadth at entrance ... ... 40·4 miles
Approximate ingress ... ... 25·0 miles

Remarks.

As for No. 3.

Reference No. 12. Chart D. Name: Palliser Bay.
Approximate breadth at entrance ... ... 13·7 miles
Approximate ingress ... ... 6·3 miles

Remarks.

As for No. 3.

Reference No. 13. Chart I. Name: Petrie Bay (a).

Reference No. 14. Chart I. Name: Hanson Bay (b).
Approximate breadth at entrance ... (a) 1·31 (b) 16·25 miles
Approximate ingress ... ... (a) 1·0 (b) 5·5 miles

Remarks.

The configuration of Petrie Bay is considerably deeper in ingress than that of Hanson Bay, but neither seems to justify treatment as a territorial inlet.

Ross Dependency.

In the absence of large-scale charts of the Ross sea coast it is impracticable to give very precise dimensions of the entrances and ingress of these bays, although sufficient general information is available on Charts J and K. The following points may be noted.

All these bays are far remote from ordinary trade routes, and, save by an occasional whaler, are unvisited. Their only value, as far as can be seen at present, is for fishery purposes, for which a licence is required. During winter they are unnavigable and unapproachable. With the exception of Robertson Bay, their configuration is shallow and open. Finally, in the case of Discovery Inlet and the Bay of Whales it should be noted that these bays have no land coasts whatever, consisting merely of semi-permanent indentations (of constantly changing outline, and liable to disappear altogether) in the barrier ice.

SUMMARY.

The 22 inlets recommended by the New Zealand Government for adoption as "Territorial Inlets" may be classified, in the light of the foregoing remarks, as follows:—

Already covered by 3-mile limit:—1 (No. 5)
Almost covered by 3-mile limit:—3 (Nos. 1, 2 and 8)
Not justified by their configuration:—8 (Nos. 3, 4, 6 (part), 7, 11, 12, 13, 14)
Not justified by their configuration and on other strong grounds:—8 (Nos. 15-22)
Doubtful cases (not strong):—3 (Nos. 6 (part), 9, 10)

(2) Netherlands Attitude.

24859

No. 684.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNOR.

(Canada. (Commonwealth of Australia. (New Zealand. (Union of South Africa. (Irish Free State. (Newfoundland. — Dominions No. 249. Confidential.)

[MY LORD,] [SIR,] Downing Street, 5th June, 1924.

WITH reference to my predecessor's Confidential despatch Dominions No. 13 of the 10th of January,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, a copy of a despatch from His Majesty's Minister at The Hague reporting the reply given by the Netherlands Minister for Foreign Affairs to an inquiry recently made in the First Chamber of the Netherlands States General as to the limits of territorial waters.

I have, &c.,
J. H. THOMAS.

Enclosure in No. 684.

(No. 182.)

SIR, British Legation, The Hague, 12th May, 1924.

WITH reference to the Circular despatch of 27th November last, from Marquess Curzon of Kedleston, relative to the conclusions of a Committee on the question of territorial waters appointed by the Imperial Conference of 1923, I have the honour to report that an inquiry was recently made in the First Chamber of the Netherlands States General, in connexion with the estimates of expenditure for the year 1924 of the Ministry for Foreign Affairs, as to whether the limits of territorial waters should not be extended in view of the increase in the range of gun-fire.

In a written reply the Minister for Foreign Affairs stated that, so far as could be judged from recent official utterances by representatives of the principal maritime Powers, these Powers would not be likely to agree to an extension of territorial waters, and that such an extension would be harmful to the Netherlands, as the maintenance of neutrality in the event of warfare would be thereby rendered even more difficult than at present.

I have, &c.,
CHARLES M. MARLING.

The Right Honourable J. Ramsay MacDonald, M.P.,
&c., &c., &c.

(3) Norway: Limits of Territorial Waters.

14231

No. 685.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNOR.

(Canada. (Commonwealth of Australia. (New Zealand. (Union of South Africa. (Irish Free State. (Newfoundland. — Dominions No. 172. Confidential.)

[MY LORD,] [SIR,] Downing Street, 11th April, 1924.

[*Not to Irish Free State:* With reference to my predecessor's Confidential despatch Dominions No. 246 of the 7th of July, 1923,†] I have the honour

* No. 677. † No. 382 in Dominions No. 89.

to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of correspondence with His Majesty's Minister at Christiania regarding questions arising from the seizure by the Norwegian authorities of British trawlers fishing off the Norwegian coasts.

I have, &c.,
J. H. THOMAS.

Enclosure 1 in No. 685.

(No. 15.)

My Lord, British Legation, Christiania, 15th January, 1924.

On receipt of Your Lordship's telegram No. 1 of the 5th instant, I addressed a Note to the Minister for Foreign Affairs, protesting against the arrest of the trawler "Kanuck," copy of which I have the honour to transmit herewith. In the course of conversation with Mr. Michelet to-day, I reverted again to this subject, and said that His Majesty's Government took a serious view of the continual interference with British trawlers on what they considered to be the high seas. I expressed the hope that instructions would be renewed to the Norwegian guard-ships to abstain from interfering with British trawlers outside the three-mile limit and to proceed with the greatest consideration against any captains who might reasonably be considered to believe themselves outside territorial waters. Mr. Michelet stated that the captains of the guardships had been repeatedly instructed to act in a most conciliatory manner, and that these instructions would be renewed, and asked me to discuss the whole question with Mr. Esmarch, Secretary-General of the Ministry, who had all the details at his fingers' ends.

I repeated to Mr. Esmarch what I had said to the Minister, and he expressed the opinion that the "Kanuck" had been, as a matter of fact, within the three-mile limit. I contested this allegation, and Mr. Esmarch suggested that we should look at the map, which he knew was in the department concerned and which showed the exact positions where English trawlers had been arrested. After some delay the map was produced, and I at once noticed that the only limit marked seawards was one of three miles. There was no four-mile limit marked at all. I did not make any observation on this fact to Mr. Esmarch, but I think we can safely draw from it the conclusion that the instructions given to the Norwegian guard-ships are not to interfere with British trawlers outside the three-mile limit. It is obvious that the Norwegian Government would be unwilling to admit officially that such instructions had been given, and I did not think it advisable to raise the point. The nature of the map used is, however, of considerable interest as showing the conciliatory attitude adopted by the Norwegian Authorities, and it may well explain my failure to obtain from the Norwegians (as requested privately by Mr. Ovey) a copy of any map showing the official claims of the Norwegian Government touching the territorial limits of Norwegian waters.

As regards the exact position of the British trawlers arrested, these were all shown on the map as within the three-mile limit. The difficulties which have arisen are due to the fact that this limit is measured from a line drawn between any headlands which are not more than ten miles apart, whereas His Majesty's Government consider that headlands must be not more than six miles apart if a line is to be drawn between them, from which the limit is to be measured. I pointed this out to Mr. Esmarch, who at once admitted that the Norwegian claim had always been one of ten miles as between headlands.

I am most grateful to Your Lordship for having accepted the views expressed in my recent despatches and telegrams on this subject and for authorizing me not to demand from the Norwegian Government the repayment of fines recently inflicted on British trawlers. I feel sure that the course taken is the right one in the circumstances, but the fact remains that these disputes are bound to recur periodically unless an agreement of some kind is reached. There appear to be three courses open to us. The first is to continue as at present and trust to conciliation on both sides averting an acute situation. The second alternative is to have recourse to arbitration. In 1912, when the question was considered with some care, the best opinion was that an arbitration on this point would not go in our favour. The Norwegian claims are of very old standing, and it was thought that they would probably, but not certainly, prevail over those of His Majesty's Government. In any case, I submit that it would be better to refer the matter willingly to

arbitration than to be forced into it by presenting demands which no Norwegian Government could, in the present state of public opinion, accept. The third course is to attempt to come to an agreement with the Norwegian Government, under which the latter would recognize the three-mile limit for general purposes and His Majesty's Government would in return undertake to respect certain fishing areas as closed to their vessels. I have already had the honour to recommend this course to Your Lordship.

I have, &c.,
F. O. Lindley.

The Most Honourable
The Marquess Curzon of Kedleston, K.G.,
&c. &c., &c.

British Legation, Christiania, 8th January, 1924.

Monsieur le Ministre,

It may be within the knowledge of Your Excellency that the Norwegian Court at Vardo inflicted a fine of Kr. 3,000, together with a further payment of Kr. 6,600, on the Master of the British trawler "Kanuck" in October last on account of his having fished within waters claimed by the Norwegian Government as territorial.

I am instructed by His Britannic Majesty's Government to protest against this sentence, since the trawler does not appear to have been fishing within a limit of three miles from Norwegian territory, which is the limit recognized by His Britannic Majesty's Government as bounding Norwegian territorial waters. I have the honour, further, to reserve the right of His Majesty's Government to make further representations in this and any other similar case.

I avail, &c.,
F. O. Lindley.

Son Excellence
Monsieur Michelet,
Ministre des Affaires Etrangères,
&c., &c., &c.

Enclosure 2 in No. 685.

(No. 79.)

Sir, Foreign Office, S.W.1, 20th March, 1924.

Your despatch No. 15 of 15th January with regard to the attitude of the Norwegian Government in respect of the question of territorial waters has been read with interest and satisfaction. I enclose a copy of a memorandum prepared in this department which reflects the considered views of the several interested departments of His Majesty's Government on this question. It is my object in this despatch to define in the form of instructions the procedure best adapted to enable you to negotiate an arrangement with the Norwegian Government. These instructions will be on the lines of the third proposal submitted by yourself in your despatch under reference.

2. You should, in the first place, convey to the Norwegian Minister for Foreign Affairs the sincere appreciation of His Majesty's Government of the conciliatory and sympathetic manner in which his Government is attempting to deal with the situation arising out of the existing conflicting claims.

3. You should then inform the Norwegian Government that, in view of the understanding reached between His Majesty's Government and the Soviet Government in the course of the correspondence exchanged between them in the early summer of last year (see White Books attached), it will presumably be neither possible nor desirable indefinitely to postpone the convening of an international conference with regard to the whole question of territorial waters. In any such conference the views of the British and Norwegian Governments will, as regards Russia in particular, be identical in so far as both governments combat the Russian claim to a twelve-mile limit. His Majesty's Government have, as the Norwegian Government are probably aware, established a *modus vivendi* with the Soviet Government whereby British vessels fish unmolested up to the three-mile limit, but a final settlement of this difficult question is postponed for decision by the international conference.

4. It is understood that the Norwegians, who have not established such a *modus vivendi*, are even more interested in a satisfactory settlement of this question than His Majesty's Government. It has, therefore, occurred to His Majesty's Government that, apart from the advantages which would necessarily accrue from an early settlement of the question at issue between the Norwegian and British Governments, it would be desirable that both Governments should, if possible, come to an understanding in advance of the international conference, so as to ensure that their views and objects shall be entirely identical.

5. With this object in view, His Majesty's Government propose that a mutual understanding should be arrived at on the basis that the Norwegian Government will not claim a wider belt than three miles for its territorial waters, and that certain large inlets, notably the Vest Fiord and the Varanger Fiord, should be recognized as part of Norway. In that event no attempt would henceforward be made, for example, to interfere with fishing vessels outside a three-mile limit, and foreign vessels would not be allowed to fish within the two fiords mentioned.

6. The Norwegian Government are no doubt aware that His Majesty's Government have found it necessary to close certain areas round the Scottish coast to trawlers flying the British flag. His Majesty's Government trust that, in view of the very large concession made to the Norwegian Government by the suggestion contained in paragraph 5 above, the Norwegian Government will also be willing to enter into a special agreement with His Majesty's Government subjecting trawlers flying the Norwegian flag to the same restrictions in the area referred to as those imposed on British trawlers.

7. This is the essence of the arrangement proposed. It is left to your discretion to find the way of ascertaining to what extent the Norwegian Government would be prepared to meet His Majesty's Government in regard thereto. It is not the intention of His Majesty's Government to suggest any formal convention, but rather an informal arrangement. Should the Norwegian Government not be prepared to go even to this length, it would perhaps be possible, subject to similar reservations on the part of His Majesty's Government in regard to their proposed concession, to obtain some form of extension of the instructions at present issued by the Norwegian Government to their guardships, accompanied, however, by a promise that, at the time of the international conference, the Norwegian Government would be prepared to support, as part of a comprehensive agreement, the general acceptance of the three-mile limit, subject to the recognition of the sanctity of the waters which form the subject of well-founded historical claims on the part of various governments.

8. These instructions might be criticized as being of a rather vague and elastic character. It is essential, however, in the first place to ascertain whether the Norwegian Government would or would not be prepared to accept in principle an arrangement on the lines proposed. Should they be so prepared, there are other points of considerable interest which would yet require to be settled. For instance, there is a marked divergence of opinion between His Majesty's Government and the Norwegian Government on two points, namely:

(i) With regard to the method of calculating the limits of territorial waters outside the smaller inlets on the coast. In the case of bays with headlands not more than ten miles apart, the Norwegian Government make the measurement from a line joining the headlands. It will be seen from the conclusions of the committee of the Imperial Conference on the question of territorial waters, copy of which is also enclosed for convenience of reference,* that His Majesty's Government consider that this should only be done in the case of bays whose width at the entrance does not exceed six miles. It was, however, realized at the conference that, in the event of agreement with other Powers not being found possible on any other basis, His Majesty's Government might be induced to accept special arrangements adopting a wider limit for fishery purposes.

(ii) The starting point from which, off such portions of the coast line as do not come under the designation of bays, the limit of territorial waters should be measured. His Majesty's Government, and it is presumed the Norwegian Government, are prepared to agree to the low water mark as the point of departure. It is more than possible, however, that in regard to the question from what portion of the land low water should be reckoned, the interpretation of the word "island" will be

* Enclosure in No. 677.

a source of disagreement. The interpretation of His Majesty's Government is that the word "island" covers all portions of territory permanently above high water in normal circumstances and capable of use or habitation. In view of the large number of small islands and rocks off the Norwegian coast, considerable discussion of this point is to be foreseen.

9. It is not desired that you should at this stage embark on a discussion with the Norwegian Government of these points—except perhaps, at your discretion, that of the six-mile line—or attempt to arrive at any definite decision. Some sort of decision will have to be reached eventually, but at present it would be sufficient if His Majesty's Government and the Norwegian Government could come together on the question of principle, as above proposed, and to agree to deal with any actual cases of reported violation of the three-mile limit from low water mark in which these possible divergencies of opinion might be of importance, as and when they arise, on the same basis of friendly and informal co-operation as now obtains in respect of the disputed area between the three and four-mile limit.

I am, &c.,

F. E. F. Adam.

The Honourable
F. O. Lindley, C.B., C.B.E.,
&c., &c., &c.

Memorandum.

Norwegian Territorial Waters.

The policy of His Majesty's Government in regard to the Norwegian claim to four miles of territorial waters has hitherto consisted in maintaining a formal protest against any expansion of the three-mile limit while endeavouring to avoid alienating the sympathies of the Norwegian fisher-folk by requesting our fishermen to abstain from fishing within four miles of the Norwegian coast.

Recently there have been several complaints of infringement by our people, sometimes within the four and sometimes within the three-mile limit.

The Committee on Territorial Waters of the Imperial Conference has brought out the under-mentioned resolutions:—

(1) It is essential that the general limit of territorial waters should be fixed at a distance of three miles from low water mark.

(2) The limit of territorial waters should be the same for the purposes of belligerency, neutrality, customs, fisheries, control of vessels, and all other purposes.

(3) The limit of territorial waters should, in the case of bays whose width at the entrance does not exceed six miles, be three miles to seaward of a straight line drawn across the entrance.

Similar territorial rights may, in addition, be admitted in respect of a certain number of larger bays or inlets, to be known as territorial inlets, which should be specifically enumerated and geographically defined.

(4) The coast line from the low water mark of which the three-mile limit of territorial waters should be measured is that of the mainland and also that of all islands. The word "island" covers all portions of territory permanently above high water in normal circumstances and capable of use or habitation.

It was understood that the application of resolution 3 would be subject to the provisions of any existing international agreements and the considerations in regard to fisheries set out in paragraphs 19 and 20 of the memorandum by the interdepartmental committee which prepared this subject for the Imperial Conference. Those paragraphs read as follows:—

"19. It has been proposed that the 'ten-mile bay rule' should be put forward as a general international rule *applicable to fisheries only*. In other words, that the 'exclusive fishery limits' in bays should be generally recognized as including in all cases the waters within a distance of three miles measured from a straight line drawn across the bay in the part nearest the entrance at the first point where the width does not exceed ten miles. This rule would be strictly limited to fishery purposes, and would not affect general territorial rights in bays.

"20. It is, however, considered that while no strong objection can be taken to the ten-mile rule for bays being generally adopted for fishery purposes only, if agreement to this effect can be negotiated with the other countries concerned, it is undesirable that the British Empire should take the initiative in any such negotiations."

These conclusions were endorsed by the Imperial Conference on 31st October, 1923; and the governments of the Dominions have been asked whether they will accept them.

Thus we have something to serve as a general guide in our negotiations with foreign powers.

With regard to Russia, we are more or less committed some time or other to ascertain the views of the other Powers with regard to the necessity of holding a general conference for the settlement of questions relating to territorial waters. Such a conference is not likely to be held in the immediate future, and the object of this minute is to suggest a form of procedure which will enable us to reach a *modus vivendi* with Norway in the interval before the international conference and take into consideration the general views which will guide us when and if that conference takes place.

Our present unofficial arrangement with the Norwegian Government is liable to break down at any moment. In fact, unless we can prove that the steam trawler "Kanuck" was outside the four-mile limit, an awkward situation might arise, as it would be necessary for us, in order to maintain our attitude with regard to the four-mile limit, to inform the Norwegian Government that we must hold them responsible for any loss incurred as a result of confiscation or fine by the British owners of the "Kanuck" while fishing admittedly outside the three-mile limit.

The view I wish to submit is that the present arrangement by which we warn our fishermen not to fish between the three and four-mile line is too one-sided. If it is to continue, it should be intimated to the Norwegians that, in return for the warning we give our men, they themselves should, in cases where in spite of the warning our fishermen pass over the four-mile limit, abstain from prosecuting. The first step would, however, be to ask Mr. Lindley unofficially to approach the Norwegian Government in this sense and to point out how awkward a situation would arise should their courts in the case of the "Kanuck," or in any other similar case, find the British fishermen guilty.

In view of our excellent relations with Norway and the necessity of close co-operation with them, when and if the general conference is summoned, Mr. Lindley might be further instructed to draw the attention of the Norwegian Government to the general line of the committee's resolution. The reason for suggesting this is that, while in this resolution we are to insist absolutely on the three-mile limit, we are prepared, in the interests of our Dominions, Canada in particular, to agree to the closing of certain bays of a larger breadth of opening than six miles. The Norwegians have long had a special claim to the whole of the Vest Fiord and the Varanger Fiord. It should surely not be impossible, when the general question comes up, for England and Norway to come to some agreement by which Norway would finally accept the three-mile limit and Great Britain admit the enclosing in Norwegian territorial waters of these two fiords. An arrangement of this kind would, of course, have a certain repercussion on the question of the White Sea. I understand that it is felt generally that we cannot ultimately uphold our objection to the major portion of this Sea being included in Russian territorial waters. It is not, however, likely that the Russians would at once be prepared to give up their much larger claim to twelve miles territorial waters. If they did agree to three miles, we should have to include the White Sea in their jurisdiction. Should they, however, not agree to the three-mile limit, we should not have quoted against us the proposed Anglo-Norwegian precedent as regards large bays, which would be dependent on the acquiescence of both parties to the three-mile territorial limit.

It is, therefore, suggested that we

(1) Request Mr. Lindley to obtain, as suggested, a chart showing the lines joining headlands from which the Norwegian Government at present reckon their limit.

(2) And that, subject to the views of the Ministry of Agriculture and Fisheries, we instruct Mr. Lindley at the same time unofficially to ask the Norwegian Government, in view of our very generous attitude, "to tip the wink" to the authorities not to prosecute such British vessels as may cross the four-mile limit.

(3) That we discuss at an informal meeting of the departments represented on the interdepartmental committee whether it would not be advisable to issue instructions, and, if so, in what form, to Mr. Lindley to take the opportunity of discussing informally "as coming from himself" the possibility of the British and Norwegian Government eventually coming to the above-mentioned arrangement by which they would accept the three-mile limit, and we in our turn admit their claim to the large bays. This third proposal is not of an urgent nature, but a frank interchange of unofficial views on the subject could not but be beneficial.

Foreign Office,
19th November, 1923.

20416

No. 686.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.

Dominions No. 213. Confidential.)

[My Lord,] [Sir,] Downing Street, 10th May, 1924.

With reference to my Confidential despatch Dominions No. 172 of the 11th April,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copies of further correspondence with His Majesty's Minister at Christiania regarding the claims of the Norwegian Government in respect of the extent of Norwegian territorial waters.

I have, &c.,
J. H. THOMAS.

[15494]

Enclosure 1 in No. 686.

TELEGRAM FROM MR. LINDLEY (CHRISTIANIA) TO THE FOREIGN OFFICE.

(Received 5.30 p.m., 26th March, 1924.

26TH MARCH. No. 13 (R). Your despatch No. 79†. Before approaching Norwegian Government I should like to be clear on one point. Am I right in presuming that concession foreshadowed in paragraph 5 that we should recognize certain fjords as "part of Norway" means that we will recognize these as territory for all purposes? I ask because concluding sentence of paragraph 1 seems to indicate that as a rule exclusive fishing rights only will be recognized in any concession we may make.

I shall be grateful for reply by telegraph as I am anxious to begin negotiations before Easter holidays.

[15494]

Enclosure 2 in No. 686.

TELEGRAM TO MR. LINDLEY (CHRISTIANIA) FROM FOREIGN OFFICE.

(Sent 7.20 p.m., 27th March, 1924.)

No. 6 (R). Your telegram No. 13 (of 26th March: Norwegian territorial waters).

Presumption in second sentence is correct.

---

* No. 685. † Enclosure 2 in No. 685.

Enclosure 3 in No. 686.

(No. 110.)

SIR, British Legation, Christiania, 29th March, 1924.

ON receipt of your telegram No. 6 of the 28th instant I drew up a Note to the Norwegian Government on the line laid down in your despatch No. 79 of the 20th instant, dealing with the subject of territorial waters. It will be seen from the copy of the Note enclosed herewith that I have omitted to make any mention of paragraph (2) of that despatch expressing the appreciation of His Majesty's Government at the conciliatory attitude of the Norwegian Government in dealing with the existing conflicting claims. I made this omission deliberately, because I do not consider that in the last few months the Norwegian authorities have been as conciliatory as they ought to have been in dealing with British trawlers and an expression of opinion in the contrary sense might, I fear, produce a false impression and weaken subsequent representations.

In handing the Note to Monsieur Michelet this morning, I explained that it was intended to form the basis of a discussion and not to be a hard and fast offer on the part of my Government. I added that there were minor points which would undoubtedly arise in the course of the discussion and which I hoped would not form an obstacle to an arrangement. The first thing to know was whether the Norwegian Government were prepared to attempt to come to a working agreement with His Majesty's Government on this thorny question. His Excellency read the Note carefully and said he would confer at once with his colleagues. The subject was of the greatest interest to the Norwegian Government and had been the object of discussion last summer. He would let me know as soon as possible the views of his Government and he hoped that it might be possible for the desired discussions to take place between myself and some high official well versed in the question.

Before writing my despatch No. 15 of the 15th January,* I had, of course, sounded various persons in authority in an entirely private manner as to the possibility of coming to some arrangement with the Norwegian Government, and it was due to the very encouraging attitude of those persons that I ventured to recommend the course which you have been good enough to approve. At the same time, I will not conceal from you that I have grave doubts whether the proposal made in my Note will, as it stands, be sufficiently attractive to the Norwegian Government to induce them to give up their century-old claim to the four-mile limit. It will have been observed from my telegram No. 13 of the 26th instant, that the proposal does not in fact follow the lines which I recommended, that is to say, the recognition of certain areas off the Norwegian coast as territorial for the purposes of fishing only, in exchange for which recognition the Norwegian Government would accept the three-mile limit as a general rule. The proposal, as it stands, is, on the other hand, an offer to recognize certain bays as territorial for all purposes and no mention is made of any waters outside those bays or of the fishing interests of the Norwegian population. But the crux of the matter lies in these fishing interests and I very much doubt whether any Norwegian Government will be able to make concessions regarding the waters between the three and four-mile limit in those localities where these waters cover valuable fishing banks. Moreover, I am doubtful whether the Norwegian Government will see their way to apply to bays on the Norwegian coasts a régime more restrictive of their rights than that laid down in the North Sea Convention. In short, I doubt whether a satisfactory arrangement will be possible unless we are prepared to recognize as territorial for fishing purposes certain waters outside the three-mile limit and also those waters within a limit of three miles of a line drawn between all headlands not more than ten miles apart. These observations are not intended in any way as a criticism of my instructions, which I hope are sufficient to initiate conversations and to discover exactly what is in the minds of the Norwegian Government. It will be time enough to deal with the points which I have mentioned, should the Norwegian Government raise them, when the air has been cleared by the consideration of my Note.

I have, &c.,
F. O. LINDLEY.

The Right Honourable
James Ramsay MacDonald, M.P.

* Enclosure in No. 685.

(No. 28.)

MONSIEUR LE MINISTRE, British Legation, Christiania, 29th March, 1924.

I HAVE the honour to inform Your Excellency that His Majesty's Government have been considering for some time the conflicting claims respecting the proper extent of territorial waters which exist at present between that Government and the Royal Norwegian Government.

2. In view of the understanding reached between His Majesty's Government and the Soviet Government in the course of the correspondence exchanged between them in the early summer of last year, it will presumably be neither possible nor desirable indefinitely to postpone the convening of an International Conference with regard to the whole question of territorial waters. In any such conference the views of the British and Norwegian Governments will, as regards Russia in particular, be identical in so far as both Governments combat the Russian claim to a twelve-mile limit. His Majesty's Government have, as Your Excellency is probably aware, established a *modus vivendi* with the Soviet Government whereby British vessels fish unmolested up to the three-mile limit, but a final settlement of this difficult question is postponed for decision by the International Conference.

3. It is understood that the Norwegians, who have not established such a *modus vivendi*, are even more interested in a satisfactory settlement of this question than His Majesty's Government. It has, therefore, occurred to His Majesty's Government that, apart from the advantages which would necessarily accrue from an early settlement of the question at issue between the Norwegian and British Governments, it would be desirable that both Governments should, if possible, come to an understanding in advance of the International Conference, so as to ensure that their views and objects shall be entirely identical.

4. With this object in view, His Majesty's Government propose that a mutual understanding should be arrived at on the basis that the Norwegian Government will not claim a wider belt than three miles for its territorial waters and that certain large inlets, notably the Vest Fjord and the Varangerfjord, should be recognized as part of Norway. In that event no attempt would henceforward be made, for example, to interfere with fishing vessels outside a three-mile limit, and foreign vessels would not be allowed to fish within the two fjords mentioned.

5. The Norwegian Government are no doubt aware that His Majesty's Government have found it necessary to close certain areas round the Scottish coast to trawlers flying the British flag. His Majesty's Government trust that, in view of the very large concession made to the Norwegian Government by the suggestion contained in paragraph 4 above, the Norwegian Government will also be willing to enter into a special agreement with His Majesty's Government subjecting trawlers flying the Norwegian flag to the same restrictions in the area referred to as those imposed on British trawlers.

6. I have the honour to add that it is not the intention of His Majesty's Government to suggest any formal convention but rather an informal arrangement based on the above proposals, which I am authorized to discuss with Your Excellency, should the Norwegian Government be inclined to enter into such a discussion.

I avail, &c.,
F. O. LINDLEY.

Son Excellence
Monsieur Michelet,
Ministre des Affaires Etrangères,
&c., &c., &c.

44190

No. 687.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL AND GOVERNOR.

(Canada,
(Commonwealth of Australia,
(New Zealand,
(Union of South Africa,
(Irish Free State,
(Newfoundland.

Dominions No. 471. Confidential.)

[MY LORD,] [SIR,] Downing Street, 25th September, 1924.

WITH reference to my Confidential despatch Dominions No. 213 of the 10th of May,* I have the honour to transmit to [Your Excellency,] [you,] for the

* No. 686.

information of your Ministers, the accompanying copy of correspondence with His Majesty's Minister at Christiania regarding the Norwegian method of measuring the limit of Norwegian territorial waters.

I have, &c.,
(for the Secretary of State).
ARNOLD.

[19867]

Enclosure 1 in No. 687.

(No. 123.)

SIR, British Legation, Christiania, 6th April, 1924.

WITH reference to my despatch No. 92 of the 12th ultimo, I have the honour to transmit, herewith, translation of a Note Verbale from the Ministry for Foreign Affairs regarding the arrest of the three British trawlers "James Long," "Salmonby" and "Ninus."

It will be observed that the Norwegian Ministry for Foreign Affairs maintain that all these vessels were arrested within the three-mile limit; but it will also be seen that in the case of the "James Long" and the "Ninus" this limit is measured from a line drawn between headlands further apart than the six miles recognized by His Majesty's Government as the extreme legitimate length of such a line.

I have, &c.,
F. O. LINDLEY.

The Right Honourable
James Ramsay MacDonald, M.P.

TRANSLATION.

THE Ministry for Foreign Affairs have the honour to acknowledge the receipt of the Note Verbale which His Britannic Majesty's Minister addressed to them on the 4th ultimo, regarding the arrest of the British trawlers "James Long," "Salmonby" and "Ninus." In that Note the right was reserved to put forward a claim for damages resulting from the arrests, as the ships were stated to have been arrested just within the four-mile limit which is not recognized by the British Government.

With reference to the Note Verbale above referred to, the Ministry for Foreign Affairs have the honour to state that they will send a further communication on the subject at a later date. The Ministry would like, however, to make the following observations.

It appears from reports which have been received from the competent authorities that the three ships were arrested within the three-mile limit recognized by the British Government, at the following positions:—

(1) "James Long," North Latitude 71° 8·7′ East Longitude from Greenwich 28° 2·8′. This point lies 2·5 nautical miles from a base line drawn from rocks west of Hollanderviken on Sletnes to Avlsning on Nordkyn. This line is ten nautical miles long.

(2) "Salmonby," 2·3 nautical miles from the N.E. point of Harbakken.

(3) "Ninus" four cable lengths within a point which lies 2·9 nautical miles outside the base line Harbakken-Korsnes.

Christiania,
5th April, 1924.

[28106]

Enclosure 2 in No. 687.

(No. 192.)

SIR, British Legation, Christiania, 30th May, 1924.

WITH reference to my despatch No. 123 of the 8th April last, I have the honour to transmit, herewith, translation of a further Note Verbale from the Ministry for Foreign Affairs regarding the arrest of the three British trawlers "James Long," "Ninus" and "Salmonby."

This Note appears to contain nothing new of importance. If the positions of the vessels are correctly given, as is probably the case, the first two were arrested in waters which are outside the three-mile limit as we measure it, but within or on the limit reckoned from a base line drawn between headlands not more than ten miles apart. The "Salmonby" appears to have been well within three miles from the nearest land.

It will be observed that the concluding paragraph of the Note states that all three trawlers were arrested within the three-mile limit as recognized by the British Government. This is only the case as regards the "Salmonby" and I have, therefore, addressed to the Ministry a Note Verbale pointing out the error contained in the above-mentioned paragraph.

I have, &c.,
F. O. LINDLEY.

The Right Honourable
James Ramsay MacDonald, M.P.

TRANSLATION.

WITH reference to the Department's Note Verbale of the 5th April, concerning the arrest of the British trawlers "James Long," "Ninus" and "Salmonby," the Minister for Foreign Affairs has the honour to state that, in the light of the information now before it, the individual arrests took place at the following points:

1. "*James Long.*"—According to the bearings taken by the guardship, which must be presumed to be correct, this trawler was arrested at

Latitude 71° 8·7′,
Longitude 28° 2·7′,

or 2·5 nautical miles from the base line from the rock west of Hollaenderviken on Sletnes to Avlöisa on Nordkyn and 3·5 nautical miles from the nearest land (Bispen).

This base line is 9·9 nautical miles long.

2. "*Ninus.*"—According to the report of the guardship, this trawler was hailed at

Latitude 70° 37·6′,
Longitude 30° 33·6′,

The trawler, however, did not obey the order of the guardship to stop but proceeded on its course and was arrested at

Latitude 70° 37·7′,
Longitude 30° 32·7′,

Both spots lie three nautical miles from the base line Harbaken—Syltefjordsklubben and 2·3 nautical miles from the base line Harbaken—Korsnes.

The former base line is 7·1 nautical miles and the latter is 11·6 nautical miles.

3. "*Salmonby.*"—This trawler was arrested at

Latitude 70° 35·2′,
Longitude 30° 40·4′,

or 2·3 nautical miles from the base line Harbaken—Syltefjordsklubben and 2·4 nautical miles from the nearest land (Harbaken).

From this it is clear that all three trawlers were not only arrested in Norwegian territorial waters, but even within the three-mile limit recognized by the British Government. The Ministry for Foreign Affairs cannot, therefore, recognize that there exists in the above-mentioned cases sufficient warrant for an eventual demand for compensation.

Christiania,
24th May, 1924.

Enclosure 3 in No. 687.

(No. 258.)

SIR, Foreign Office, S.W.1, 12th September, 1924.

WITH reference to your despatches No. 123 of the 8th April and No. 192 of the 30th May last, I transmit to you, herewith, a copy of a letter from the Admiralty regarding the Norwegian method of measuring the limit of Norwegian territorial waters.

2. The conclusion of an interdepartmental conference at which this question was considered is to the effect that there are strong objections to measuring the territorial limit from general enclosing lines drawn between headlands without regard to the configuration of the enclosed waters; and I shall be glad if you will bear this in mind in any negotiations which may take place with the Norwegian Government in regard to the arrest of British trawlers or the extent of Norwegian territorial waters. It might be pointed out that no such claim has been advanced by any other Power except Russia, in modern times. His Majesty's Government hold that the limit of territorial waters should, in the case of bays whose width at the entrance does not exceed six miles, be three miles to seaward of a straight line drawn across the entrance; and that similar territorial rights may, in addition, be admitted in respect of a certain number of larger bays or inlets which should be specifically enumerated and geographically defined. This is a very different matter from taking each headland along the Norwegian coast and measuring a series of lines from point to point, so that the waters within those lines are considered by the Norwegian Government to be the national waters of Norway and the territorial limit is measured by the Norwegian authorities from those lines. If this is a correct statement of the Norwegian Government's view, it is one which His Majesty's Government cannot accept.

3. His Majesty's Government do not regard as a "bay" any indentation of the coast, but only such as have a configuration which can properly be so described; in this connexion I may refer to paragraph 8 (1) of my despatch No. 79 of 20th March.* I am advised that the governing decision of an International Court on this subject is the award of the North Atlantic Coast Fisheries Arbitration at The Hague of 7th September, 1910, which contains in the answer to question V, paragraph 6 (*f*), the statement that in its geographical sense "a bay is to be considered as an indentation of the coast, bearing a configuration of a particular character, easy to determine specifically, but difficult to describe generally" (State Papers, Volume C 111, 1909-1910, page 117). The award of the tribunal in the case of bays was that "the three marine miles are to be measured from a straight line drawn across the body of water at the place where it ceases to have the configuration and characteristics of a bay. At all other places the three marine miles are to be measured following the sinuosities of the coast."

4. In the event of this question being discussed at an International Conference there is no doubt that the award of the North Atlantic Arbitration Tribunal would be a governing factor in any general decision which might be arrived at as to the interpretation of the word "bays" for this purpose. Until such general international agreement is reached, it will therefore be necessary for you to insist on the policy of His Majesty's Government in this matter, as defined in the conclusions of the recent Imperial Conference, keeping in mind the point that the decision of the North Atlantic Coast Fisheries Arbitration Tribunal is an authoritative guide as to the meaning of the term "bay" for this purpose and that His Majesty's Government are not likely to admit any other interpretation. Any larger Norwegian inlets which His Majesty's Government might admit in the course of the present informal negotiations with the Norwegian Government to be the national waters of Norway would have to be specifically enumerated and geographically defined before they could be treated as exceptional cases in accordance with the resolutions of the Imperial Conference.

I am, &c.,
(for the Secretary of State),
F. E. F. ADAM.

The Honourable
F. O. Lindley, C.B., C.B.E.,
&c., &c., &c.

[29384]

SIR,

17th May, 1924.

WITH reference to Foreign Office letter of the 26th ultimo, forwarding copy of a despatch from His Majesty's Representative at Christiania relative to the arrest of British trawlers by the Norwegian authorities, I am commanded by My

* Enclosure 2 in No. 685.

Lords Commissioners of the Admiralty to acquaint you, for the information of the Secretary of State for Foreign Affairs, that in the case of the "Ninus," as in that of the "James Long," already referred to in Admiralty letter of 21st March last, they do not consider that the line taken by the Norwegian authorities from which to measure the territorial limit marks the boundary of a "bay" and, therefore, see no reason for utilizing it for this purpose whatever its length.

My Lords are of opinion that there are great objections to measuring the territorial limit from general enclosing lines drawn between headlands without regard to the configuration of the enclosed waters and that any such claims should be strongly opposed.

I am, &c.,

The Under Secretary of State,
Foreign Office, S.W.1.

49154

No. 688.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.

Dominions No. 521. Confidential.)

[MY LORD,] [SIR,]

Downing Street, 3rd November, 1924.

WITH reference to my Confidential despatch Dominions No. 471 of the 25th September,* on the subject of the limits of Norwegian territorial waters, I have the honour to request [Your Excellency,] [you,] to inform your Ministers that the question has been raised whether the inclusion in the second sentence of paragraph 2 of the despatch† to His Majesty's Representative at Christiania, a copy of which was enclosed in my despatch, of the words "except Russia" was correct.

2. As a result of further examination of the point it does not appear that the Russian Government have at any time laid down any particular principle in defining the limits of the waters of the inlets which they desired to be recognized as territorial. They have usually merely intimated that the waters of certain specified inlets were considered by them as Russian territorial waters.

3. His Majesty's Representative at Christiania has been informed accordingly.

I have, &c.,
J. H. THOMAS.

52083

No. 689.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.

Dominions No. 528. Confidential.)

[MY LORD,] [SIR,]

Downing Street, 12th November, 1924.

WITH reference to my Confidential despatch Dominions No. 521 of the 3rd of November,‡ I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of correspondence with His Majesty's Representative at Christiania on the subject of the limits of Norwegian territorial waters.

I have, &c.,
L. S. AMERY.

---

* No. 687. † Enclosure 3 in No. 687. ‡ No. 688.

[47611]

Enclosure 1 in No. 689.

(Confidential.)

MR. LINDLEY to MR. MACDONALD.

(Received 23rd September.)

(No. 336.)

SIR, Christiania, 19th September, 1924.

WITH reference to my despatch No. 279 of the 29th July, I have the honour to report that the Minister for Foreign Affairs informed me on the 16th instant that he had discussed the question of territorial waters with Dr. Hjort, and that the latter, who had just returned from his scientific cruise, was willing to take it up.

Dr. Hjort called on me accordingly yesterday morning and we had a long, friendly conversation. He began by saying that the present Norwegian Government considered that my note of the 29th March last, copy of which was enclosed in my despatch No. 110 of the same date,* should have been answered before. They proposed to reply to it without further delay in the sense that the Norwegian Government were prepared to appoint a small committee of experts to examine the proposals made in the note and to discuss them, should His Majesty's Government be so inclined, with a similar British committee. I told Dr. Hjort that I did not know whether my Government would wish to appoint a committee, but that I would discuss the matter when I went on leave and that I hoped it might be possible to come to some arrangement. I pointed out that there were several questions, apart from the 4-mile limit, upon which our two Governments did not see eye to eye. There was the definition of what constituted an island, and there was the length of the line between headlands, which could properly be taken as the base for calculating the extent of territorial waters seaward of that line. The Norwegian Government claimed that such a line might be 10 miles long. His Majesty's Government maintained, on the other hand, that it could be only 6 miles.

I then informed Dr. Hjort that I had made several attempts to obtain from the Norwegian Government, officially or unofficially, a definite statement of what they claimed as Norwegian territorial waters. We were aware, of course, of the general nature of their claims, but, in order to avoid unpleasant incidents, it was important for us to know the exact line laid down on a chart of such waters. As Dr. Hjort was probably aware, the British authorities had, in order to show their friendly disposition towards Norway, and in return for the considerate behaviour shown in the past by the Norwegian authorities, advised British trawlers not to fish within the Norwegian 4-mile limit. This action of the British authorities in no way entailed any recognition of the Norwegian claims, but it had prevented many disputes during the trawling season. It would be very advantageous if, instead of giving this vague warning to our trawlers, the British authorities were in a position to show them on a chart exactly where the Norwegian line ran, and I had never been able to understand the reluctance of the Norwegian authorities to communicate to us this information. I asked Dr. Hjort whether he could obtain for me this chart, or at any rate one of the coast of Finmarken, which seemed to be the only part of Norwegian territory visited by our trawlers.

Dr. Hjort said that he entirely agreed with my view, and that he had for fifteen years been pressing various Norwegian Governments to make known the exact extent of their claims to territorial waters. He had not succeeded in his object, but the present Prime Minister, who was also his brother-in-law, took a more sensible view of the matter than his predecessors, and he would ask him at once whether the chart I wished for could not be communicated to this Legation, on the understanding that such communication in no way prejudiced the claims of either country. Dr. Hjort telephoned to me this morning to say that the chart of Finmarken, which is the only part of the coast of real interest to our trawlers, would be communicated to the Legation as soon as it has been prepared. I should mention, in this connexion, that, during the discussion regarding the communication of this chart, Dr. Hjort said that his Government thought that, in return for it, we should undertake to observe it during the progress of negotiations, without prejudice to our claims. I replied that I could not recommend this course to His Majesty's Government, nor did I think that they would accept it if I did. The possession of the chart was merely a question of convenience and could not be considered as conferring any

* Enclosure 3 in No. 686.

advantage on us, for which a concession such as he mentioned should be made in return. We already knew generally the Norwegian claims and we did not accept them; the fact that the chart would show in a definite and convenient form the exact nature of these claims did not in any way alter the situation. The chart would simply be useful in enabling our trawlers to know precisely whether they were within those waters claimed by the Norwegian Government as territorial. After arguing the point for some time, Dr. Hjort said that he would recommend that the chart should be communicated to us without conditions, and this recommendation has been accepted by M. Mowinckel, as stated above.

As I have frequently pointed out, the question of the limits of territorial waters in Norway is essentially a fishing question. The population of the north-west coast is dependent for its livelihood entirely on the sea, and it is inconceivable that any Norwegian Government should recognize willingly the right of foreigners to trawl on those banks within 4 miles of the shore, which have been considered from time immemorial as exclusively reserved for the coast population. It is, therefore, natural that the Norwegian Government should have placed the discussion of this question in the hands of their first expert in fishery matters, who is, moreover, a European authority in marine biology. From our point of view, this gentleman is a happy choice, since he not only knows personally the leading fishery experts in England and Scotland, but he has always been a keen advocate of Anglo-Norwegian friendship. In the course of our conversation, he expressed the opinion, which I have always held, that the areas outside the 3-mile limit, which are vital to the Norwegian fishermen, are not extensive, and that it would be in the best interests, both of the fishing population and of the country as a whole, to accept the principle of the 3-mile limit in exchange for the acknowledgment by Great Britain of the exclusive right to fish in certain definite and inextensive areas. This goes somewhat further than the proposals contained in your despatch No. 79 of the 20th March* last, but it is idle to suppose that any amicable arrangement can be come to with Norway on any other basis, and I strongly recommend that the present opportunity be taken to settle once and for all a question which, so long as it remains open, constitutes a potential menace to the extremely friendly relations which have so long subsisted between Norway and Great Britain.

I have, &c.,

F. O. LINDLEY.

[47533]

Enclosure 2 in No. 689.

MR. INGRAM to MR. MACDONALD.

(Received 25th September.)

(Confidential.)

(No. 343.)

SIR, Christiania, 20th September, 1924.

WITH reference to Mr. Lindley's despatch No. 336 of yesterday's date, I have the honour to transmit herewith a translation of a letter from the Norwegian Minister for Foreign Affairs, in which M. Mowinckel promises to forward to this Legation a chart indicating the limits of what the Norwegians claim to be their territorial waters on the coast of East Finmark, on the assumption that the transmission of this chart does not in any respect prejudice the point of view of either His Majesty's Government or the Norwegian Government regarding the extent of these waters.

M. Mowinckel's letter arrived just as His Majesty's Minister was leaving Christiania for England. Mr. Lindley, however, was able to take a copy of the original with him and informed me that he intended to discuss the question verbally with you. I presume I shall in due course receive instructions, after you have discussed the matter with Mr. Lindley, as to the reply I am to return to the last paragraph of M. Mowinckel's letter under reference.

I have, &c.,

E. M. B. INGRAM.

* Enclosure 2 in No. 685.

M. MOWINCKEL to MR. LINDLEY.

(Translation.)

MY DEAR MINISTER, Christiania, 19th September, 1924.

To revert to our conversation of the other day. I would confirm the readiness of the Norwegian Government to appoint a committee of two or three persons to discuss the question raised in your note of the 29th March* with a corresponding British committee.

Professor John Hjort has communicated to me the gist of the conversation he had with you on the 18th instant, and as agreed therein a chart will eventually be sent you of East Finmark indicating the limits of Norwegian territorial waters according to Norwegian views.

In transmitting this chart it is assumed that it will in no respect prejudice the point of view of either Norway or Great Britain regarding the extent of the territorial waters. The sole aim of this information is to contribute towards preventing British trawlers from trespassing upon Norwegian territorial waters owing to their ignorance of the limits and from being arrested by Norwegian guardships.

Before replying officially to your note of the 29th March,* I should be glad to hear from you whether your Government is prepared to approach the matter on the lines indicated above.

I remain, &c.,
J. MOWINCKEL.

[51370]

Enclosure 3 in No. 689.

TELEGRAM TO MR. INGRAM (CHRISTIANIA) FROM THE FOREIGN OFFICE.

(Sent 7.30 p.m., 28th October, 1924.)

(No. 16 (R).)

YOUR despatch No. 343 of 20th September, Norwegian territorial waters.

Question was discussed at inter-departmental meeting which Mr. Lindley attended to-day, and it was decided to appoint a small committee of experts to meet similar Norwegian committee in Christiania with as little delay as possible.

Meeting were unanimous in attaching importance to examining chart promised by Minister for Foreign Affairs in his note of 19th September before they leave for Norway. Such an examination would save time by enabling departments not represented at Christiania meeting to be consulted here before experts leave.

Please inform Minister for Foreign Affairs of above and try to obtain chart and despatch it as soon as possible.

If chart is not yet available, please impress on Minister for Foreign Affairs necessity of having it ready for first meeting of committee, who propose tentatively to arrive at Christiania 17th November.

Please reply by telegraph.

55138

No. 690.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
} Dominions No. 555. Confidential.)

[MY LORD,] [SIR,] Downing Street, 2nd December, 1924.

WITH reference to my Confidential despatch Dominions No. 528 of the 12th of November,† I have the honour to request [Your Excellency,] [you,] to inform your

* Sub-enclosure in Enclosure 8 in No. 686. † No. 689.

Ministers that His Majesty's Government have decided to appoint a small Committee of experts to meet a similar Norwegian Committee in Christiania to discuss the question of Norwegian territorial waters in relation to fisheries.

2. The names of the British experts are:—Mr. H. G. Maurice, C.B., Fisheries Secretary, Ministry of Agriculture and Fisheries, and Captain H. P. Douglas, C.M.G., Hydrographer of the Navy, who will be accompanied by Lieutenant-Commander Gould as his assistant. The Norwegian Committee are:—Professor Johan Hjort, Chairman; Dr. Helge Klaestad, Head of the Latin Department in the Ministry for Foreign Affairs; and Dr. Ragnvald Walnum, Head of a Department in the Fisheries Division, Ministry of Commerce, with Mr. Smith Kjelland, a member of the Norwegian Foreign Office, as Secretary.

3. The British experts are expected to arrive in Christiania on the 1st of December.

I have, &c.,
L. S. AMERY.

55974

No. 691.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
} Dominions No. 565. Confidential.)

[MY LORD,] [SIR,] Downing Street, 8th December, 1924.

WITH reference to my Confidential despatch Dominions No. 555 of the 2nd of December,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a despatch to His Majesty's Minister at Christiania relative to the discussions with Norwegian experts of the question of Norwegian territorial waters in relation to fisheries, together with a copy of a letter addressed to Mr. Maurice and Captain Douglas, the British experts.

I have, &c.,
L. S. AMERY.

Enclosure 1 in No. 691.

(No. 331.)

SIR, Foreign Office, S.W.1, 28th November, 1924.

WITH reference to Mr. Ingram's despatch No. 389 of the 7th instant, and subsequent telegraphic correspondence with your Legation regarding the question of Norwegian territorial waters, I have to inform you that this question has been under discussion between the departments of His Majesty's Government concerned.

2. His Majesty's Government consider that the question of the Moray Firth should not be raised by the British experts at the forthcoming discussion with Norwegian experts at Christiania, but should be reserved for discussion at the meeting of an international scientific Conference. In these circumstances they do not desire to maintain the proposal contained in paragraph 5 of your note to Monsieur Michelet of the 29th March last,† that there should be a special agreement between the British and Norwegian Governments subjecting Norwegian trawlers to the same restrictions as those imposed on British trawlers in certain areas round the Scottish coast. It should, therefore, be made clear to the Norwegian experts that the question of the Moray Firth is reserved for subsequent discussion by the International Council for the Exploration of the Sea.

3. The British experts, Mr. H. G. Maurice, C.B., Fisheries Secretary of the Ministry of Agriculture and Fisheries, and Captain H. P. Douglas, C.M.G., R.N.,

* No. 690. † Sub-enclosure in Enclosure 3 in No. 686.

Hydrographer of the Navy, accompanied by Lieutenant-Commander R. T. Gould, R.N., will arrive at Christiania on 1st December. Mr. Maurice has already notified Dr. Hjort, the Norwegian expert, of this date, and has expressed to him the great regret of the British experts that they have been unavoidably delayed for some days in this country.

4. The British experts will call at the Legation on their arrival at Christiania and will be guided by your advice and instructions in the conduct of these discussions.

I am, &c.,
F. E. F. ADAM.

The Honourable
F. O. Lindley, C.B., C.B.E.,
&c., &c., &c.

Enclosure 2 in No. 691.

SIR, Foreign Office, S.W.1, 28th November, 1924.

I AM directed by Mr. Secretary Chamberlain to inform you that you have been appointed one of the British experts to discuss with Norwegian experts at Christiania the question of Norwegian territorial waters in relation to fisheries.

2. I am to request you to communicate with His Majesty's Minister at Christiania on your arrival there and to be guided by his advice and by the instructions which have been sent to him in your discussions with the Norwegian experts.

3. These discussions are not intended to be of a binding nature on either Government; and you should be careful in the course of discussions and in drawing up any report with the Norwegian experts to make it clear that you are only expressing an opinion for the further consideration of His Majesty's Government.

I am, &c.,
F. E. F. ADAM.

1. H. G. Maurice, Esq., C.B.,
Fisheries Secretary,
Ministry of Agriculture and Fisheries.
2 Captain H. P. Douglas, C.M.G., R.N.,
Hydrographer of the Navy,
Admiralty.

---

(4) Russia: Extent of Territorial Waters.

48057

No. 692.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.

Dominions No. 507. Confidential.)

[MY LORD,] [SIR,] Downing Street, 24th October, 1924.

[*Not to Irish Free State:* WITH reference to my predecessor's despatch Dominions No. 180, Confidential, of the 22nd of May, 1923,*] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copies of a memorandum from the Soviet Chargé d'Affaires and of extracts from the Regulations on the Frontier Defence of the Union of Soviet Socialist Republics enclosed therein, together with a copy of the reply returned to M. Berzin.

I have, &c.,
J. H. THOMAS.

---

* No. 383 in Dominions No. 88.

Enclosure 1 in No. 692.

(N 1336/1336/38.)
(CR/1178.)

M. RAKOVSKY, Chargé d'Affaires in Great Britain, of the Government of the Union of Soviet Socialist Republics, presents his compliments to the Right Honourable the Secretary of State for Foreign Affairs, and begs to enclose herewith a copy of Regulations* on the Frontier Defence of the Union of Soviet Socialist Republics.

14th February, 1924.

(Extracts.)

TRANSLATION.

"Confirmed."

M. Kalinin,
President of the Central Executive Committee of the Union of Socialist Soviet Republics (U.S.S.R.).

A. Yenukidze,
Secretary of the Central Executive Committee of the U.S.S.R.

Moscow—Kremlin.
7th September, 1923.

REGULATIONS REGARDING THE FRONTIER DEFENCE OF THE UNION OF SOVIET SOCIALIST REPUBLICS.

* * * * * * *

II. Relating to the Frontier Zone and Frontier Defence.

Article 8.—With a view to facilitating the suppression of contraband and the inviolability of the frontier, special frontier zones having a limit of: 4 metres, 500 metres, 7½, 16 and 22 kilometres from the frontier line are established on land, and one with a 12-mile limit at sea. Within these zones the "Pogranichnaya Okhrana" (Frontier branches of the State Political Department with frontier troops attached) is granted special powers, while the rights of the population and of the crews on ships are somewhat restricted, in accordance with the present Regulations.

Note 1.—On sections of the frontier on which cordons are not stationed on the actual frontier line, the frontier zones are to be reckoned from the line occupied by the cordons and not from the actual frontier line.

Note 2.—The territorial waters on the coasts of the Union of Socialist Soviet Republics (mainland and islands), will, except in cases enumerated in international agreements, be reckoned as a distance of 12 sea miles from low water mark.

Note 3.—The frontier zones are defined in the following manner: the 4 metre frontier zone—by a special system of signs. The 500 metre, the 7½, 16 and 22 kilometre and the 12 mile limit at sea are to be laid down on large scale maps—by the Headquarters Authorities of the frontier regions, acting in agreement with the local Government Executive Committee.

* * * * * * *

B. Defence of the Maritime Frontier.

* * * * * * *

Article 25.—All Russian and foreign vessels, merchant and private, on all inland waters of the Union of Socialist Soviet Republics, and within the 12-mile limit of the seas bordering on the Union of Socialist Soviet Republics are controlled by the coastal flotillas and troops of the coastal defence of the State Political Department.

Note 1.—In the waters of the Gulf of Finland, which are an exception, the activities of the coastal flotilla temporarily extend only over the territorial waters, agreed upon in the Peace Treaty between the R.S.F.S.R. and Finland.

---

* Extracts only printed.

Note 2.—In the present Regulations, the term "vessel" is understood to refer to all steamships, sailing vessels and rowing boats. As far as possible regulations applied to vessels apply likewise to hydroplanes.

* * * * * *

Enclosure 2 in No. 692.

SIR, Foreign Office, S.W.1, 10th October, 1924.

ON 14th February last, Monsieur Rakovski was good enough to transmit to me, under cover of his memorandum No. C.R./1178, a copy of regulations regarding the frontier defence of the Union of the Soviet Socialist Republics dated 7th September, 1923.

2. Having taken these regulations into careful consideration, I have the honour to request you to inform your Government that His Majesty's Government consider that three miles measured from low water mark constitute the proper limits of territorial waters, and that they can, therefore, only recognize Article 8 and the notes thereto, or indeed any part of these regulations, in so far as they do not infringe the rights of His Majesty's Government in international law.

I have, &c.,
(for the Secretary of State),
J. D. GREGORY.

Monsieur Jean Berzin,
&c., &c., &c.

---

(5) Serb-Croat-Slovene State: Visits of Foreign Warships.

53330

No. 693.

THE SECRETARY OF STATE TO THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada,
(Commonwealth of Australia,
(New Zealand,
(Union of South Africa,
(Irish Free State,
(Newfoundland,
Dominions No. 536.)

[MY LORD,] [SIR,] Downing Street, 19th November, 1924.

I HAVE the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a despatch from His Majesty's Representative at Belgrade, relative to the issue of Regulations governing the visits of foreign warships to the maritime territorial waters and ports of the Serb-Croat-Slovene State, together with a copy of the despatch sent in reply.

2. A copy of paragraph 3 of the Regulations referred to is also enclosed.

I have, &c.,
L. S. AMERY.

Enclosure 1 in No. 693.

(No. 380.)
(406/68.)

SIR, Belgrade, 8th October, 1924.

I HAVE the honour to transmit, herewith, a translation made at this Legation of a Regulation* which has been issued governing the visits of foreign warships to the maritime territorial waters and ports of the Serb-Croat-Slovene Kingdom.

2. This Regulation was published in the Official *Gazette* of 27th September, and will, therefore, enter into force on 27th October, as provided for in its paragraph 14.

---

* Extract only printed.

3. This Regulation appears to apply only to the maritime territorial waters and ports and would seem, therefore, to make no claim as regards the waters of the Danube.

I have, &c.,
ALBAN YOUNG.

The Right Honourable
James Ramsay MacDonald, M.P.,
&c., &c., &c., &c.

REGULATION ON THE ACCESS OF FOREIGN SHIPS-OF-WAR TO THE MARITIME TERRITORIAL WATERS AND PORTS OF S.C.S. KINGDOM AND ON THEIR STAY IN THESE WATERS AND PORTS.

* * * * * *

3. In principle, foreign warships are permitted under normal conditions to visit the maritime ports and territorial waters of the S.C.S. Kingdom and to anchor within the zone, six miles broad, which runs along the coast and islands, the distance reckoned from the low water mark. This holds good with the limitation that not more than three warships belonging to one State can remain at the same time in the above-mentioned waters on the Adriatic coast.

Every such visit must be announced through diplomatic channels so that our Government may receive the announcement at least seven days before the arrival of the warships in question.

These warships cannot stay in our waters and ports longer than eight days. But if the competent authorities demand it, these warships must leave our ports and territorial waters within six hours whether they have been there eight days or not.

* * * * * *

Enclosure 2 in No. 693.

(No. 486.)

SIR, Foreign Office, 11th November, 1924.

I HAVE been in consultation with the Lords Commissioners of the Admiralty with reference to the Regulation regarding the visit of foreign vessels of war to the maritime territorial waters and ports of the Serb-Croat-Slovene Kingdom, a translation of which accompanied your despatch No. 380 of the 8th ultimo.

2. Their Lordships draw attention to the fact that in paragraph 3 of the Regulation reference is made to a limit of six miles running along the coast and islands. As you are aware His Majesty's Government only recognize a three-mile limit; and you should therefore make a formal protest to the Serb-Croat-Slovene Government intimating that His Majesty's Government can only recognize a three-mile limit for territorial waters.

3. It would also appear from the same paragraph of the Regulation that its provisions are not intended to apply to the Danube as the word "maritime" is employed throughout. I observe that this is also your opinion. The Serb-Croat-Slovene Government have, however, up to the present maintained that maritime usage as regards giving notice of, and obtaining permission for, visits of foreign warships should apply to the Danube, and it is, therefore, considered advisable that no possiblity of misunderstanding should be permitted to subsist. I request, therefore, that you will inform the Serb-Croat-Slovene Government, in such manner as you consider suitable and least likely to raise afresh the controversy of the past year, that His Majesty's Government understand that the present Regulation does not apply to the Danube, and will establish that this view is correct. In this connexion I should be glad to learn whether the Serb-Croat-Slovene Government have returned any reply to the note which you were instructed in my predecessor's despatch No. 33 of 21st January last, to address to them on the subject of the right of passage of foreign warships through the Serb-Croat-Slovene portion of the Danube. In the event, however, of no reply having been received, I do not desire that you should call for one, as the silence of the Serb-Croat-Slovene Government on this question may be taken to signify their consent to the doctrine that free right of passage in the international channel is enjoyed by all foreign warships without notice.

I am, &c.,
(for the Secretary of State),
MILES W. LAMPSON.

Sir Alban Young, Bart., K.C.M.G., M.V.O.,
&c., &c., &c.

---

(6) Spain: Arrest of British felucca "Mensajero".

26943

No. 694.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.

Dominions No. 268. Confidential.)

[MY LORD,] [SIR,[Downing Street, 17th June, 1924.

I HAVE the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a despatch from His Majesty's Ambassador at Madrid respecting the arrest of the British felucca "Mensajero," together with a copy of the note which Sir Esmé Howard addressed to the Spanish Government regarding the case.

2. His Majesty's Ambassador has been instructed to make a formal protest against the arrest of this vessel outside the three-mile limit.

I have, &c.,
J. H. THOMAS.

Enclosure in No. 694.

(No. 258.)

SIR, British Embassy, Madrid, 22nd April, 1924.

WITH reference to Sir Esmé Howard's despatch No. 64 of the 31st January, 1923, respecting the arrest of the British felucca "Mensajero," I have the honour to transmit herewith copy of the Note which Sir Esmé Howard addressed to the Spanish Government regarding this case together with a translation of the Spanish Government's reply* which only reached me on the 16th instant.

2. It will be seen that the purport of the reply is that the "Mensajero" was captured within "the six-mile limit of Spanish territorial waters."

3. Pending any further instructions which you may wish to give me regarding this case, I have merely acknowledged receipt of the Spanish Government's Note, making a reserve against the implied assumption that the limit of Spanish territorial waters is to be regarded as extending as far as six miles.

I have, &c.,
HORACE RUMBOLD.

The Right Honourable
James Ramsay MacDonald, M.P.,
&c., &c., &c.

(No. 38.)

YOUR EXCELLENCY, British Embassy, Madrid, 2nd February, 1923.

REFERRING to our conversation on 29th January, I have the honour now to transmit to Your Excellency a copy of the protest* addressed by the Master of the British felucca "Mensajero" to the British Vice-Consul at Palma (Mallorca) against the arrest of his vessel by a launch of the Compañia Arrendataria de Tabaco on 18th January.

As Your Excellency will observe, the Master claims that the arrest was effected outside the limits of Spanish territorial waters. Unless the competent Spanish authorities are able to prove the Master's statements to be incorrect, I must enter a formal protest on behalf of my Government against the action of the Compañia Arrendataria, and request Your Excellency to cause the "Mensajero" to be released

* Not printed; its purport was as stated.

at as early a date as may be possible. In the meantime, I should be most grateful if Your Excellency would kindly use your good offices with a view to this case being investigated without delay.

I avail, &c.,
ESMÉ HOWARD.

His Excellency
Don Santiago Alba,
Minister of State.

---

(7) United States: Extent of Jurisdiction over Cook Inlet.

31606

No. 695.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4th July, 1924.)

[*Answered by No.* 696.]

(Confidential.)

SIR, Government House, Ottawa, 23rd June, 1924.

WITH reference to your Confidential despatch of the 5th October, 1923,* regarding the claim by the United States to jurisdiction over the whole of the waters of Cook Inlet, I have the honour to enclose, herewith, copies of an approved Minute of the Privy Council for Canada setting forth the views of the Government of Canada on the subject.

I have, &c.,
BYNG OF VIMY.

Enclosure in No. 695.

(P.C. 988.)

THE FOLLOWING IS A TRUE COPY OF A MINUTE OF A MEETING OF THE COMMITTEE OF THE PRIVY COUNCIL, APPROVED BY HIS EXCELLENCY THE GOVERNOR-GENERAL ON THE 14TH JUNE, 1924.

THE Committee of the Privy Council have had before them a report dated 11th June, 1924, from the Secretary of State for External Affairs, with reference to a Confidential despatch from the Secretary of State for the Colonies, dated the 5th October, 1923, inviting the observations of Your Excellency's advisers upon a question raised regarding the interpretation of Articles 1 (*b*) and 7 of the Regulations for the Administration of the South-Western Alaska Fisheries Reservation, promulgated by the United States Secretary of Commerce under date of 16th December, 1922, as intended to assert a claim to jurisdiction by the United States over the whole of the waters of Cook Inlet.

The Minister submits that the question having been considered in the Department of Marine and Fisheries, the conclusion has been reached, that, notwithstanding the opinion given by Mr. Kingsbury, one of the legal advisers to His Majesty's Embassy at Washington (copy of which is enclosed in the Colonial Office despatch) it is very doubtful whether the Presidential Order of the 3rd November, 1922, under authority of which the Regulations referred to were promulgated, and such Regulations could be held to assert a claim to territoriality over Cook Inlet.

The Presidential Order above cited is as follows:

> "Now, therefore, I, Warren G. Harding, President of the United States of America, by virtue of the power in me vested by the laws of the United States, do hereby set apart as a preserve to more effectively insure the protection of the fisheries, and for their encouragement and development, in addition to the above reservations, a reserve of land and waters, which said

* No. 386 in Dominions No. 88.

reservation shall be known as the South-Western Alaska Fisheries Reservation, which shall include all territorial waters and the lands within one-half mile of the shores thereof, within the lines defined as follows:

From the north-easterly point of the Alaska Peninsula Fisheries Reservation at Cape Menshikof, Bristol Bay, north-westerly to a point in latitude 58 degrees 32 minutes north, longitude 162 degrees 12 minutes west, off Cape Newenham; thence to a point in latitude 59 degrees 15 minutes north, longitude 162 degrees, 0 minutes west; thence eastward along parallel of latitude 59 degrees 15 minutes north, to longitude 155 degrees west; thence to a point in latitude 61 degrees 20 minutes north, longitude 151 degrees 20 minutes west; thence to a point in latitude 61 degrees 20 minutes north, longitude 150 degrees 10 minutes west; thence to a point in latitude 61 degrees 35 minutes north, longitude 149 degrees 40 minutes west; thence to a point in latitude 61 degrees 35 minutes north, longitude 149 degrees 0 minutes west; thence to a point in latitude 60 degrees 40 minutes north, longitude 149 degrees 0 minutes west; thence to a point in latitude 60 degrees 40 minutes north, longitude 151 degrees 0 minutes; thence to a point in latitude 57 degrees 30 minutes north, longitude 151 degrees west; thence to a point in latitude 55 degrees 0 minutes north, longitude 157 degrees 0 minutes west; thence to low-water mark at the eastern extremity of Foggy Cape on Sutwik Island; thence to point of beginning.

Fishery operations within the said South-western Alaska Fisheries Reservation shall be subject to such regulations and restrictions as shall be issued by the Secretary of Commerce, in addition to the general fisheries laws and regulations of the United States as administered by the Secretary of Commerce.

The reservation hereby established shall not interfere with the use of the waters, islands, or other lands embraced therein for any purpose not inconsistent therewith, nor with the operation therein of the laws now or hereafter applicable to the public lands in Alaska, nor with the respective jurisdictions of the Secretary of Agriculture and the Secretary of the Interior thereover.

Warning is hereby expressly given to all unauthorized persons not to fish in or use any of the waters herein described or mentioned."

The Minister observes that as this Order specifically states that it includes all territorial waters it does not seem to contemplate any claim to other waters within the area described, as being territorial. If this is so, it should follow that the regulations made under the authority of this Order could not extend beyond its scope, and that, therefore, Regulation 1 (*b*) should be held as covering only the territorial waters in the areas it defines. It is further observed that Regulation 1 (*c*) covers Shelikof Strait, which could not be regarded as territorial. Hence the same remarks apply to it.

For many years Alaska has, for the purposes of the salmon fishing and canning industries, been divided into four geographic sections, viz.:—

1. South-east Alaska—embracing all that narrow strip of mainland and the numerous islands and waters adjacent thereto from Portland Canal north-westward to and including Yajutat Bay;
2. Central Alaska—embracing the region on the Pacific or south side from Yajutat Bay westward, including the Aleutian Chain;
3. Western Alaska—embracing the shores of Bering Sea and the islands in this Sea;
4. Arctic Alaska—embracing the area from Bering Sea around to the Canadian border.

These divisions, it is understood, were adopted entirely for convenience in administering the industry and do not contemplate any claim to territoriality over waters not ordinarily regarded in International law as being territorial.

The Minister submits, on the other hand, if there is any possibility of it being held that notwithstanding the wording of the Presidential Order under which the regulations of the 16th December, 1922, were adopted, these regulations contemplate a claim to territoriality over the whole of Cook Inlet and Shelikof Strait, that the matter should be brought to the attention of the United States Government.

It further appears, as indicated by Mr. Kingsbury, that Section 5 of the Act of 1906 does, by its wording in excepting Cook Inlet, the delta of Copper River and Bering Sea from the weekly close time provided by the section, infer that these areas are territorial waters of the United States. This section reads as follows:—

"Section 5.—That it shall be unlawful to fish for, take or kill any salmon of any species in any manner, or by any means except by rod, spear or gaff, in any of the waters of Alaska over which the United States has jurisdiction, except Cook Inlet, the Delta of Copper River, Bering Sea, and the waters tributary thereto, from six o'clock post meridian of Saturday of each week until six o'clock ante meridian of the Monday following, or to fish for, or catch, or kill in any manner or by an appliance except by rod, spear, or gaff, any salmon in any stream of less than one hundred yards in width in Alaska between the hours of six o'clock in the evening and six o'clock in the morning of the following day of each and every day of the week. Throughout the weekly close season herein prescribed the gate, mouth, or tunnel of all stationary and floating traps shall be closed, and twenty-five feet of the webbing or net of the 'heart' of such traps on each side next to the 'pot' shall be lifted or lowered in such manner as to permit the free passage of salmon and other fishes."

In this connexion the Minister points out—

1. That there is no geographic reason why Cook Inlet should be regarded as territorial that does not apply with equal force to such an area as the Bay of Fundy, which up to the moment has not been held to be territorial. Also there is no historic reason known to the Department of Marine and Fisheries for claiming territoriality over Cook Inlet, while there is such reason so far as the Bay of Fundy is concerned;
2. There is no geographic reason for regarding Shelikof Strait, which is about thirty miles wide at its northern entrance, about twenty-five miles at the centre and over seventy miles at its southern entrance, as being territorial that would not apply with even greater force to such an area as the Strait of Northumberland, which up to the moment has not been held as territorial, or to Dickson Entrance and Hecate Strait. Indeed as was pointed out in a Minute of Council, approved the 4th day of May, 1914 (P.C. 1147), there are very strong reasons why following the wording of the Alaska Boundary in the Alaska Boundary Award both these latter areas should be held to be territorial for similar reasons to those which are recognized as between Canada and the United States at least for regarding Juan de Fuca Strait as being territorial.
3. Any claim to the territoriality of Bering Sea is set at rest by the Bering Sea Arbitration Award in the Pelagic Sealing controversy.

It may also be explained that it is known to the Department of Marine and Fisheries that halibut frequent Cook Inlet and Shelikof Strait as well as Bering Sea, and that at least one United States halibut fishing vessel, which, however, operates from a British Columbia port, has fished in Cook Inlet. It is quite probable that Canadian halibut fishing vessels have also done so, and no doubt they will desire to fish there in the future.

In the light of the above it is the opinion of the Minister of Marine and Fisheries, in which the Secretary of State for External Affairs concurs, that the attention of the United States Government should be called to the above Act and regulations, with an intimation that His Majesty's Government cannot admit the application of any such Act or regulation to British vessels in waters outside the limits generally accepted in International Law for territorial waters.

The Committee, concurring, advise that Your Excellency may be pleased to communicate the views herein expressed to the Right Honourable the Secretary of State for the Colonies.

All which is respectfully submitted for Your Excellency's approval.

E. J. Lemaire,
Clerk of the Privy Council.

45529

No. 696.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Confidential.)

MY LORD, Downing Street, 30th September, 1924.

I HAVE the honour to acknowledge the receipt of Your Excellency's Confidential despatch of the 23rd of June* regarding the extent of the jurisdiction of the United States over the waters of Cook Inlet, and to request you to inform your Ministers that the Secretary of State for Foreign Affairs feels that it would be preferable not to approach the United States Government immediately in the sense indicated in the minute of the Privy Council for Canada enclosed in your despatch, and that the Lords Commissioners of the Admiralty concur in this view.

2 It is suggested, for your Ministers' consideration, that representations to the United States Government on the subject of this particular inlet might prejudice the chances of the eventual establishment of the territoriality of waters which the Canadian Government may wish on their part to have recognized as "territorial inlets," and that, in the circumstances, it would be better to defer action until it is possible to consider the question of territorial inlets on a comprehensive basis. In this connexion, His Majesty's Government would be glad to receive at an early date the information requested in paragraph 4 of my predecessor's Confidential despatch Dominions No. 13 of the 10th January,† as to waters which the Canadian Government would desire to be regarded as "territorial inlets."

3. There would, in any case, as pointed out in the Minute of Council, appear to be some doubt whether the United States Regulations relating to Cook Inlet, now under discussion, do in fact amount to a claim to jurisdiction over all the waters of the Inlet. It is noted that your Ministers think that the terms of Section 5 of the United States Act of 1906 may be regarded as asserting such a claim, but it is observed that the Section uses identical language in regard to both Cook Inlet and Bering Sea; and it is felt, in view of the Bering Sea Arbitration Award, that the United States Government could hardly intend to claim jurisdiction over the whole of the Bering Sea.

I have, &c.,
J. H. THOMAS.

TURKEY.

(1) Treaties of Lausanne [Cmd. 1929] Ratification.

4610

No. 697.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
Dominions No. 39.)

[MY LORD,] [SIR,] Downing Street, 29th January, 1924.

WITH reference to my predecessor's despatch [*Not to Irish Free State:* Dominions No. 297 of the 9th August‡] [*To Irish Free State:* No. 525 of the 31st August,§] I have the honour to request [Your Excellency] [you] to lay before your Ministers the following observations as to the effect of the Instruments negotiated at the Lausanne Conference upon the Treaty of Sèvres and certain other

* No. 695. † No. 677. ‡ No. 412 in Dominions No. 88. § No. 415 in Dominions No. 88.

266

Treaties relating to the Near East which were signed on the 10th August, 1920.

2. In addition to the Treaty of Sèvres itself (Treaty Series No. 11 of 1920), the Tripartite Agreement between the British Empire, France and Italy respecting Anatolia (Treaty Series No. 12 of 1920) and the Treaty relating to Armenia (State Papers, Volume 113, page 458), signed on the 10th August, 1920 [*Not to Irish Free State:* copies of which were enclosed in Viscount Milner's despatches Dominions No. 465 of the 17th November, 1920, and Dominions No. 394 of the 11th September, 1920*] have been superseded by the Instruments signed at Lausanne and it is not proposed to take any further action in regard to these three Instruments.

3. In accordance with the Protocol signed at Lausanne on the 24th July, 1923 (pp. 225-227 of Treaty Series No. 16 of 1923), the ratifications of the Treaty concluded at Sèvres between the Principal Allied Powers and Greece on the 10th August, 1920, concerning the protection of minorities in Greece (Treaty Series No. 13 of 1920) and the Treaty concluded on the same day between the same Powers relating to Thrace (Treaty Series No. 13 of 1921) [*Not to Irish Free State:* copies of which were enclosed in Viscount Milner's despatches Dominions No. 395 and Dominions No. 393 of the 11th September, 1920,†] are to be deposited at the same time as the ratification of the Treaty of Peace with Turkey signed at Lausanne. It will be observed that the Protocol referred to makes certain minor modifications in these two Treaties.

I have, &c.,
J. H. THOMAS.

8108

No. 698.

HOUSE OF COMMONS.

(20th February, 1924.)

TREATY OF LAUSANNE (STRAITS CONVENTION).

LIEUTENANT-COLONEL SIR E. GRIGG asked the Prime Minister whether he can give the House any information upon the attitude of the Dominion Governments towards the obligations to be undertaken under the Straits Convention annexed to the Treaty of Lausanne; whether the Treaty of Lausanne, with the Straits Convention, is to be submitted for ratification in the Dominion Parliaments; and whether, in view of the grave questions of policy raised by the Straits Convention, which are distinct in many ways from those raised by the Treaty itself, he will undertake to give the House an opportunity of discussing the Straits Convention separately before it is ratified?

MR. PONSONBY: His Majesty's Government are still in communication with the Dominion Governments regarding the ratification of the various instruments signed at Lausanne which together form the peace settlement with Turkey, and which include both the Treaty of Peace and the Straits Convention. As was explained in the published summary of the proceedings of the Imperial Conference of 1923, it is for each Government to decide whether Parliamentary approval or legislation is required. The various instruments of the peace settlement are mutually interdependent, and it would not be practicable, even if Parliamentary time were available, to give a separate day for the discussion of any single one of them.

7878

No. 699.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 12.50 p.m., 22nd February, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

22ND FEBRUARY. Bill has been introduced into Parliament providing that His Majesty may make such appointments, establish such offices, make such Orders

* Nos. 430 and 60 in Dominions No. 75. † Nos. 255 and 256 in Dominions No. 75.

in Council and do such things as appear to him necessary for carrying out Treaty of Peace with Turkey and other Conventions specified in Schedule to Bill, namely, those numbered two, three, four, five, eight, twelve, thirteen, fourteen, fifteen, sixteen, seventeen in Treaty Series Paper 16 of 1923, see my despatch 12th September Dominions 343,* and also Convention relating to Reparation, see my despatch 8th January Dominions 6† of which copies as signed sent to you 22nd January.‡ —SECRETARY OF STATE FOR THE COLONIES.

7878

No. 700.

NEWFOUNDLAND.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 2.35 p.m., 22nd February, 1924.)

TELEGRAM.

[*Answered by No.* 711.]

22ND FEBRUARY. My telegram of to-day§ Treaty of Peace with Turkey. In order that necessary action may be taken as soon as possible after Bill becomes law, His Majesty's Government would be glad to learn at an early date your Ministers' wishes as regards declaration in connexion with Convention respecting Conditions of Business and Commercial Convention, see my despatch 20th August No. 98.‖—SECRETARY OF STATE FOR THE COLONIES.

7878

No. 701.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 2.55 p.m., 22nd February, 1924.)

TELEGRAM.

[*Answered by Nos.* 709, 712 *and* 713.]

(Canada.)
(Commonwealth of Australia.)
(Union of South Africa.)

22ND FEBRUARY. My telegram of to-day§ Treaty of Peace with Turkey. In order that necessary action may be taken as soon as possible after Bill becomes law, hoped that your Ministers will be in position at very early date to signify concurrence in ratification of Treaty and Conventions in question, including Convention relating to Reparation, and also to intimate their wishes as regards declaration in connexion with Convention respecting Conditions of Business and Commercial Convention, see my despatch 20th August Dominions Treaty 31¶ paragraph 3.—SECRETARY OF STATE FOR THE COLONIES.

7878

No. 702.

NEW ZEALAND.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 2.55 p.m., 22nd February, 1924.)

TELEGRAM.

[*Answered by No.* 706.]

22ND FEBRUARY. My telegram of to-day§ Treaty of Peace with Turkey. In order that necessary action may be taken as soon as possible after Bill becomes law, His Majesty's Government would be glad to learn at an early date whether your

* 44123/23: not printed; it enclosed a copy of the Treaty Series paper referred to. † 62818/23: not printed; it enclosed a summary of the Convention. ‡ 2286/24: not printed; for the text of the Convention see Treaty Series 1924, No. 3. § No. 699. ‖ No. 414 in Dominions No. 88. ¶ No. 415 in Dominions No. 88.

Ministers concur in ratification of Convention relating to Reparation as well as instruments referred to in your despatch 29th October, No. 293.* As regards latter despatch it was understood from your Prime Minister before he left England that he wished to consider further question of declaration excluding Western Samoa from Convention respecting Conditions of Business and Commercial Convention. —SECRETARY OF STATE FOR THE COLONIES.

8562

No. 703.

HOUSE OF COMMONS.

(25th February, 1924.)

TURKEY (STRAITS CONVENTION).

LIEUTENANT-COLONEL SIR EDWARD GRIGG asked the Secretary of State for Foreign Affairs whether the obligations contained in the Straits Convention were discussed at the recent Imperial Conference; and whether he can now give the House any information upon the attitude of the Dominions towards the absolute assurance regarding her future security given to Turkey, according to Lord Curzon's statement, under Article 18 of that Convention?

THE PRIME MINISTER: In reply to the first part of the question, I will remind the honourable and gallant Member that it was decided at the Imperial Conference that no particulars of its proceedings should be made public without the consent of the Conference as a whole. I regret that I can, therefore, give him no information beyond what is contained in the published proceedings. As regards the second part of the question I would refer the honourable and gallant Member to the reply which was given him on the 20th instant.† All the instruments which together form the peace settlement with Turkey have been laid before the Dominion Governments.

SIR E. GRIGG: Are we to understand that the House is to have no information whatever about the attitude of the Dominions towards the Straits Convention when it is discussed in this House?

THE PRIME MINISTER: The question was as regards the giving of information. If my honourable and gallant friend will repeat the question when we have got the replies of the Dominions, I shall be able to inform him. Our intention is to give the House all possible information that we can lay before it.

7878

No. 704.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

[*Answered by No.* 748.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. } Dominions No. 89.)

[MY LORD,] [SIR,] Downing Street, 29th February, 1924.

WITH reference to my [*Not to Irish Free State:* telegram of the 22nd February,‡] [*To Irish Free State only:* predecessor's despatch No. 525 of the 31st August, 1923,§] I have the honour to transmit to [Your Excellency,] [you] to be laid before your Ministers, copies of the Treaty of Peace (Turkey) Bill, which was read for a first time in the House of Lords on the 20th February.

I have, &c.,
J. H. THOMAS.

---

* No. 417 in Dominions No. 89. † No. 698. ‡ No. 699. § No. 415 in Dominions No. 88.

7878

No: 705.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 748.]

(No. 141.)

SIR, Downing Street, 3rd March, 1924.

WITH reference to my despatch Dominions No. 89 of the 29th February,* I have the honour to request Your Excellency to inform your Ministers that, in order that the necessary action may be taken as soon as possible after the Treaty of Peace (Turkey) Bill has become law, it is hoped that your Ministers will be in a position, at a very early date, to signify their concurrence in the ratification of the Treaty of Peace with Turkey and of the other instruments specified in the Schedules to the Bill. It will be observed that these include, not only the instruments included in Treaty Series Paper No. 16 of 1923 [Cmd. 1929], but also the Convention relating to the Assessment and Reparation of Damage suffered in Turkey (Treaty Series Paper No. 3 of 1924), copies of which were enclosed in my despatch Dominions No. 41 of the 29th January.†

2. It would also be convenient to learn whether your Ministers desire declarations to be made excluding the Irish Free State from the Convention respecting Conditions of Business and Residence and the Commercial Convention (vide paragraph 4 of my Predecessor's despatch No. 525 of the 31st August, 1923,‡)

3. Similar inquiries have been addressed to the other Dominions by telegraph.

I have, &c.,
J. H. THOMAS.

12264

No. 706.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5.15 a.m., 14th March, 1924.)

TELEGRAM.

14TH MARCH. Your No. 2 telegram of the 22nd February,§ Peace Treaty with Turkey. Mr. Massey advises me that he does not now desire to consider the point raised and confirms the contents of my despatch of the 29th October last, No. 293.‖ In respect of the telegram denoting the introduction into Parliament of a Bill, the New Zealand Government will concur in any course His Majesty's Government adopt.—GOVERNOR-GENERAL.

10851

No. 707.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 1.30 p.m., 21st March, 1924.)

TELEGRAM.

[*Answered by Nos.* 709, 711, 712 *and* 713.]

(Canada.)
(Commonwealth of Australia.)
(Union of South Africa.)
(Newfoundland.)

21ST MARCH. My telegram 22nd February.¶ Treaty of Peace (Turkey) Bill has now been read third time House of Lords and hoped to introduce it into House of Commons 28th March and to secure passage within very short period thereafter. Considered extremely important that His Majesty's ratification should take place at earliest possible moment after passage of Bill. In the circumstances hoped that your Ministers may be in position to reply to my telegram at very early date and, if possible, by end of March.—SECRETARY OF STATE FOR THE COLONIES.

---

* No. 704. † 3914/24: not printed; it enclosed copies of the Treaty Series paper referred to. ‡ No. 415 in Dominions No. 88. § No. 702. ‖ No. 417 in Dominions No. 88. ¶ Nos. 700 and 701.

10851

No. 708.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 178.)

SIR, Downing Street, 22nd March, 1924.

WITH reference to my despatch Dominions No. 103 of the 5th of March.* I have the honour to request Your Excellency to inform your Ministers that the Treaty of Peace (Turkey) Bill has now been read for a third time in the House of Lords. It is hoped to introduce the Bill into the House of Commons on the 28th March and to secure its passage into law within a very short period thereafter.

2. It is considered a matter of extreme importance that His Majesty's ratification should take place at the earliest possible moment after the passage of the Bill and, in the circumstances, it is hoped that your Ministers may be in a position to communicate their views on the questions referred to in my despatch No. 141 of the 3rd March† at a very early date and, if possible, before the end of the present month.

I have, &c.,
J. H. THOMAS.

14314

No. 709.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 25th March, 1924.)

TELEGRAM.

24TH MARCH. Your telegram of 21st March,‡ and your telegram of 22nd February.§ Canadian Government not having been invited to send representative to the Lausanne Conference and not having participated in the proceedings of the Conference either directly or indirectly and not being for this reason a signatory to the Treaty on behalf of Canada (see my telegram of 31st December, 1922,‖ to your predecessor) my Ministers do not feel that they are in a position to recommend to Parliament approval of the Peace Treaty with Turkey and the Convention thereto. Without the approval of Parliament they feel that they are not warranted in signifying concurrence in the ratification of the Treaty and Convention. With respect to ratification, however, they will not take exception to such course as His Majesty's Government may deem it advisable to recommend. This appears to be in harmony with the Resolution of the recent Imperial Conference (Cmd. 1987, pages 14 and 15). The provisions thereof with reference to signature 2(*a*) on page 14 and ratification (*a*) on page 15 appear to cover this case, which is not within the provisions of signature 2(*b*) on page 14 and ratification (*b*) on page 15.—BYNG.

14279

No. 710.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 11.30 p.m., 27th March, 1924.)

TELEGRAM.

[*Answered by Nos.* 712 *and* 713.]

(Commonwealth of Australia.)
(Union of South Africa.)

27TH MARCH. Secret. My telegram 21st March.‡ Following from Prime Minister for your Prime Minister:—

---

* 10851/24: not printed: it enclosed a copy of the House of Lords Official Report of the 28th February containing the debate on the Second Reading of the Bill. † No. 705. ‡ No. 707. § No. 701. ‖ No. 394 in Dominions No. 88.

268

Begins: In view of situation in Turkey it is most desirable that steps for preparation of His Majesty's ratification of various instruments constituting Peace Settlement with Turkey should be taken as soon as possible after our Bill has become law. Bill has passed House of Lords and is down for second reading in House of Commons 1st April. Inquiries whether Dominion Governments concurred in ratification were contained in Secretary of State for the Colonies, despatch 20th August, Dominions Treaty 31* and telegram 22nd February,† and Government of New Zealand have already replied in affirmative. Is there any possibility that you will be in position to reply by date indicated, and, if not, how soon do you think that it will be possible to notify decision? Ramsay MacDonald. *Ends.*

—SECRETARY OF STATE FOR THE COLONIES.

15343

No. 711.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 7.20 a.m., 30th March, 1924.)

TELEGRAM.

29TH MARCH. Your telegram 22nd February,‡ your telegram 21st March,§ Peace Treaty with Turkey. Ministers desire that provisions of Conventions shall apply to Newfoundland.—ALLARDYCE.

15660

No. 712.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 12.25 p.m., 1st April, 1924.)

TELEGRAM.

[*Answered by No.* 726.]

1ST APRIL. Following for Prime Minister from my Prime Minister:—

Begins: Your telegram of 27th March, Secret,‖ and other communications, Peace Treaty with Turkey. Commonwealth Government concurs in ratification of Treaty and other instruments mentioned in second and third paragraphs of Secretary of State's despatch 20th August, 1923, Dominions Treaty No. 31,* and also concurs *re* Convention respecting Reparations, but requests that a declaration be made excluding the Commonwealth, which expression includes Papua, Norfolk Island and mandated territory of New Guinea, from the provisions of Commercial Convention. Treaty and Reparation Convention will be placed before the Commonwealth Parliament during this week.

—GOVERNOR-GENERAL.

15659

No. 713.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 3.5 p.m., 1st April, 1924.)

TELEGRAM.

1ST APRIL. Your telegram of 21st March,§ Peace Treaty with Turkey.

Union Government concurs in ratification of Peace Treaty and Convention relating to regime of the Straits and Thrace frontiers and will be glad if His Majesty's Government will ratify the Peace Settlement with Turkey on behalf of the Union Government.

Ministers would be glad if you would arrange for a declaration on their behalf that provisions of the Convention respecting Conditions of Business and Commercial Convention do not apply to the Union of South Africa and mandated territory of South-West Africa.—GOVERNOR-GENERAL.

---

* No. 413 in Dominions No. 88. † No. 701. ‡ No. 700. § No. 707. ‖ No. 710.

Note.—In the debate in the House of Commons on the 1st April on the Second Reading of the Bill, Sir Edward Grigg moved an amendment that the House declined to proceed with the Second Reading until it had received a definite statement from His Majesty's Government as to whether the Dominions and India had been fully informed of the liabilities in which the Empire must be involved by the guarantee of the demilitarized zones on both sides of the Straits contained in Article 18 of the Straits Convention annexed to the Treaty and as to whether the Dominions and India were prepared to ratify the Treaty with the Straits Convention. His speech on the amendment appears in the Official Report, columns 2027-2042. The Prime Minister's reply dealt with the position of the Dominions in columns 2070-2072. The debate was adjourned until the 9th April.

Mr. Mackenzie King made a statement as to the position of Canada in the Canadian House of Commons on the 2nd April (see Official Report, Vol. LIX, No. 23, pages 987-990) and a supplementary statement on the 3rd April (see Official Report, Vol. LIX, No. 24, page 1015).

16674

No. 714.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9.25 a.m., 4th April, 1924.)

TELEGRAM.

[*Answered by Nos.* 715, 716 *and* 724.]

3RD APRIL. Following from Prime Minister for your Prime Minister:—

Begins: Treaty with Turkey. You are reported by telegraph as having referred as follows in the House of Commons, 1st April, to the attitude of Canada with respect to the Lausanne Conference and the ratification:—

"Before Lord Curzon, as Foreign Secretary, was appointed as our representative at Lausanne with Sir H. Rumbold, steps were taken to communicate with the Dominions and to inform them as to their intentions, and to ask them whether they agreed that Lord Curzon and Sir H. Rumbold should be their representatives as Imperial representatives as well as British representatives. They agreed."

If this is accurate statement of your remarks, clearly you could not have had placed before you, or rightly interpreted, purport of our despatches in this matter. Canada, so far as we are aware, was never asked whether she would agree that Lord Curzon and Sir H. Rumbold should be her representatives or should act as Imperial representatives as well as British representatives and never so agreed. Our first intimation respecting the Lausanne Conference was contained in despatch [telegram] of 27th October, 1922,* from Devonshire to me stating "yesterday invitations were sent by Governments of Great Britain, France and Italy to Japan, etc.," and that "according to arrangements agreed upon with the French and Italian Governments each Government would be represented at Lausanne by two Plenipotentiaries. Secretary of State for Foreign Affairs will personally act as Chief British Plenipotentiary, and it is proposed that he should be accompanied by British High Commissioner at Constantinople." Only Government under British Crown to which reference is made in this despatch as being represented at Lausanne is the Government of Great Britain. Only reference to Dominion Governments in this despatch will be found in the next sentence as follows: "Dominion Governments will be kept informed from time to time of the general lines of policy on which the British Plenipotentiaries propose to proceed and of the course of negotiations, and in case of other Treaties arising out of the Peace, will, of course, be invited to sign the new Treaty and any separate instruments regulating the status of the Straits. His Majesty's Government trust that this procedure will be in accordance with the wishes of your Government." "Plenipotentiaries are fully acquainted with Imperial aspects of the problem

---

* No. 355 in Dominions No. 87.

and with the keen interest taken by the Dominion Governments in its solution. Similar telegrams sent to the other Prime Ministers." Secret despatch* of the same date gave confidential information as to why the Dominions were not to be represented. Please note the words of the third sentence thereof. "You should know that in the course of discussions Monsieur Poincaré informed Lord Curzon privately that, if the Dominions and India were represented at the Conference, the French Government would demand that Tunis and Morocco should equally be represented." Position of our Government was made quite clear in our despatches [telegrams] of 31st October, 1922, 25th November, 1922, 31st December, 1922.†

We have from the beginning taken the position that, not having been invited to the Lausanne Conference and not having participated therein by any representatives authorized to act on behalf of Canada, procedure adopted by the British Government at Lausanne was not and could not be regarded as similar to that governing the Conferences at Versailles and Washington. We at no time authorized any British Plenipotentiary to represent us nor did we understand that they were representing any Government other than the one which had extended invitation to this Conference, and which was the only one under the British Crown referred to in the despatch informing us of what had taken place. We made it plain that while we were ready to receive any reports of the proceedings with which the British Government might wish us to be supplied, mere receipt of such information or failure to comment on the same was not to be regarded as in any way implying acquiescence on our part, in either the proceedings or their outcome. We have never regarded that Canada was participating either directly or indirectly in the Conference. We took no exception to the course adopted by the British Government in not inviting us to be represented or to the circumstances which occasioned our not being invited, as we assumed that it was regarded that we had no immediate or direct interest in the proceedings, which in fact was our own view. See my telegrams of 31st October, 1922, 25th November, 1922, and 31st December, 1922, already referred to.

Our position with respect to ratification is identical with our position with respect to participation in the Conference and the signing of the Treaty. Hansard reports of your words and debate thereto as sent me by cable is as follows:—

"As a matter of fact India and New Zealand agreed very early as to the ratification. Canada replied that she would agree to what His Majesty's Government did. She raised one or two constitutional points which I do not think in this respect were really meant by Canada to have much substance, but were sort of safeguard and a certain expression of reticence and reserve regarding possible extension of principle granted in relation to specific points without warning being given us that Canada would require to maintain for herself certain rights of decision over the above Imperial right of decision.

Sir E. Grigg: Are we to understand that Canada has ever intimated its readiness to accept this obligation as binding upon Canada?

Prime Minister: Canadian Government have said with full knowledge of the Treaty that she would be perfectly willing to accept the decision of the Government and would take no exception to what His Majesty's Government did; something like that, I have not got the exact words.

Sir E. Grigg: Does Canada accept the obligation herself?

Prime Minister: Canada, I am perfectly certain, accepts the obligation, having been represented by Lord Curzon at Lausanne with his full knowledge and consent."

If you are correctly reported it is clearly our position is not at all understood. Our despatches were intended to make it plain that Canada, not having been represented at Lausanne, not having signed the Treaty, was unwilling to be a party to it or to assume any obligation under it. We do not intend, however, to take exception to, or raise any question concerning, the Treaty being ratified by the Government of Great Britain. All references

* No. 356 in Dominions No. 87. † Nos. 358 and 368 in Dominions No. 87 and No. 394 in Dominions No. 88.

in our despatches to the signing of the Treaty by the Plenipotentiaries who negotiated it must be construed as having been made under the assumption and understanding that Plenipotentiaries were representatives of the Government of Great Britain as mentioned in the first despatch of 27th October, 1922, but were in no sense representatives of Canada. We neither had knowledge that they were professing so to act on our behalf nor did we at any time consent to their so doing. *Ends.*

—Bync.

270

16733

No. 715.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 11.20 a.m., 7th April, 1924.)

TELEGRAM.

[*Answered by Nos.* 719, 720, 721 *and* 722.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)

7TH APRIL. Secret. Following from Prime Minister for your Prime Minister:—

Begins: I am being strongly pressed to lay before Parliament communications with Dominion Prime Ministers on subject of Treaty of Lausanne, but I am most averse from doing so. [*To Canada only:* In view of terms of your telegram of 3rd April,*] [*To Australia, New Zealand and Union of South Africa only:* In view of attitude of Canadian Government] it does not seem possible to lay papers without including correspondence as to arrangements for signature of Treaty and this might necessitate publication of Secretary of State's telegram 27th October, 1922,† Personal and Secret, as to Poincaré's attitude on question of representation of Dominions at Lausanne and resulting correspondence [*To Australia only:* including Hughes' telegram 2nd November, 1922.‡] [*To Union of South Africa only:* including your telegram 31st October, 1922.§] which it is most desirable to keep secret. Should be glad of your opinion. Similar telegrams sent to other Prime Ministers. Ramsay MacDonald. *Ends.*

—Thomas.

16733

No. 716.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 11.20 a.m., 7th April, 1924.)

TELEGRAM.

[*Answered by No.* 718.]

PRIVATE and Personal. With reference to your Prime Minister's message to Prime Minister 3rd April,* Treaty of Peace with Turkey. Was Mr. Mackenzie King aware of contents of your telegram 31st December, 1922,‖ marked Private and Personal?—Thomas.

* No. 714 † No. 356 in Dominions No. 87. ‡ No. 359 in Dominions No. 87. § No. 357 in Dominions No. 87. ‖ No. 395 in Dominions No. 88.

16733

No. 717.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 11.50 a.m., 7th April, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)

7TH APRIL. Secret. My telegram of to-day.* Publication of correspondence Lausanne Treaty. Please inform your Prime Minister that Prime Minister most anxious for reply by to-morrow evening, if possible.—THOMAS.

16939

No. 718.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9.5 p.m., 7th April, 1924.)

TELEGRAM.

7TH APRIL. Private and Personal.

Your Private and Personal telegram of 7th April.† My Prime Minister was not aware of contents of my Private and Personal telegram of 31st December, 1922,‡ to the Duke of Devonshire. I sent that telegram because I considered Prime Minister's telegram§ of the same date not at all clear. I had previously talked the matter over with him and understood that his views were as outlined in my telegram above referred to.—BYNG.

16940

No. 719.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 11.42 p.m., 7th April, 1924.)

TELEGRAM.

7TH APRIL. Following for Prime Minister from Prime Minister:—

Begins: My colleagues and I would welcome having placed before Parliament here as well as in Great Britain communications between British Government and our own respecting the Treaty of Lausanne. Indeed we would have urged for permission to place all the correspondence before Parliament, but did not wish to embarrass your Government by pressing request unduly. Any return would, of course, omit most essential of all parts of correspondence were despatches which relate to the representation of the Dominion(s) at the Lausanne Conference not included. In this connexion we would not expect Secretary of State for the Colonies' telegram of 27th October, 1922,‖ marked Personal and Secret to be brought down, and any references thereto in my telegram of 3rd April¶ might be deleted. If, however, this course were adopted, we would expect frank statement by your Government to the effect that, for reasons which to Government of Great Britain at the time seemed paramount, Canada was not invited to be represented at the Conference and, in fact, was not represented by anyone so authorized by our Government. This, we think you will agree, is essential to the understanding of our whole position with regard to both signature and ratification of the Treaty and any obligations arising thereunder. *Ends.*

—BYNG.

---

* No. 715. † No. 716. ‡ No. 395 in Dominions No. 88. § No. 394 in Dominions No. 88. ‖ No. 356 in Dominions No. 87. ¶ No. 714.

16941

No. 720.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9.3 a.m., 8th April, 1924.)

TELEGRAM.

8TH APRIL. Secret. Following for Prime Minister from my Prime Minister:—

Begins: Your telegram of 7th April.* I am of the opinion that it would be unwise to lay before Parliament correspondence with the Dominions on the subject of the Treaty of Lausanne. In that correspondence Foreign Office explained the difficulties which arose with the Allies in unguarded terms and freely commented. If such communication were written in view of possible publication, there would be an end of the possibility of clear and frank information of the position to the Dominions. The final approval by New Zealand of the ratification results from the whole correspondence, and it is not possible to divide later from former telegrams and despatches. *Ends.*

—JELLICOE.

16982

No. 721.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 11.32 a.m., 8th April, 1924.)

TELEGRAM.

8TH APRIL. Secret. Following for Prime Minister from my Prime Minister:—

Begins: Your telegram 7th April.* I do not understand your reference to the attitude of the Canadian Government, about which we have officially heard nothing, but presume from the short press paragraph published here that, because Canada was not represented at the Lausanne Conference, the Canadian Government did not ratify the Treaty.

In view of the reference in the Secretary of State's telegram of the 27th October, 1922,† to Poincaré's attitude on the question of the representation of the Dominions and his suggestion if this insisted on he would press for the representation of Tunis and Morocco, and in Mr. Hughes' telegram of the 2nd November‡ in reply. I appreciate your decision to keep these documents secret. In the event, however, of your making any statement summarizing the views or attitude of the Dominions on this question it is desirable such statement should be communicated to us prior to its being given publicity. Bruce. *Ends.*

—GOVERNOR-GENERAL.

16983

No. 722.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2.17 p.m., 8th April, 1924.)

TELEGRAM.

8TH APRIL. Secret. Publication of Lausanne Treaty correspondence. Following for Prime Minister from my Prime Minister:—

Begins: Your telegram of 7th April.* Publication of Secretary of State's telegram of 27th October and my reply§ is most undesirable, and I cannot agree to it. Publication of confidential discussions between His Majesty's Government and the Dominions would make frank exchange of views impossible, and I hope that you will resist all pressure in this direction. *Ends.*

—ATHLONE.

---

* No. 715. † No. 356 in Dominions No. 87. ‡ No. 359 in Dominions No. 87. § Nos. 356 and 357 in Dominions No. 87.

Note.—The adjourned debate on the Treaty of Peace (Turkey) Bill in the House of Commons took place on the 9th April. The position of the Dominions was discussed by Mr. Lloyd George (Official Report, columns 490-495) and referred to briefly by Mr. Baldwin (column 535) and the Prime Minister (columns 538-539). Sir Edward Grigg withdrew his amendment and the Bill was read a second time. In the Committee stage of the Bill on the 10th April references to the position of the Dominions were made by Sir Edward Grigg (columns 772-774) and Mr. Fisher (columns 782-783). The Bill was read for the third time and passed on the 10th April.

17787

No. 723.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4 a.m., 11th April, 1924.)

TELEGRAM.

[*Answered by No.* 724.]

10TH APRIL. Following from Prime Minister for your Prime Minister:—

Begins: Representation of Canada at Lausanne. My telegram 7th April.* In view of cabled despatches yesterday's debates House of Commons, would ask you kindly to look at stenographer's notes of fourth meeting Imperial Conference, Monday, 8th October, 1923, at page 16 of which I am reported, speaking for Canada, as having said in the presence of Mr. Baldwin, Lord Curzon and other members of the British Government, as well as the Prime Ministers of other Dominions, "At Genoa and at The Hague we were represented. We had been invited to be present at these Conferences, and considering their nature we felt that it would perhaps be not only of interest and benefit to ourselves, but also to the others if we were represented there. At Lausanne we were not represented; we were not invited. We took and we take no exception to not being invited. We felt that the matters that were being discussed there were not of the same immediate and direct interest to ourselves as they were to those who were represented at the Conference, and we have no exception to take to the course that was adopted." I think it owing to the Dominion of Canada and to our Government that our position in this particular should be made known to the Members of the British Parliament and the British public before this subject is disposed of. I much hope you will find it possible to make clear our position in this particular before the subject is further discussed in our Parliament here. Otherwise I shall be obliged to restate our position, and again request permission to bring down all correspondence between the Government of Great Britain and the Canadian Government in reference to this matter. Kindly advise me if I may count upon your making statement and, if so, at what probable time. *Ends.*

—BYNG.

17975

No. 724.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 2.45 p.m., 12th April, 1924.)

TELEGRAM.

[*Answered by No.* 725.]

12TH APRIL. Following from Prime Minister for your Prime Minister:—

Begins: Your telegram 3rd April.† I am sorry if anything which I said in course of debate on ratification of Treaty of Peace with Turkey

* No. 719. † No. 714.

should have given impression that Canada had been asked formally to concur in arrangement for negotiations at Lausanne being entrusted to Lord Curzon and Sir H. Rumbold. I agree that this would not have been correct description of position as set out in Secretary of State's telegram 27th October, 1922.* But as regards the general Imperial nature of their mission I would observe that, apart from special mention made in this telegram of the fact that the British Plenipotentiaries were fully acquainted with the Imperial aspect of the problem and with the keen interest taken by Dominion Governments in its solution, it was explained in Secretary of State's Personal and Secret telegram same day† that "arrangements outlined in my code telegram of to-day for representation of British Empire by Secretary of State for Foreign Affairs follow those adopted in connexion with Treaty of Sèvres." There had been specific reminder from the Canadian Government when the negotiations with Turkey were proceeding in 1920 that the Treaty when made would be made by His Majesty on behalf of whole British Empire (see Minute of Privy Council P.C. 439, 29th March, 1920‡) and the correspondence ensuing on Secretary of State's telegrams 27th October, 1922, was, I am informed, not interpreted as indicating any desire on part of Canadian Government to be regarded as entirely dissociated from negotiations. Your telegram 31st December, 1922,§ did not question view of the position set out in Secretary of State's telegram 8th December, 1922,‖ in following words: "Any Treaty resulting from Lausanne Conference will, of course, replace Treaty of Sèvres, and until it comes into force a state of war between the British Empire and Turkey will technically continue. The Treaty when ratified must therefore be binding on the whole Empire," and was consequently read here as referring solely to procedure in respect of signature of Treaty.

Having regard to all the circumstances, when I received assurance conveyed in Governor-General's telegram 24th March¶ that Canadian Government would not take exception to such course as His Majesty's Government might deem it advisable to recommend, I thought that I could safely assume that Canadian Government would have no objection to ratification by His Majesty of Treaties constituting Peace Settlement with Turkey on behalf of whole Empire, and would be ready to accept any obligations which such ratification would involve. As effect of peace settlement will be to put end to state of war which still exists technically between British Empire and Turkey, I confess that I do not see how it would be possible to exclude from ratification any part of Empire, and result will be that Treaties when ratified by His Majesty must be regarded as binding on whole Empire except in so far as obligations under them are expressly limited to this country. In case of two Conventions, viz., that relating to Conditions of Business and Commercial Convention, there is express provision by which declaration may be made excluding any of Dominions, and I presume that in case of these Conventions you would wish such declaration made in respect of Canada.

I hope that in the circumstances Canadian Government will take no objection to ratification of various instruments forming Peace Settlement on above understanding.

As you know, we have found here that legislation would be required to give effect to certain provisions of Treaty, notably in relation to matters dealt with in Economic Clauses. I imagine that these provisions will not in practice require to be executed in Canada, though I notice that legislation was passed by Canadian Parliament in 1922 with a view to giving effect to Treaty signed at Sèvres.

I hope that you will be in a position to send a very early reply, since in view of the situation in Turkey I regard it as essential that steps should be taken as soon as possible for preparation of His Majesty's ratification now that our Bill has passed both Houses. Commonwealth of Australia, New Zealand and Union of South Africa have expressed concurrence in ratification.

* No. 355 in Dominions No. 87. † No. 356 in Dominions No. 87. ‡ Enclosure in No. 426 in Dominions No. 75. § No. 394 in Dominions No. 88. ‖ No. 369 in Dominions No. 87. ¶ No. [illegible]

I have received your further telegram 10th April.* On question of publication of correspondence His Majesty's Government have informed Parliament† that they do not propose to lay papers, having regard to objection to publication by some of Dominions and fact that whole series would have to be laid if position were to be made clear. This has been accepted by House of Commons as satisfactory, and I feel that it would be undesirable to reopen matter. Ramsay MacDonald. *Ends.*

—THOMAS.

19540

No. 725.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.58 a.m., 24th April, 1924.)

TELEGRAM.

[*Answered by No.* 732.]

23RD APRIL. Following for Prime Minister from my Prime Minister:—

Begins: Your telegram of 12th April,‡ Lausanne Treaty. Despatch (?Telegram) of Governor-General 24th March§ contains carefully considered statement of Canadian position and views of our Government with respect to negotiations for signature and ratification of Lausanne Treaty. I do not feel that there is anything I can add to what is there set forth pending further statement to Canadian Parliament as referred to in my telegram of 10th April.*

Having regard to mention in your telegram that you consider it essential in view of the situation in Turkey that steps should be taken as soon as possible for the preparation of His Majesty's ratification, I think I should let you know at once that the Debate on the Budget now in progress in our Parliament may continue for a fortnight, if not longer, and that opportunity for discussion of the Lausanne Treaty will not be possible until the Budget Debate is disposed of. That this circumstance, or any other which may arise out of the discussion, may not be permitted to embarrass your Government in any particular, I wish to repeat, as mentioned in His Excellency's despatch of 24th March,§ that, with respect to His Majesty's ratification, our Government will not take exception to such course as His Majesty's Government may deem it advisable to recommend. With respect to the Conventions referred to in your telegram we would, of course, wish that the declaration made excludes Canada.

In view of the impression which has been given, to the effect that the present Canadian position with regard to representation at Lausanne, and with respect to concurrence in the ratification was not made known at the Imperial Conference, in addition to the reference already made to page 16 of the stenographer's notes of the Fourth Meeting of the Imperial Conference proceedings held 8th October in which I am quoted as having said that Canada was not invited and was not represented at the Lausanne Conference, I should mention this was restated by me at meeting of the Committee on signature of Treaties held in the Foreign Office 25th October, at which Lord Curzon presided and should appear in the shorthand records of that Meeting, which I understand were kept. Also I would direct your attention to the Minutes of the meeting of the Committee on the publication of correspondence and status of the High Commissioners held in the room of the Secretary of State, Colonial Office, Friday, 2nd November, at which several British Ministers and Officials of the Foreign and Colonial Office, as well as the Dominion Prime Ministers, were present, and where the subject of the ratification of the Treaty of Lausanne was specifically discussed, which records of the proceedings conclude with the following words: "Prime Minister of Canada intimated, however, that it might not be possible for the Canadian Government to express formal concurrence in the ratification." Copy of the Minutes of this meeting in my possession bears date Colonial

* No. 728. † See enclosure in No. 729. ‡ No. 724. § No. 709.

Office, 5th November, 1923. I am still hoping you may find it possible to make statement in the British Parliament which will serve to remove the erroneous impression your previous statements have made with respect to any authorized representation of Canada at Lausanne and deductions drawn therefrom. Failing such statement on your part, I hope you will assent to submission to the Parliament here of such parts of the correspondence as will make the facts clear or that you will permit me to say that I have your authority to state that, if anything you said in the course of the debate on the ratification of the Treaty of Peace with Turkey should have given the impression that Canada had been asked formally to concur in arrangements for negotiations at Lausanne being entrusted to Lord Curzon and Sir H. Rumbold, that this would not have been correct description of the position. *Ends.*

—BYNG.

18060

No. 726.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 12.35 p.m., 24th April, 1924.)

TELEGRAM.

[*Answered by No.* 731.]

TURKISH settlement. Should be glad to be informed as soon as possible wishes of your Ministers on question of exclusion Nauru from two Conventions mentioned paragraph three my despatch 20th August, Dominions Treaty 31.* It is present intention that Fiji and Western Pacific High Commission territories shall be excluded from both Conventions, but understood from your telegram of 1st April† that as regards Commonwealth, Papua, Norfolk Island, New Guinea excluding declaration is desired in respect of Commercial Convention only.—THOMAS.

18060

No. 727.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 12.35 p.m., 24th April, 1924.)

TELEGRAM.

SECRET. My telegram of 24th April,‡ Turkish Settlement. As regards position of Fiji and Western Pacific, main reason for including Convention respecting Conditions of Residence, etc., as well as Commercial Convention, in declaration of exclusion, is references in former to freedom of entry and residence. See correspondence ending with my despatch 13th May, 1921, Secret.§—THOMAS.

19851

No. 728.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1.30 a.m., 26th April, 1924.)

TELEGRAM.

[*Answered by No.* 732.]

25TH APRIL. Following from Prime Minister for your Prime Minister:—

Begins: I think that I should bring to your attention the following

* No. 413 in Dominions No. 88. † No. 712. ‡ No. 726. § No. 71 in Dominions No. 81.

Question and Answer in the House of Commons yesterday with reference to the Lausanne Treaty and my telegram of 23rd April* :—

"Mr. Joseph T. Shaw, East Calgary: I would like to ask the Prime Minister if there has been any change in the position in regard to the Lausanne controversy since his last statement to the House.

Right Honourable W. L. Mackenzie King, Prime Minister: I do not know that I quite understand the significance of my honourable friend's question.

Mr. Shaw: I will put it in more detail. Has the matter been the subject of consultation(s) between the British Government and the Canadian Government, and, if so, has the Prime Minister any statement to make at this stage with regard to the present standing of the matter?

Mr. Mackenzie King: I have been communicating with the Prime Minister of Great Britain with reference to the statement which was made by him in the House of Commons during the course of the debate, and which it did not seem to me represented accurately the position which he was referring to. I have had some communication(s) from the Prime Minister in reference to it and later on will be in a position, I think, to make a statement to the House, but I would like to have the permission of the Prime Minister of Great Britain to refer to his communication(s) before so doing." *Ends.*

—Byng.

15838

No. 729.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNOR.

(Canada.
(Commonwealth of Australia.)
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.) Dominions No. 197.)

[My Lord,] [Sir,] Downing Street, 29th April, 1924.

With reference to my despatch Dominions No. 103 of the 5th of March,† I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of the House of Commons Official Reports of the 1st, 9th, 10th and 11th of April containing the debates on the Treaty of Peace (Turkey) Bill.

2. I also enclose a copy of a Parliamentary Question and Answer on the 9th of April regarding the publication of correspondence relating to the Treaty.

I have, &c.,
J. H. THOMAS.

[17291]

Enclosure in No. 729.

HOUSE OF COMMONS.

(9th April, 1924.)

Treaty of Lausanne (Attitude of Dominions).

Lieutenant-Colonel Sir Edward Grigg (*by Private Notice*) asked the Secretary of State for the Colonies what steps have been taken by His Majesty's Government to secure the consent of the Dominions to the publication of papers regarding their acceptance of the obligations contained in the Treaty of Lausanne; whether consent was asked for by cable, and on what dates; what replies, if any, have been received; and, in view of Mr. Mackenzie King's statement in the Canadian House of Commons yesterday that he would welcome publication, can His Majesty's Government now undertake to lay the papers concerned?

* No. 725. † 10851/24: not printed; it enclosed the House of Lords Official Report of the 28th February containing the debate on the Second Reading of the Bill.

The Secretary of State for the Colonies (Mr. J. H. Thomas): When the Prime Minister was pressed for the laying of all papers in connexion with the Treaty of Lausanne, he took steps to communicate with the whole of the Dominions concerned. I am pleased to say replies have been received from them all and, having regard to the objection to publication by some of the Dominions and to the fact that the whole series would have to be laid if the position were to be made clear, His Majesty's Government are unable to lay the papers.

274

20860

No. 730.

HOUSE OF COMMONS.

(5th May, 1924.)

Lausanne Conference (Canada).

41. Lieutenant-Colonel Sir E. Grigg asked the Secretary of State for the Colonies whether he is aware that on 2nd April the Prime Minister of Canada stated to the Canadian House of Commons that Canada had not been invited to send representatives to the Lausanne Conference; that in the same statement Mr. Mackenzie King contrasted the procedure adopted at the Lausanne Conference with that previously adopted at the Paris and Washington Conferences; and that the Canadian Government informed the British Government in a despatch, dated 31st December, 1922, that in view of this difference of procedure Canada could not be expected to append her signature to any instruments negotiated at Lausanne; and whether, in view of Mr. King's further statement that Canada would make no objection to the publication of the correspondence, he will undertake to lay it upon the Table of this House?

Mr. Thomas: I have read the statement made by the Prime Minister of Canada in the Canadian House of Commons on 2nd April. I understand that, on 24th April, he stated in answer to a question that he thought that he would be in a position later on to make a further statement. As regards the publication of papers, I cannot add anything to the answer which I gave to the honourable and gallant Member on 9th April.*

Sir E. Grigg: In view of the difficulty which there is in reconciling statements in this House and those in the Canadian House of Commons, does the right honourable Gentleman not think that in the interests of the British public and of the British Government papers should be laid?

Mr. Thomas: As I have explained to the honourable and gallant Gentleman, this Government have no objection to laying the papers, but, as he is aware, by agreement made at the Imperial Conference, the authority of all the Dominions must be obtained. The authority in this case having been refused, the Government have no alternative.

Sir E. Grigg: Does that apply to correspondence solely between the Canadian Government and this Government, the Canadian Government having stated that they are willing to publish papers?

Mr. Thomas: No one knows better than the honourable and gallant Gentleman that the Resolution I have referred to enables any one Dominion to object.

Mr. Pringle: In view of the fact that this is a correspondence solely between Great Britain and Canada, can there be any objection to publication, seeing that the Dominion Government are anxious for publication?

Mr. Thomas: As a matter of fact, it is not correspondence solely between Canada and this country. The whole correspondence is with a number of Dominions, and not with Canada alone.

Sir E. Grigg: Can the right honourable Gentleman undertake to lay papers containing solely the correspondence between the British Government and the Canadian Government?

Mr. Thomas: I will undertake to submit the proposal.

---

* Enclosure in No. 729.

21683

No. 731.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 12.39 p.m., 6th May, 1924.)

TELEGRAM.

6TH MAY. Secret. Your telegram 24th April.* Turkish Settlement. Commonwealth Government of the opinion that Nauru should be excluded from both Conventions.—FORSTER.

19540

No. 732.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 2.45 p.m., 7th May, 1924.)

TELEGRAM.

[*Answered by No.* 737.]

7TH MAY. Following from Prime Minister for your Prime Minister:—

Begins: Lausanne Treaty. Your messages of 23rd and 25th April† received, and I have also now seen your statements in Canadian Parliament 2nd and 3rd April.

I am grateful for your readiness to help us, and I understand the position now to be that, as indicated in Governor-General's telegram of 24th March,‡ Canadian Government acquiesce in ratification by His Majesty of Peace Settlement with Turkey and that you will arrange to get any Parliamentary approval or legislation in Canada, which you may think necessary, as soon as time is available in the Canadian Parliament.

I have ascertained that no shorthand notes were kept of the Committee Meeting of the Imperial Conference held at the Foreign Office on 25th October. As regards Committee Meeting at Colonial Office on 2nd November, I gather that your statement was regarded here as meaning that, whilst you might not be in a position to express on behalf of Canada formal concurrence in ratification, Canadian Government had no objection to ratification of Peace Settlement on behalf of whole Empire.

I would still deprecate laying papers for reasons given in my message of 12th April,§ but I am quite willing that you should make statement on lines suggested at end of your message of 23rd April.‖ I feel, however, that in fairness to successive British Governments it would be advantage if you could include mention of following passages from Secretary of State's telegrams of 27th October, 1922, and 8th December, 1922,¶ which were referred to in my message of 12th April, viz.:—

(1) "British plenipotentiaries are fully acquainted with the Imperial aspect of the problem, and with the keen interest taken by the Dominion Governments in its solution" in telegram of 27th October.

(2) "Any Treaty which may result from Lausanne Conference will, of course, replace Treaty of Sèvres, and until it comes into force a state of war between the British Empire and Turkey will technically continue. The Treaty when ratified must, therefore, be binding on the whole Empire," in telegram of 8th December.

I notice that you did not make mention of either of these passages in your statement to Canadian Parliament on 2nd April.

Could you, if you concur, telegraph text of statement which you propose?

I hope that I shall now be able to arrange very shortly for ratification of various instruments forming Peace Settlement.

I note that you would wish Canada excluded from Conditions of Business and Commercial Conventions and will take action accordingly. *Ends.*

—THOMAS.

---

* No. 726. † Nos. 725 and 728. ‡ No. 709. § No. 724. ‖ No. 725. ¶ Nos. 355 and 360 in Dominions No. 87.

22286

No. 733.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.40 p.m., 9th May, 1924.)

TELEGRAM.

[*Answered by No.* 734.]

9TH MAY. Following from my Prime Minister:—

Begins: Lausanne Treaty. London Press cable intimates that in reply to question by Sir Edward Grigg in the House of Commons on 7th May you had said that no official communication had been received from the Canadian Government asking approval of the other Dominions to the publication of correspondence. My telegram of 7th April* to the Prime Minister, stating that I would welcome having placed before Parliament here, as well as in Great Britain, the communications between the British Government and our own respecting the Treaty of Lausanne, was intended to imply that whatever steps were necessary to this end would also be welcomed. My telegram of 10th April† to the Prime Minister again requesting permission to bring down all correspondence between the British Government and the Canadian Government was meant as official request to the British Government to obtain, if need be, the necessary consent of the other Dominions also.

My telegram of 23rd April‡ to the Prime Minister requested assent to submission to the Parliament here of such parts of the correspondence as would make the facts clear.

Canadian Government still hopes that it may be possible to have publication of all correspondence between Great Britain and Canada respecting Lausanne Conference and invitation(s) thereto, and that the British Government will join with us in endeavouring to obtain the consent of the other Dominions to publication of such correspondence—this more especially in view of the Premier having said in his telegram dated 12th April§ that he had informed the British Parliament that the reason of the British Government for withholding publication was the objection to publication by some of the Dominions. *Ends.*

—GOVERNOR-GENERAL.

22286

No. 734.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 1.15 p.m., 12th May, 1924.)

TELEGRAM.

[*Answered by No.* 736.]

12TH MAY. Secret. Following for your Prime Minister:—

Begins: Your message of 9th May.‖ My reply to Grigg in House of Commons 7th May seems to have been reported incorrectly. First part of question was whether Canadian Government had telegraphed to other Dominions to inquire whether any of them objected to publication of correspondence between Great Britain and Canada regarding negotiation, etc., of Treaty of Lausanne. Answer to this was that I had seen press telegram to effect indicated, but no official communication had been received from Canadian Government.

Second part of question was whether His Majesty's Government had themselves telegraphed to other Dominions in support of Canada's view that correspondence between Great Britain and Canada should be published immediately. My answer was that I thought it would now be well to await result of inquiries which you were making.

---

* No. 719. † No. 723. ‡ No. 725. § No. 724. ‖ No. 733.

On same day that this answer was given, viz., 7th May, Prime Minister's last message* was sent to you through Governor-General, and we had hoped that, if you were ready to make statement in Canadian Parliament on lines suggested in that message, this would dispose of whole matter, particularly in view of fact that your statement in Canadian House of Commons 2nd April had contained already gist of so much of correspondence between British and Canadian Governments.

I am very sorry that matter has caused you so much trouble. From our point of view position still is that publication of whole series of correspondence with Dominions seems impossible (see Prime Minister's messages of 7th April and 12th April†) and for this reason we are averse to publication of correspondence with Canada only.

Grigg has put down further question for Monday, 12th May, asking whether His Majesty's Government has now received any information as to action taken by Canadian Government to secure consent of other Dominions to publication of correspondence between Great Britain and Canada on Treaty of Lausanne, and whether I have informed Dominions that Great Britain would take no objection to publication.

I propose to reply that a communication on the matter has now been received from Canadian Government and is under consideration. Should further questions be asked I will give non-committal answers pending your reply to Prime Minister's message of 7th May.* *Ends.*

—THOMAS.

22286

No. 735.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 5.30 p.m., 17th May, 1924.)

TELEGRAM.

[*Answered by No.* 736.]

17TH MAY. Secret. My telegram of 12th May.‡ Following for your Prime Minister:—

Message begins: Grigg proposes to ask another question in House of Commons Wednesday, 21st May, and we should like, if possible, to give answer which would make position clear here and would help you in any further discussion in Canadian Parliament. Hence Prime Minister would be glad if possible to have reply not later than Monday to his message of 7th May.* Would it be possible to arrange for concurrent statement here and in Canadian Parliament? We feel sure that this would be best procedure. Statement which Prime Minister would like me to make here in the light of the recent correspondence would be as follows:—

Begins: If anything which was said in the course of the debate on ratification of the Treaty of Peace with Turkey should have given the impression that Canada had been asked formally to concur in the arrangements for the negotiations at Lausanne being entrusted to Lord Curzon and Sir H. Rumbold, this would not have been correct description of the position, and I am sorry if there has been any misunderstanding on the point either here or in Canada. The facts were that the intention to appoint Lord Curzon and Sir H. Rumbold was intimated to the Dominion Governments, and the hope expressed that this procedure would be in accordance with their wishes. It was added that the British Plenipotentiaries were well acquainted with the Imperial aspect of the problem and with the keen interest taken by the Dominion Governments in its solution. His Majesty's Government had also understood from the correspondence which passed at the end of 1922 between their predecessors and the Canadian Government that it was not in question that any Treaty which might result from the Lausanne

* No. 732. † Nos. 715 and 724. ‡ No. 734.

Conference would replace the Treaty of Sèvres: that until it came into force a state of war between the British Empire and Turkey would technically continue: and that the Treaty when ratified must, therefore, be binding on the whole Empire.

I am glad to say that the Canadian Government have now acquiesced in the ratification by His Majesty of the Peace Settlement with Turkey.

It has been agreed between His Majesty's Government and the Canadian Government that the text of the correspondence should not be laid. *Ends.*

Would you agree to my making above statement, and, if so, will you telegraph text of corresponding statement which you will make in Canadian Parliament? *Message ends.*

—THOMAS.

276

23781

No. 736.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.32 a.m., 19th May, 1924.)

TELEGRAM.

[*Answered by No.* 738.]

19TH MAY. Following from my Prime Minister:—

Begins: Your telegram of 12th May.* Your telegram of 17th May.† I have sent your Prime Minister to-day‡ reply to his message of the 7th May.§ Much as I should like to meet your wishes with respect to a concurrent statement you will see from perusal of what I have there said why it is not possible for me to hope to be able in this manner to limit discussion in our Parliament on the Lausanne Treaty. Moreover, statement along the lines of the one suggested in your message would only serve further to emphasize the false position in which in this matter Canada has already been placed before the British public and the other Dominions. It carries the inference that Canada was consulted with reference to the procedure respecting the Lausanne Conference and the appointment of Lord Curzon, whereas the fact is, we knew nothing of the procedure or appointment of Lord Curzon in any capacity till informed of what had been settled and also of the reason why Canada could not be represented. Our whole position is bound to be misunderstood until the facts are given to the public in their true light.

Already in the Press of Great Britain and elsewhere throughout the Empire we are being condemned for the attitude which we have never assumed and on premises which are entirely misleading and false. No Government can afford to have its own and its country's position so grievously misrepresented.

I hope I have made clear what appears to be the misunderstanding of our position as to any exception being taken by us to the view that the Treaty when ratified must be binding on the whole Empire. We have never raised a question as to that. It is imperative, however, as to the obligations which may devolve upon Canada from this fact that our position with regard to the absence of any representation at Lausanne, as we have from the outset so regarded it, should be made known.

—GOVERNOR-GENERAL.

---

* No. 734. † No. 735. ‡ No. 737. § No. 732.

23782

No. 737.

CANADA.

THE GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 10.0 a.m., 19th May, 1924.)

TELEGRAM.

[*Answered by No.* 738.]

19TH MAY. Following from Prime Minister for your Prime Minister:—

Begins: Lausanne Treaty. Your telegram of 7th May.* I cannot give clearer statement of Canada's attitude with respect to the Lausanne Treaty than that contained in letter to the Editor of the London *Times* signed A. Berriedale Keith, University of Edinburgh, which appears in issue of 26th April.† Had Canada been represented at the Lausanne Conference, our position with respect to the Straits Convention would have been stated as therein set forth, namely, as controversy over Article X of League of Nations Covenant proves, Canadian opinion is united in the view that Canada should accept no obligation for action which would fetter decision of future Canadian Parliament. Our unwillingness to ask Canadian Parliament to approve the ratification of the Treaty is based on the certain knowledge that, Canada not having been represented at Lausanne or a signatory to the Treaty, our Parliament would not approve steps which would imply the undertaking of Canada of a definite and positive responsibility to render aid in case action became necessary under the Straits Convention. As to whether Treaty of Lausanne, if and when ratified *simpliciter*, will or will not be binding on Canada because it was not signed by Canadian representative(s) acting *eo nomine* for Canada, our Government have no desire to put forward at this time views suggested by opinion of Mr. Doherty, (?Minister) Ministry of Justice in Administration of Sir Robert Borden and Mr. Meighen, and one of the signatories of the Treaty of Versailles, when in 1919, at the time the approval by Parliament of the Treaty of Versailles was being sought, he explained in our House of Commons the doctrine of the signature of Treaties and asserted that Canada could be bound only by Treaties concluded in this manner.

On the understanding that Canada's position as respects the future shall not be prejudiced in any way thereby, we are prepared as regards the Lausanne Treaty to forgo raising any constitutional issue at this time, and to recognize ratification without expressing that exclusion of Canada must bind Canada in International Law as much as it binds the rest of the Empire.

* No. 732.

† This letter read as follows:—

"Sir,—It is easy to understand Mr. Mackenzie King's reluctance to ask the Canadian Parliament to approve ratification of the Treaty of Lausanne, since such action would imply the undertaking by Canada of a definite and positive responsibility to render aid in case action became necessary under the Straits Convention, and, as the controversy over Article X of the League of Nations Covenant proves, Canadian opinion is united in the view that Canada should accept no obligation to action which would fetter the decision of future Canadian Parliaments.

But the Parliamentary discussions leave obscure the vital question whether Mr. King really holds that the Treaty of Lausanne, if and when ratified *simpliciter*, will not be binding upon her because it was not signed by Canadian representatives acting *eo nomine* for Canada. This, of course, is the view suggested by the opinion of Mr. Doherty in 1919, when he explained to the Canadian House of Commons the doctrine of signature of treaties, and asserted that Canada could be bound only by treaties concluded in this manner. But I am unable to find any doctrine of international law on which this view could be supported, and it appears clear that, unless and until international recognition is accorded to this new doctrine, a ratification without express exclusion of Canada must bind Canada in international law, as much as it binds the rest of the Empire. On this view, however, though ratification will bind Canada, it will remain open to Canada, as freely as in the past, to decide what steps she will take to assist actively in securing the observation of the Straits Convention, if the need should ever arise, and for all practical purposes this position should be satisfactory enough for Canada.

The alternative, the exclusion of Canada from ratification, would raise such grave issues that it may be assumed Mr. King does not contemplate asking for such action."

On this view, however, though ratification will bind Canada, it will remain open to Canada as freely as in the past to decide what steps she will take actively in securing observation of the Straits Convention if the need should ever arise. I should perhaps add that, this being our position as asserted from the outset, we have never suggested the alternative, namely, exclusion of Canada from ratification. The view that my statements at the Committee meeting at the Colonial Office 2nd November mean that, while we might not be in position to express on behalf of Canada formal concurrence in ratification, the Canadian Government had no objection to ratification of the Peace Settlement on behalf of the whole Empire is quite correct. This accords exactly with our position as set forth in Governor-General's telegram to the Secretary of State for the Colonies 24th March* as follows, "My Ministers do not feel that they are in a position to recommend to Parliament approval of Peace Treaty with Turkey and the Convention thereto. Without the approval of Parliament they feel that they are not warranted in signifying concurrence in ratification of the Treaty and Convention. With respect to ratification, however, they will not take exception to such course as His Majesty's Government may deem it advisable to recommend."

I thank you for your permission to state, as requested in my telegram to you 23rd April,† that if anything you said in the course of the debate on ratification of the Peace Treaty with Turkey should have given the impression that Canada had been asked formally to concur in arrangements for negotiations at Lausanne being entrusted to Lord Curzon and Sir H. Rumbold, this would not have been correct description of position. I shall be only too happy to include mention of passages from the Secretary of State for the Colonies' telegrams of the 27th October and 8th December, 1922, referred to in your telegram. My reason for not making mention of either of these passages in my statement to Parliament on 2nd April was that I was anxious to avoid adverse comment to which I felt they might give rise, as well as the raising of any issues apart from the one with respect to whether Canada had or had not been represented at Lausanne, which was the occasion of my statement to Parliament.

Did I feel that statement to Parliament, such as might be prepared in advance, would satisfy our House of Commons, I should be only too ready to prepare something of the kind and submit it for your consideration in advance. I am quite sure, however, that Members will wish to discuss this whole matter very fully and would resent any attempt on the part of the Government to avoid the question and reply. Moreover, I have told the House that the Government would welcome the fullest discussion, and that to permit of this I would bring up the subject when in Committee of Supply on Estimates of Department of External Affairs which I also promised would be immediately upon conclusion of the debate on budget. Debate you may have noticed terminated on Friday morning last. My intention has been to fix Tuesday for this purpose, and unless specially requested by you before the conclusion of to-morrow, Monday evening's, Session to defer day longer, I shall follow this course. I shall, as respects representation at Lausanne, seek to confine my remarks to repeating what I have already said in the House with more explicit statement, however, as to why we had reason to feel that we were not represented, and, as respects ratification, to the statement of our position along the lines of this communication.

I have already informed Parliament that it was our desire that the correspondence should be brought down, and that I was asking permission of the other Dominions as well as of the British Government to have such of the correspondence as has passed between Great Britain and Canada brought down. I shall be expected to communicate to Parliament nature of replies received. Already questions (?have) been asked as to this.

General Smuts, South Africa, says; "I raise no objection to publication." Mr. Bruce, Australia, says; "Commonwealth Government has no objection to tabling the correspondence between Canada and Great Britain. Have, however, already advised the British Government that, so far as

* No. 709. † No. 725. ‡ Nos. 355 and 369 in Dominions No. 87.

Australia is concerned, prior to making any statement purporting to summarize the views of the Dominion on this question desirable that such statement be communicated to us prior to publicity."

Warren, Newfoundland, says: "Government of Newfoundland is agreeable to having tabled such correspondence between Canada and Great Britain as may be agreed upon by Britain and Canada respecting the Lausanne Conference and invitation thereto." Mr. Massey, New Zealand, says: "Understand that communications mentioned were not written with the view to publication, and if made public am afraid would interfere with clear and frank information being given to the Dominion to which they are undoubtedly entitled." Unless the reply of Mr. Massey is to be understood as objection, it would appear that all the Dominions are agreeable to publicity being given to the correspondence.

In the event of the permission of the British Government not being obtained to bring down the correspondence, and this I understand to be the way the matter now stands, in view of the false position in which our country and Government have been placed through the impression that we were represented at Lausanne with our knowledge and consent and that nothing to the contrary was said by me at the Imperial Conference, and that as a consequence there has been shifting of our position with regard to ratification, you will appreciate, I am sure, wherein it will be necessary for me to make quite plain just what our understanding of the despatches respecting the Lausanne Conference was, and my position with respect thereto at the Imperial Conference. *Ends.*

—GOVERNOR-GENERAL.

23782

No. 738.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 8.5 p.m., 19th May, 1924.)

TELEGRAM.

[*Answered by Nos.* 740 *and* 741.]

SECRET. Your two telegrams of 19th May.* Following from Prime Minister for your Prime Minister:

Begins: Your messages of 19th May* to Secretary of State for the Colonies and myself. Our only desire in proposing concurrent statement was to help in making matters clear, and in view of arrangements for Parliamentary discussion in Canada we would certainly not press our suggestion, nor would we ask you to defer debate in your Parliament.

We agree that under the Straits Convention it is open to Canada to decide what steps she would take if Article 18 came into operation. While Great Britain is bound in any case to carry out, in conjunction with France, Italy and Japan, a decision of the Council under that Article, Canada is not in the same position. She is only bound to the extent of any obligation which may arise under Article 10 of the Covenant, interpreted (as there can be little doubt it would be) by the resolution voted upon by the last Assembly.

As regards publication of correspondence, in view of replies from other Dominions and extent to which earlier correspondence has already been summarized by you in your statements of 2nd and 3rd April, I should not wish to raise any question as to your reading out text of following telegrams if you think this course necessary in order to remove misunderstanding.

(1) Secretary of State's public telegram 27th October, 1922.†
(2) Governor-General's Secret telegram 31st October.‡
(3) Secretary of State's Secret telegram 16th November.§
(4) Governor-General's Secret telegram 25th November.‖
(5) Secretary of State's Secret telegram 8th December.¶

* Nos. 736 and 737. † No. 355 in Dominions No. 87. ‡ No. 358 in Dominions No. 87. § No. 362 in Dominions No. 87. ‖ No. 368 in Dominions No. 87. ¶ No. 369 in Dominions No. 87.

(6) Governor-General's Secret telegram 31st December.*
(7) Secretary of State's Secret telegram 27th January, 1923.†
(8) Secretary of State's Secret telegram 7th June.‡
(9) Governor-General's Secret telegram 15th June.§

278

Please let me have by telegraph gist of your statement in Canadian Parliament and summary of any subsequent discussion which you may think of importance. *Ends.*

—THOMAS.

24087

No. 739.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4.10 a.m., 20th May, 1924.)

TELEGRAM.

19TH MAY. Following from my Prime Minister:—

Begins: On order of the day in the House of Commons this afternoon Monday, I was asked when the Government would bring down the papers respecting the Lausanne Treaty and afford the House opportunity to discuss matters relative thereto. I replied stating that I had thought of affording the opportunity for discussion to-morrow, but, being still in communication with the British Government, had decided that it would be better to delay for another day or two. I hoped in this way to avoid any discussion pending possible reply to my telegram of to-day.

Mr. Meighen, Leader of the Opposition, then asked if I could not give to the House replies received from the other Dominions respecting telegrams sent asking their permission to such correspondence being placed on the table both here and in Great Britain as might be agreed upon between the two Governments. He added that he thought that the House was entitled to know which of the Dominions was objecting. I thereupon, in reply, communicated to the House answers received from several of the Dominions as quoted in my telegram to-day‖ to the Prime Minister. *Ends.*

—BYNG.

24088

No. 740.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.40 a.m., 20th May, 1924.)

TELEGRAM.

19TH MAY. Following from Prime Minister for your Prime Minister:—

Begins: Your message of to-day¶ just received. I greatly appreciate permission accorded to read out the text of the telegrams enumerated. Leader of the Opposition requested to-day that, in the event of permission being granted to have the correspondence made public, I should postpone the discussion of the Lausanne Treaty till after the members (?had been) given opportunity to read carefully and consider same. I thereupon intimated that, being still in correspondence with the British Government on the matter, I would postpone present intention of making immediate statement. Will communicate with you further to-morrow after opportunity of conference with colleagues. Meanwhile am sending this word to let you know of the postponement of the discussion in our House of Commons and to thank you for message received. *Ends.*

—BYNG.

* No. 394 in Dominions No. 88. † No. 398 in Dominions No. 88. ‡ No. 403 in Dominions No. 88. § No. 406 in Dominions No. 88. ‖ No. 737. ¶ No. 738.

24239

No. 741.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 3.15 a.m., 21st May, 1924.)

TELEGRAM.

[*Answered by No.* 742.]

20TH MAY. Following for Prime Minister from my Prime Minister:—

Begins: With further reference to your telegram of 19th May,* as mentioned in my telegram of same date† leader of the Opposition, Mr. Meighen, has asked that the discussion on Lausanne Treaty be not proceeded with until after such correspondence as permission may be given to make public is laid on the table of the House and the members afforded opportunity to consider. I am pleased to have your permission to read out the text of the telegrams enumerated in your telegram, but I am certain that the moment I do so the leader of the Opposition will ask that copies be tabled. I feel that (?you) would not wish me to say that I had permission to read the text of the telegrams but not permission to table them. If read out, they will go in Hansard in full and be on record there for purposes of further reference. Under the circumstances might I ask would it not avoid any question or doubt being raised, and be preferable on that account, both as regards your Parliament and our own, to permit of the telegrams enumerated being placed upon the table prior to any discussion, and for this to be done simultaneously both here and at Westminster. Our Government would like to have included in the telegrams to be made public, Secretary of State's public telegram of 22nd February, 1924, and 21st March, 1924,‡ and Governor-General's public telegram of 24th March, 1924,§ which brings the correspondence up to the time at which mention was made in the British House of Commons of Canada's attitude, and which are also necessary to make our attitude respecting ratification clear. We would, of course, like to have the Secretary of State's Secret telegram of 27th October, 1922,‖ also made public, but can appreciate the reason why the British Government might not wish the text of this message brought down. Having regard to mention in Secretary of State for the Colonies' message of 17th May¶ that the answer to the question by Mr. Grigg is to be made to-morrow, might I suggest as means of clearing up the situation both at London and Ottawa, that agreement be reached between us to table simultaneously at the opening of the House to-morrow afternoon (Wednesday) telegrams herein enumerated. *Ends.*

—BYNG.

24239

No. 742.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 12.45 p.m., 21st May, 1924.)

TELEGRAM.

[*Answered by No.* 745.]

21ST MAY. Following from Prime Minister for your Prime Minister:—

Begins: Your message 20th May.** I fear that our Parliamentary procedure makes it quite impossible to lay papers to-day (Wednesday) as the correspondence has to be printed separately prior to publication; earliest date we can do so is Monday, 26th May. Hence I can only suggest that, if you find it essential to make correspondence public to-day, you should read

* No. 738. † No. 740. ‡ Nos. 701 and 707. § No. 709. ‖ No. 356 in Dominions No. 87. ¶ No. 735. ** No. 741.

out text of telegrams as suggested in previous telegrams and promise to table them on Monday. We have no objection to including in papers read out and published Secretary of State's two telegrams' of 22nd February* (or later one only if so desired) and his telegram of 21st March and Governor-General's telegram of 24th March.† 279

Unless I hear to the contrary, I will arrange to have published on Monday telegrams enumerated in my message of 19th May‡ and four telegrams referred to above. I regard it as quite out of the question to publish Secretary of State's Secret telegram of 27th October, 1922.§

As Grigg is now asking private question to-morrow (Thursday) please be sure to let me have to-night information asked for at end of my message of 19th May‡ so that reply can be got ready to-morrow morning. *Ends.*

—THOMAS.

24239

No. 743.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 6.40 p.m., 21st May, 1924.)

TELEGRAM.

(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)

21ST MAY. Secret. Following from Prime Minister for your Prime Minister:—

Begins: My message 7th April.‖ Publication of correspondence Treaty of Lausanne. In view of strong representations of Prime Minister of Canada and replies which he has received to his inquiries of other Dominion Prime Ministers, I have now agreed to his publishing main telegraphic correspondence between His Majesty's Government and Canadian Government. This includes Secretary of State's public telegram 27th October, 1922,¶ and telegrams of 22nd February and 21st March, 1924,** to Governor-General of Canada which were also sent to Governors-General of other Dominions in identical terms. I am also arranging for publication here of correspondence with Canada in question Monday, 26th May. I have made it clear to Prime Minister of Canada that I regard it as out of question that Secretary of State's Personal and Secret telegram 27th October, 1922,†† should be published. *Ends.*

—THOMAS.

21683

No. 744.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 309.)

SIR, Downing Street, 21st May, 1924.

WITH reference to my despatch No. 141 of the 3rd March‡‡ and previous correspondence regarding the Peace Settlement with Turkey, I have the honour to request Your Excellency to inform your Ministers that the attention of His Majesty's Government has been called to a speech made in Dail Eireann on 9th April by the Minister of External Affairs, in the course of which he stated that he did not consider that the Clauses of the Lausanne Treaty were in any way binding on the Irish Free State.§§

* Nos. 699 and 701. † Nos. 707 and 709. ‡ No. 738. § No. 356 in Dominions No. 87. ‖ No. 715. ¶ No. 355 in Dominions No. 87. ** Nos. 701 and 707. †† No. 356 in Dominions No. 87. ‡‡ No. 705. §§ See Annexure.

2. His Majesty's Government feel bound to point out that, while the primary object of the instruments signed at Lausanne is to bring to an end the state of war still technically existing between the British Empire and Turkey, in their view certain limited obligations may require to be carried out in the Irish Free State, as in the other self-governing Dominions, as soon as these instruments have been ratified by His Majesty the King. The nature of these obligations is indicated by the terms of the Act which has just been passed by Parliament here (of which a copy is enclosed*) and by Article 1 of the Order in Council* to be made under the Act, of which a draft is enclosed for your Ministers' information.

It is, of course, for your Ministers to decide whether the obligations upon the Irish Free State are such as to necessitate the introduction of legislation in the Oireachtas.

3. The Governments of the other Dominions have now expressed their readiness that the Treaty of Lausanne and the other connected instruments should be ratified by His Majesty, and it is considered essential that the instrument of ratification should be deposited at the earliest possible date, in any case not later than the end of May.

4. His Majesty's Government feel sure that the Irish Free State Government would not wish to delay the bringing into effect of the Peace Settlement. They hope, therefore, that they may assume that your Ministers acquiesce in the ratification of the instruments in question.

5. The question remains whether Declarations should be made under the Convention respecting Conditions of Residence, Business and Jurisdiction, and under the Commercial Convention (see paragraph 4 of my predecessor's despatch No. 525 of the 31st August, 1923†) to the effect that their provisions do not apply to the Irish Free State. In the absence of an intimation to the contrary, His Majesty's Government will presume that it is your Ministers' desire that such Declarations should be made in respect of the Irish Free State (as in the case of Canada).

I have, &c.,

J. H. THOMAS.

ANNEXURE.

EXTRACT FROM STATEMENT MADE BY MR. FITZGERALD ON THE 9TH APRIL, 1925.

WITH regard to the Lausanne Treaty, that Treaty was initiated, and to a large extent negotiated, before we came into our present position. That being so, we were not consulted or invited to be in its negotiation. We were not consulted as to whether or not we agreed with its signing, and for that reason I assert that the articles of its various clauses are in no wise binding on this country. Since we came into existence in our present form we were kept during the negotiation of that Treaty in close knowledge of its progress; but, inasmuch as we were not consulted as to its initiation, and as we had no opportunity of having a representative there, I do not consider that the clauses of that Treaty are in any way binding on this country.

Most of Deputy Johnson's statements as to the full equality of Ireland with Great Britain are, as I say, unquestionable and unquestioned. Since we came into existence, the only two Treaties, so far as I know, that have been under consideration, have been the Lausanne and the Liquor Treaty. With regard to both of them, we were more or less daily informed as to their progress. With regard to the statement that Deputy Johnson read out as having been made in the British House of Commons, I have no idea as to what that statement was intended to be. The Deputy asked if we had given consent to the ratification of the Lausanne Treaty. We have not given consent to the ratification of the Lausanne Treaty with regard to Ireland.

---

* Not printed here. † No. 415 in Dominions No. 88.

24458

No. 745.

CANADA.

280

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.45 a.m., 22nd May, 1924.)

TELEGRAM.

[*Answered by No.* 746.]

21ST MAY. Following for Prime Minister from my Prime Minister:—

Begins: I am arranging for the laying on table at opening of House Monday next, 26th May, correspondence enumerated in your telegram of 19th May* also to include in the same Secretary of State for the Colonies' telegram of 21st March, 1924, and Governor-General's telegram of 24th March,† requested in my telegram of yesterday, 20th May,‡ and assent to which request is given in your telegram of to-day.§ There is evidently some misunderstanding as to original telegram. In addition to two telegrams, Secretary of State's telegram 21st March and Governor-General's telegram 24th March referred to, I suggested telegram of Secretary of State for Colonies of 22nd February, 1924,‖ should be included. Your reply states that you have no objection to including the Secretary of State for the Colonies' two telegrams of 18th May or the later one only if so desired but makes no reference to this telegram of 22nd February. We have not on our file any telegram from the Secretary of State for the Colonies dated 18th May either for this year or any other year. Was your telegram not intended to refer to the Secretary of State for the Colonies' public telegram of 22nd February, 1924, which was the telegram referred to in my telegram. My attention has been drawn to circumstance that the British Government Regulations require that telegrams sent in cypher should, if made public, be paraphrased and not given in exact words in which they are sent. Assuming the existence of any such regulation, you will I think agree that in this matter it is absolutely essential that the telegrams as laid on the table here should agree in every particular with the telegrams sent which you may table at Westminster. Should it appear later that their wording in any particular was different, a question would arise which might occasion endless embarrassment to both Governments. Under the circumstances I should like to have it agreed that the telegrams which we place on the table here, so far as their text is concerned, should be exact reprint of the messages which we have received and sent. Unless advised by you to the contrary I shall table the exact text, being careful, however, unless otherwise advised, not to indicate that the original message was sent or received in cypher.

Having received permission to table the correspondence, I have thought it inadvisable to say anything on the Lausanne Treaty this week or before Tuesday of next week, so that, as requested by the leader of the Opposition, Members of the House may have ample opportunity to read the correspondence themselves. *Ends.*

—BYNG.

24458

No. 746.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 1.10 p.m., 22nd May, 1924.)

TELEGRAM.

[*Answered by No.* 747.]

22ND MAY. Following from Prime Minister for your Prime Minister:—

Begins: Your message of 21st May.¶ I am sorry to find that in coding my message of yesterday§ two letters in one of the groups were accidentally

* No. 738. † Nos. 707 and 709. ‡ No. 741. § No. 742. ‖ No. 701. ¶ No. 745.

transposed with result that message as received by you contained reference to two telegrams of 18th May, 1924. Proper reference, as you indicate, was to the two telegrams of 22nd February, 1924,* from Secretary of State for Colonies. It was not quite clear from your message of 20th May† whether you wished to publish one only or both of these telegrams. Do I understand rightly from your message of 21st May‡ that you wish to publish later one only, i.e., that beginning "My telegram of to-day Treaty of Peace with Turkey." Please reply urgently. I agree that in this case exception seems inevitable to rule that paraphrases of cypher telegrams should be published instead of actual text, and arrangements are being made accordingly for publication of text of following telegrams in the series, Governor-General, 31st October, 1922; Secretary of State, 16th November; Governor-General, 25th November; Secretary of State, 8th December;§ Governor-General, 31st December.‖ We shall give no indication that above telegrams were in cypher. I am told that remainder of series to be published was not in cypher. Practice here is to omit prefix "secret" to telegrams in case of publication, and we shall follow it in this case. *Ends.*

—THOMAS.

24903

No. 747.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2.15 a.m., 23rd May, 1924.)

TELEGRAM.

22ND MAY. Following from Prime Minister for your Prime Minister:—

Begins: Many thanks for your telegram¶ just received. You are right in understanding from my telegram of 21st May‡ that of two telegrams sent by Secrefary of State for Colonies 22nd February* it is only one beginning "My telegram of to-day Treaty of Peace with Turkey" which we would wish to include.

I shall see that in all particulars our form of publication is identical with yours as set forth in your telegram. *Ends.*

—BYNG.

Note.—The correspondence in question was published in [Cmd. 2146].

25705

No. 748.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 29th May, 1924.)

[*Answered by No.* 749.]

(No. 207.)

SIR, Vice Regal Lodge, Dublin, 28th May, 1924.

I HAVE the honour to refer to your despatches Dominions No. 89 of the 29th February and No. 141 of the 3rd March,** relating to the Treaty of Lausanne, and to inform you that, having studied the Treaty with attention, my Ministers have not found that any general or particular interests of the Irish Free State are affected by its terms. This is presumably the reason why my Ministers were not given an opportunity of participating in the negotiations.

* Nos. 699 and 701. † No. 741. ‡ No. 745. § Nos. 358, 362, 368, 369 in Dominions No. 87.
‖ No. 394 in Dominions No. 88. ¶ No. 746. ** Nos. 704 and 705.

2. My Ministers, while anxious that the state of war, in so far as it may be held to exist between the States of the Commonwealth and the Turkish people, should be brought to an end with the least possible delay, do not feel called upon to submit the Treaty itself to the Parliament of the Irish Free State with a view to ratification, more especially as the position of the Irish Free State as a party to the Treaty and in particular to Article 18 of the Straits Convention might involve her in action which would be inconsistent with Article 49 of the Constitution of the Irish Free State. In the circumstances, my Ministers do not wish the Treaty to be ratified on their behalf.

3. With regard to the Conventions annexed to the Treaty, my Ministers desire that the Irish Free State should be formally excluded from the Convention respecting Conditions of Residence and Business, and from the Commercial Convention.

4. Finally, my Ministers wish to call the attention of His Majesty's Government to the use of the expression "United Kingdom of Great Britain and Ireland" in the preamble, and in this connexion to refer you to paragraph 2 of my despatch No. 136, dated 17th April,* relating to the Liquor Treaty.

I have, &c.,

T. M. HEALY.

25705

No. 749.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 348.)

SIR, Downing Street, 5th June, 1924.

I HAVE the honour to acknowledge the receipt of your despatch No. 207 of the 28th of May† relating to the Peace Settlement with Turkey.

2. His Majesty's Government desire to make it clear that the Treaty of Peace with Turkey must, when ratified, be binding on the whole Empire. The position was explained in my predecessor's message to the Prime Minister of Canada of 8th December, 1922,‡ which is included in the correspondence recently published in Cmd. 2146, of which copies have been sent to you. It would, however, not be in accordance with constitutional practice that the ratification of a Treaty of this kind should be effected until the Governments of all the self-governing Dominions had signified their assent to ratification.

3. I may also explain that, at the time when the negotiations at Lausanne commenced, the Irish Free State had not been formally established.

4. The procedure with regard to the negotiation, signature and ratification of future Treaties will be governed by the Resolution of the Imperial Conference, 1923 (see pages 13-15 of Cmd. 1987). Your Ministers will remember that Section I (*b*) of this Resolution is as follows:—

> "Before negotiations are opened with the intention of concluding a Treaty, steps should be taken to ensure that any of the other Governments of the Empire likely to be interested are informed, so that, if any such Government considers that its interests would be affected, it may have an opportunity of expressing its views, or, when its interests are intimately involved, of participating in the negotiations."

5. In the circumstances His Majesty's Government would be glad if your Ministers would re-examine the position in the light of the following considerations.

6. The main clause of the Treaty of Peace which affects the Irish Free State is Article 1, providing that from the coming into force of the Treaty the state of peace will be definitely re-established between the British Empire and other States of the one part and Turkey of the other part.

7. The view of His Majesty's Government regarding Article 18 of the Straits Convention is that it would be open to the Irish Free State to decide for itself what steps it should take, should that Article come into operation. Whilst Great Britain is bound in any case to carry out in conjunction with France, Italy and Japan a decision of the Council of the League of Nations under Article 18, the Irish Free State is not in the same position. The Irish Free State is only bound to the extent

* No. 796. † No. 748. ‡ No. 369 in Dominions No. 87.

of any obligation which may arise under Article 10 of the Covenant of the League of Nations, interpreted (as there can be little doubt it would be) by the Resolution voted upon by the Assembly of the League in 1923. For this reason the terms of Article 18 of the Straits Convention are regarded by His Majesty's Government as entirely consistent with Article 49 of the Constitution of the Irish Free State, to which, they note, reference was made in the letter of 3rd September, 1923, addressed by the Irish Free State Delegation to the Secretary-General of the League of Nations in connexion with the application of the Free State for membership of the League.

8. Your Ministers are aware that the economic clauses of the Treaty of Peace with Turkey contain certain provisions which necessitated legislation in this country to enable them to be carried out. So far as His Majesty's Government are in a position to form an opinion, it appears to them improbable that any occasion would arise for the application of these provisions in the Free State, and in any case it does not appear to them necessary that legislation of this nature should be passed by the Dail before the assent of your Ministers is given to the ratification of the Treaty.

9. His Majesty's Government hope that, in view of the above explanation, your Ministers will feel able to take such action as will enable His Majesty's ratification of the Treaty of Peace with Turkey and the other connected instruments to be deposited forthwith. As intimated in my despatch No. 309 of 21st May* the Governments of all the other Dominions have now expressed their readiness that these instruments should be ratified, and, inasmuch as the ratification of Turkey was completed last year and the ratifications of Japan and Italy have now been received, only the ratification of His Majesty is needed in order to bring the Peace Settlement into force under Article 143 of the Treaty of Peace, and consequently to restore the state of peace under Article 1 of that Treaty.

10. It is noted that your Ministers desire that declarations should be made to the effect that the provisions of the Convention respecting Conditions of Residence, Business and Jurisdiction and of the Commercial Convention do not apply to the Irish Free State, and action will be taken accordingly.

I have, &c.,
J. H. THOMAS.

Note.—The position of the Dominions in relation to the Lausanne Conference was raised in the House of Commons on the 6th June by Sir Edward Grigg on the motion for adjournment—see Official Report, columns 1619-1654 for the resulting Debate.

29856

No. 750.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 24th June, 1924.)

(Confidential.)

SIR, Government House, Ottawa, 12th June, 1924.

I HAVE the honour to transmit, herewith, for your information, copies of the Hansard report,† of the debate in the House of Commons on the subject of the Lausanne Treaty. The question came up on the vote for salaries and contingencies of the Department of External Affairs.

I also enclose clippings‡ from the Press commenting thereon.

The Prime Minister spoke at some length as to the attitude adopted by the present Government towards the ratification of the Treaty, and, in enunciating his views as to Canada's position in relation to the rest of the Empire, said as follows:—

* No. 744. † Extracts only printed here. ‡ Not reprinted.

282

"Before I resume my seat, let me just say one word which I would like to say as to my own attitude in regard to the future of this country in its inter-Imperial and international relations. Honourable gentlemen opposite in their press and in their speeches never lose an opportunity to misconstrue and misinterpret my position on these questions, and I should like my position to be known in the clearest and most emphatic way from one part of this Dominion to the other. As I see it, looking to the future of Canada, and having regard to the kinds of discussion that have taken place, there are at least three possible avenues of constitutional development. One leading to complete independence, another leading to annexation with the United States, another leading to a more clearly recognized nationhood within the community of nations comprising the British Empire or the British Commonwealth, by whichever term you may wish to call it. I can conceive of only one other possible alternative, and that is the Dominion reverting back into its original parts and there then being two or more separate Colonies or Dominions, whichever you wish to call them, within what are now the confines of the one Dominion. That possibility, I think, is not to be considered for an instant. For my own part, I believe that the future of this Dominion will be happiest and best, most prosperous, and in every way most to the good, if its development is along the line on which it has been thus far, towards a fuller recognition of national status within the community of free nations which comprise the British Empire, and it is because I hold that view, it is because I believe in it so strongly, that, in this particular matter, I have been prepared to risk whatever in the way of misunderstanding and criticism and censure might come from those who have not had a full knowledge or appreciation of the significance of the facts. I have been taking my stand from the point of view of Canada, a nation within the British Empire, not Canada a Colony, not Canada in any inferior or subordinate position, but Canada a country which has gained and which merits equality of status with other Dominions, and with the Mother Country in these inter-Imperial relations.

Now in regard to the manner in which that community of nationhood may be best maintained, there have been some who have thought that that end would be best served by an Imperial Parliament meeting at Westminster. Others again have thought that that end would be best served by something in the nature of an Imperial Council sitting in London and issuing decrees which would bind all parts of the Empire. There is a third view which is that that end will be best obtained by the several Dominions having full recognition given to their status of self-governing Dominions, within the full meaning of these words, and in there being worked out in the best possible way as respects inter-Imperial affairs, effective means for consultation and co-operation between the Dominions and the Mother Country, as units possessing equality of status within the British Empire. Now I do not believe that an Imperial Parliament is a possible thing; I think an Imperial Council would be a thoroughly bad thing; I believe it would lead to the destruction of the British Empire, and not to the making of it. But I do believe that within the British Empire every step we take to make clearer to each other that we believe in our nationhood and realize to the full our rights of self-government, will make for that future development on safe and secure lines, and I believe, as against the rest of the world, it will make for the unity and strength of the Empire itself.

But what above all else is needed is a united Canada, a Canada that as a nation will stand as one, recognizing its responsibilities and its duties, as well as its rights, a Canada that will have one aim and one purpose, a Canada which is united within itself and finds its unity within the unity of the British Empire as well."

The Leader of the Opposition, the Right Honourable Arthur Meighen, adopted the obvious attitude towards the Prime Minister's line of action, as shown in the correspondence laid on the table of the House, and charged him with not acting in co-operation with the British Government. Mr. Meighen also said that the stand taken by the Canadian Government had "for the sake of a mere shadow" permitted misunderstanding and friction to arise and had abandoned "all that we had achieved over ten rather weary and bloody years."

The Honourable Robert Forke, the Leader of the Progressives, expressed himself as being uncertain as to the place that Canada really occupied within the Empire. He defined the position of the Dominion by declaring that "we are not a nation; we are not a Colony; we are something more than a Colony and little less than a nation."

I have, &c.,
BYNG OF VIMY.

Enclosure in No. 750.

EXTRACT FROM DEBATE OF THE CANADIAN HOUSE OF COMMONS, 9TH JUNE, 1924.

Lausanne Treaty.

MR. MACKENZIE KING:

* * * * * * * *

I HOPE I have made it clear that the Government in its attitude on this matter has been trying to maintain logically and consistently the position which was fought for, gained and held by Canada's representatives at the Versailles Conference, which was followed in subsequent Treaties, which was followed in the International Conference that was held at Washington, on the question of armaments, and which was followed in the Conferences at Genoa and at the Hague. If we had departed from that procedure, we should in our opinion have been justly entitled to such measure of criticism and censure as this House might have seen fit to pass upon us. We were simply seeking to maintain that equality of status which had been gained, and which we have been in the habit of asserting as between the self-governing Dominions and the Mother Country in matters of a kind that are supposed to affect us all.

* * * * * * * *

Now, not only is the position which this Government has taken with respect to this Treaty in accordance with precedent which we believe to have become well established, but it is also entirely in accord with the agreement which was reached at the Imperial Conference with respect to negotiation, signature and ratification of Treaties.

* * * * * * * *

The Conference recognized it as an established practice that, if an International Conference related to a matter which immediately affected all parts of the Empire, the different Dominions should be individually represented at that Conference.

* * * * * * * *

31303

No. 751.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 8.5 p.m., 1st July, 1924.)

TELEGRAM.

[*Answered by Nos. 752 and 753.*]

IN view of question to be addressed to Prime Minister in House of Commons, I shall be grateful for earliest possible intimation to-morrow of result of Debate in Dail to-day on Motion relating to ratification of Treaty of Lausanne.—THOMAS.

31309

No. 752.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 12.30 p.m., 2nd July, 1924.)

TELEGRAM.

2ND JULY. Motion regarding Lausanne Treaty agreed in the Dail yesterday. Will be considered in the Senate Friday next. Shall telegraph result immediately. —HEALY.

31733

No. 753.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5.35 p.m., 4th July, 1924.)

TELEGRAM.

4TH JULY. Lausanne Treaty. Motion passed in Senate yesterday (Thursday).—HEALY.

31726

No. 754.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 12.45 p.m., 5th July, 1924.)

TELEGRAM.

[*Answered by No. 755.*]

5TH JULY. Further question being addressed to Prime Minister House of Commons Monday next, 7th July, as to position of Irish Free State in relation to ratification of Treaty of Lausanne. In view of your telegrams of the 2nd and 4th July,* can reply be given that Government of Irish Free State have now acquiesced in ratification of Treaty?—THOMAS.

32295

No. 755.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 12.20 p.m., 7th July, 1924.)

TELEGRAM.

7TH JULY. Your telegram dated 5th July.†
My Ministers agree reply that Irish Free State has acquiesced in ratification of Lausanne Treaty.—HEALY.

---

* Nos. 752 and 753. † No. 754.

32293

No. 756.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8th July, 1924.)

(No. 264.)

SIR, Vice Regal Lodge, Dublin, 7th July, 1924.

I HAVE the honour to transmit to you, for the information of His Majesty's Government, copies of the Motion relative to the Treaty of Lausanne, and to confirm my telegrams of the 2nd and 4th July* informing you that the Motion had been passed by both Houses of the Oireachtas.

I have, &c.,
T. M. HEALY.

Enclosure 1 in No. 756.

DAIL EIREANN.

Tuesday, 1st July, 1924.

Motion by the Minister for External Affairs.

THAT the Dail, in order that the state of peace may be established beyond all reasonable doubt as between Saorstat Eireann and the Turkish Republic, authorizes the Executive Council to acquiesce in the ratification of the Treaty of Lausanne, provided that it be clearly understood that (unless the Oireachtas shall hereafter undertake such commitments by legislation), the Saorstat thereby incurs no commitments other than the definite establishment of peace.

Enclosure 2 in No. 756.

SEANAD EIREANN.

Thursday, 3rd July, 1924.

Motion by Senator Sir Thomas Esmonde.

THAT the Seanad, in order that the state of peace may be established beyond all reasonable doubt as between Saorstat Eireann and the Turkish Republic, authorizes the Executive Council to acquiesce in the ratification of the Treaty of Lausanne, provided that it be clearly understood that (unless the Oireachtas shall hereafter undertake such commitments by legislation), the Saorstat thereby incurs no commitments other than the definite establishment of peace.

34190

No. 757.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 289.) Dominions No. 350.)

[MY LORD,] [SIR,] Downing Street, 29th July, 1924.

WITH reference to my despatch [Dominions No. 292] [No. 226] of the 30th of June,† I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a despatch to His Majesty's Ambassador at Paris forwarding His Majesty's ratifications of (*a*) the Treaty of Peace with

* Nos. 752 and 753. † 29111/24: not printed; it enclosed copies of the Treaty of Peace (Turkey) Act, 1924 (14 Geo. 5, ch. 7).

Turkey and of other instruments signed at Lausanne on the 24th of July, 1923, (*b*) the Greek Minorities Treaty and the Treaty respecting Thrace, signed at Sèvres on the 10th of August, 1920, and (*c*) the Convention for the Assessment and Reparation of Damage suffered by Allied Nationals in Turkey, signed at Paris on the 23rd of November, 1923.

I have, &c.,
J. H. THOMAS.

Enclosure in No. 757.

(Confidential.)

MR. MACDONALD to MR. PHIPPS (PARIS).

SIR, Foreign Office, 15th July, 1924.

I TRANSMIT to you herewith three instruments,* conveying His Majesty the King's ratification of—

(*a*) The Treaty of Peace with Turkey and such of the other instruments signed at Lausanne on the 24th July, 1923, as require ratification by His Majesty;

(*b*) The Greek Minorities Treaty and the Treaty respecting Thrace, signed at Sèvres on the 10th August, 1920, the ratification of which is provided for by document No. XVI of the Final Act of the Lausanne Settlement ("Treaty Series," No. 16 (1923), p. 224); and

(*c*) The Convention for the Assessment and Reparation of Damage suffered by Allied Nationals in Turkey, signed at Paris on the 23rd November, 1923 ("Treaty Series," No. 3 (1924)).

2. I request that you will deposit these ratifications with the French Government with as little delay as possible.

3. You should at the same time hand to the French Government the formal declarations regarding the exclusion of certain portions of the British Empire from the Commercial Convention and from the Convention respecting Conditions of Residence and Business and Jurisdiction, of which the texts† are enclosed in this despatch. These declarations have, under Articles 19 and 16 respectively of the two Conventions, to be made at the time of the coming into force of the Convention, and the French Government will no doubt arrange for them to be formally made at the time when the *procès-verbal* of the deposit of ratifications is drawn up in accordance with Article 143 of the Peace Treaty, and the fact that these declarations have been made will no doubt be stated in that *procès-verbal*.

4. The same procedure should be followed in regard to the British copy of the identic declaration excluding the condominium of the New Hebrides from the commercial and establishment conventions; but if the draft declaration is not ready when this despatch reaches you, the action indicated above need not be delayed on that account, although the declaration must be duly made at the time when the *procès-verbal* of deposit is drawn up.

I am, &c.,
J. RAMSAY MACDONALD.

37605

No. 758.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Sent 6.50 p.m., 8th August, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)
(Southern Rhodesia.)

8TH AUGUST. His Majesty's ratification of Treaty of Peace with Turkey and other instruments forming Lausanne Peace Settlement and ratifications of

* Not printed; they were in the usual form. † Not printed; see sub-enclosures in No. 759 for the declarations as signed.

Italy and Japan having been deposited at Paris, first *procès-verbal* deposit of ratifications has been drawn up under Article 143, Treaty, and dated 6th August, from which date Peace Settlement comes into force between High Contracting Parties who have ratified, and state of war between British Empire and Turkey is at an end.—SECRETARY OF STATE FOR THE COLONIES.

38400

No. 759.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNORS.

(Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Southern Rhodesia. No. 342.) Dominions No. 400.)

[MY LORD,] [SIR,] Downing Street, 22nd August, 1924.

WITH reference to my despatch [Dominions No. 350] [No. 289] of the 29th of July,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a Note addressed to the French Minister for Foreign Affairs by His Majesty's Representative at Paris relative to His Majesty's ratification of (*a*) the Treaty of Peace with Turkey and of other instruments signed at Lausanne, (*b*) the Greek Minorities Treaty and the Treaty respecting Thrace, and (*c*) the Convention for the assessment and reparation of damage suffered by Allied nationals in Turkey; and also transmitting declarations regarding the exclusion of certain portions of the British Empire from the Commercial Convention and from the Convention respecting conditions of Residence and Business and Jurisdiction.

I have, &c.,
(for the Secretary of State)
HENRY LAMBERT.

Enclosure in No. 759.

(No. 92.)

MONSIEUR LE MINISTRE, British Embassy, Paris, 2nd August, 1924.

IN accordance with instructions from His Majesty's Principal Secretary of State for Foreign Affairs, I have the honour to transmit to you, herewith, three instruments† conveying His Majesty The King's ratification of (*a*) the Treaty of Peace with Turkey and such of the other instruments signed at Lausanne on 24th July, 1923, as require ratification by His Majesty; (*b*) the Greek Minorities Treaty and the Treaty respecting Thrace, signed at Sèvres on 10th August, 1920, the ratification of which is provided for by document No. XVI of the Final Act of the Lausanne Settlement; and (*c*) the Convention for the assessment and reparation of damage suffered by Allied nationals in Turkey, signed at Paris on 23rd November, 1923.

At the same time I have the honour to enclose herein the formal declarations regarding the exclusion of certain portions of the British Empire from the Commercial Convention and from the Convention respecting conditions of Residence and Business and Jurisdiction. As Your Excellency is aware, these declarations have, under Articles 19 and 16 respectively of the two Conventions, to be made at the time of the coming into force of the Convention. Your Excellency will no doubt arrange for the declarations to be formally made at the time when the *procès-verbal* of the deposit of ratifications is drawn up in accordance with Article 143 of the Peace Treaty, and the fact that these declarations have been made will doubtless be stated in that *procès-verbal*.

I am similarly empowered to sign, on behalf of His Majesty's Government, the identic declaration excluding the Condominium of the New Hebrides from the Commercial and Establishment Conventions, as soon as the French Government are in a position to sign on their side.

I have, &c.,
ERIC PHIPPS.

His Excellency
Monsieur René Renoult,
Ministry for Foreign Affairs.

IN accordance with the provisions of Article 16 of the Commercial Convention, signed at Lausanne on 24th July, 1923, the undersigned, His Britannic Majesty's Minister Plenipotentiary to the French Republic, duly authorized by His Britannic Majesty for that purpose, hereby declares that the provisions of the said Convention do not apply to any of the following of His Britannic Majesty's Dominions enjoying responsible government, colonies, possessions, protectorates or territories subject to His Majesty's sovereignty or authority:—

Canada.
Commonwealth of Australia.
Papua.
Norfolk Island.
Mandated territory of New Guinea.
Union of South Africa.
Mandated territory of South-West Africa.
Irish Free State.
India.
Kenya.
Mauritius.
Bahamas.
Gibraltar.
Sierra Leone.
Fiji.
Gilbert and Ellice Islands Colony.
British Solomon Islands Protectorate and other islands under the jurisdiction of the High Commissioner of the Western Pacific.
Tonga.
Basutoland.
Bechuanaland Protectorate.
Swaziland.
Northern Rhodesia.
Anglo-Egyptian Sudan.
Mandated territory of Nauru.

In witness whereof the Undersigned has signed the present Declaration and affixed thereto the seal of his arms.

Done at Paris, this second day of August, 1924.

ERIC PHIPPS.

(L.S.)

IN accordance with the provisions of Article 19 of the Convention respecting Conditions of Residence and Business and Jurisdiction, signed at Lausanne on 24th July, 1923, the undersigned, His Britannic Majesty's Minister Plenipotentiary to the French Republic, duly authorized by His Britannic Majesty for that purpose, hereby declares that the provisions of the said Convention do not apply to any of the following of His Britannic Majesty's Dominions enjoying responsible government, colonies, possessions, protectorates or territories, subject to His Majesty's sovereignty or authority:—

Canada.
Union of South Africa.
Mandated territory of South-West Africa.
Irish Free State.
Bahamas.
Gibraltar.
Sierra Leone.
Fiji.
Gilbert and Ellice Islands Colony.
British Solomon Islands Protectorate, and other islands under the jurisdiction of the High Commissioner of the Western Pacific.
Tonga.
Basutoland.
Bechuanaland Protectorate.
Swaziland.
Northern Rhodesia.
Anglo-Egyptian Sudan.
Straits Settlements.
Mandated territory of Nauru.

In witness whereof the Undersigned has signed the present Declaration and affixed thereto the seal of his arms.

Done at Paris, this second day of August, 1924.

ERIC PHIPPS.

(L.S.)

---

* No. 757. † Not reprinted; they were in the usual form.

(2) Lausanne Conference: Issue of Full Powers.

38682

No. 760.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.5 p.m., 12th August, 1924.)

TELEGRAM.

[*Answered by No.* 761.]

9TH AUGUST. My Ministers desire to have for purposes of information and record [copies] [copy] of the Order in Council authorizing Lord Curzon and Sir H. Rumbold to act with respect to the negotiations and signature of the Lausanne Treaty, also [copies] [copy] of Full Power(s) issued by His Majesty with respect to the same.—BYNG.

40821

No. 761.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 381.)

MY LORD, Downing Street, 29th August, 1924.

I HAVE the honour to acknowledge the receipt of Your Excellency's telegram of the 9th August* and to request you to inform your Ministers that it is not the practice in this country for an Order in Council to be issued before Full Powers are given to His Majesty's Representative for the signature of a treaty.

2. I enclose a copy of the Full Power† issued to Sir Horace Rumbold for the purpose of negotiation and signature of the Treaty of Lausanne. No special Full Power was issued in this connexion to the Marquess Curzon of Kedleston, who in his capacity of Secretary of State for Foreign Affairs held a General Full Power,† a copy of which is enclosed.

I have, &c.,
(for the Secretary of State),
ARNOLD.

(3) Proposed Convention to regulate the admission of British subjects in Turkey and of Turkish citizens in the United Kingdom to the various forms of commerce, professions and industries.

Note.—As indicated in the enclosure in No. 759 a declaration was made excluding from the provisions of the Convention respecting conditions of Residence and Business the following Dominions and "C" mandated territories:—

Canada (see Nos. 725-732).
Commonwealth of Australia, Papua, Norfolk Island and New Guinea (see No. 712).
Union of South Africa and South-West Africa (see No. 713).
Irish Free State (see No. 748).
Nauru (see Nos. 726 and 731).

No such declaration was made in respect of New Zealand and Western Samoa (see Nos. 702 and 706), Newfoundland (see No. 711) or Southern Rhodesia (see No. 418 in Dominions No. 88).

* No. 760. † Not printed; the Full Powers were in the usual form.

10892

No. 762.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

[*Answered by Nos.* 763, 764 *and* 765.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 380.) } Dominions No. 447.)

[MY LORD,] [SIR,] Downing Street, 9th September, 1924.

I HAVE the honour to request [Your Excellency] [you] to inform your Ministers that, in accordance with Article 4 of the Convention respecting Conditions of Residence and Business, signed at Lausanne on the 24th of July, 1923, it is the intention of His Majesty's Government to open negotiations with Turkey for a Convention regulating the admission of British subjects in Turkey and of Turkish citizens in this country to the various forms of commerce, professions and industries.

2. It is proposed to include in the Convention a clause enabling parts of the Empire other than this country, which may desire to become parties to the Convention, to do so. In view of the terms of Articles 1 and 19 of the Convention respecting Conditions of Residence and Business, and the declaration already made under the latter Article, the wording of any such clause will need special consideration. Meanwhile, the Secretary of State for Foreign Affairs would be glad to learn whether there is any prospect of your Ministers desiring eventually to consider the question of the Convention being extended to [Canada.] [the Commonwealth of Australia.] [New Zealand.] [the Union of South Africa.] [the Irish Free State.] [Newfoundland.] [Southern Rhodesia.] If so, it would be desirable that the British negotiators should be informed of any points which may be of special interest to your Government and furnished with particulars of any forms of activity, commercial, professional or industrial, from which foreigners, and especially Turkish citizens, may be excluded in [Canada.] [the Commonwealth.] [New Zealand.] [the Union.] [the Irish Free State.] [Newfoundland.] [Southern Rhodesia.]

3. I should be glad to receive an early reply to this despatch.

I have, &c.,
(for the Secretary of State),
ARNOLD

52696

No. 763.

SOUTHERN RHODESIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 10th November, 1924.)

(No. 329.)

SIR, Governor's Office, Salisbury (Rhodesia), 17th October, 1924.

I HAVE the honour to refer to your despatch No. 380 of the 9th September* stating that it is the intention of His Majesty's Government to open negotiations with Turkey for a Convention regulating the admission of British subjects in Turkey and of Turkish citizens in Great Britain to the various forms of commerce, professions and industries in accordance with Article 4 of the Convention respecting Conditions of Residence and Business, signed at Lausanne on the 24th July, 1923.

2. My Ministers inform me that they do not consider that any advantage would accrue to Southern Rhodesia by adherence to such a Convention, and it is not, therefore, desired that the Convention be extended to this Colony.

I have, &c.,
J. R. CHANCELLOR,
Governor.

* No. 762.

54124

No. 764.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 18th November, 1924.)

(No. 582.)

SIR, Governor-General's Office, Pretoria, 27th October, 1924.

I HAVE the honour to transmit to you herewith, with reference to your despatch Dominions No. 447 of the 9th September, 1924,* copy of Minute from Ministers regarding the extension to the Union of South Africa of the proposed Convention with Turkey regulating the admission of British subjects in Turkey and of Turkish citizens in the United Kingdom to the various forms of commerce, professions and industries.

I have, &c.,
ATHLONE,
Governor-General.

Enclosure in No. 764.

Pretoria, 24th October, 1924.

MINUTE No. 865.

WITH reference to His Excellency the Governor-General's Minute 62/2967 of 4th October, 1924, forwarding copy of despatch Dominions No. 447 of the 9th September, 1924, from the Secretary of State for the Colonies, Ministers have the honour to inform His Excellency the Governor-General that the admission of Turkish nationals to the Union, in common with that of all persons of whatever nationality, is governed by the provisions of the Immigrants Regulation Act No. 22 of 1913, and provided the requirements of that Act can be met by them no restriction is placed upon their admission. It must be noted, however, that coloured persons of whatever nationality, having no right of entry by birth or domicile, are not admitted in any circumstances (coloured persons are defined as those not of pure European descent). Once admission has been approved, no restrictions are placed upon actual residence in the Union of aliens of any description.

Ministers are, however, of opinion that it does not appear to be necessary or advisable for the Union to become a party to the proposed Convention with Turkey regulating the admission of British subjects in Turkey and of Turkish citizens in the Union of South Africa to the various forms of commerce, professions and industries.

J. B. M. HERTZOG.

56687

No. 765.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 3rd December, 1924.)

(No. 448.)

SIR, Vice Regal Lodge, Dublin, 2nd December, 1924.

I HAVE the honour to acknowledge the receipt of Mr. Thomas's despatch Dominions No. 447 of the 9th September* relative to the proposed negotiations with Turkey for a Convention regulating the admission of British subjects in Turkey and of Turkish citizens in Great Britain to the various forms of commerce, professions and industries.

2. With reference to paragraph 2 of the despatch under reply, my Ministers desire me to inform you that the proposed Convention has no special interest for the Irish Free State, and that, therefore, they have no suggestions or observations to make thereon.

I have, &c.,
T. M. HEALY.

---

* No. 762.

287

UNITED STATES.

(1) Treaty Regulating Liquor Traffic.

(*Treaty Series*, 1924, *No.* 22.)

277

No. 766.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2.0 a.m. 2nd January, 1924.)

TELEGRAM.

2ND JANUARY. Your telegram of 24th December.* New Zealand Government concurs in the terms of the Treaty and agrees that His Majesty's Chargé d'Affaires at Washington be authorized to sign on its behalf.—JELLICOE.

1218

No. 767.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4.15 a.m. 8th January, 1924.)

TELEGRAM.

[*Answered by No.* 773.]

8TH JANUARY. Your telegram of 24th December.* Commonwealth concurs in the terms of the Treaty with the United States regarding examination of vessels suspected of carrying liquor to America.—FORSTER.

62028

No. 768.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 771.]

(Secret.)

SIR, Downing Street, 8th January, 1924.

WITH reference to my Secret despatch of the 20th of December,† on the subject of the proposed treaty with the United States of America regarding the right of search and seizure of British vessels outside the three mile limit, I have the honour to transmit to Your Excellency, to be laid before our Ministers, a copy of a further telegram* to the other self-governing Dominions.

2. I should be glad to learn whether your Ministers concur in the terms of the draft Treaty modified as indicated in the enclosed telegram and agree that His Majesty's Chargé d'Affaires at Washington should be authorized to sign it.

I have, &c.,
DEVONSHIRE.

1431

No. 769.

INDIA OFFICE to FOREIGN OFFICE.

(Received in Colonial Office, 10th January, 1924.)

India Office, London, S.W.1.
31st December, 1923.

SIR,

WITH reference to your letter of 21st December, I am directed by the Secretary of State for India in Council to inform you that, having consulted the Government of India, he agrees that His Majesty's Chargé d'Affaires may be authorized to sign on behalf of the Government of India the treaty with the United States of America respecting the regulation of the liquor traffic.

I have, &c.,
E. J. TURNER.

---

* 436 in Dominions No. 88. † No. 435 in Dominions No. 88.

2232

No. 770.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 11.15 a.m. 13th January, 1924.)

TELEGRAM.

[*Answered by No.* 775.]

12TH JANUARY. Your telegram of 11th January.* Canadian Government, subject to acquiescence of His Majesty's Government in condition herein mentioned, approves of the proposed Treaty with United States Government in terms set forth in your telegram of 17th December, your telegram 24th December,† and approves of the signature of the Treaty by His Majesty's Representative at Washington. Canadian Government has decided that Parliamentary approval should be obtained before it should intimate its concurrence in ratification and assumes that this will present no difficulty. Canadian Parliament will probably meet before the end of February. The Canadian Government approval of proposed Treaty is given on condition that it is understood that, if a joint board to report upon a claim for compensation by a vessel of Canadian registry is required to be constituted under Article 4, selection of person whose name is to be submitted to His Majesty for appointment to the board will be made by it. It is assumed that undertaking by British Government on this point will be sufficient and that provision referring thereto need not, therefore, be included in the Treaty.—BYNG.

2673

No. 771.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 16th January, 1924.)

[*Answered by No.* 778.]

(Secret.)

MY LORD DUKE, Vice Regal Lodge, Dublin, 16th January, 1924.

I HAVE the honour to refer to Your Grace's Secret despatches dated 20th December, 1923,‖ and 8th instant,‡ relative to the draft Treaty between Great Britain and the United States regarding the right of search and seizure of British vessels outside the three mile limit.

2. My Ministers desire me to inform Your Grace that they concur in the signature of the Treaty and they will recommend its ratification to the Oireachtas.

I have, &c.,

T. M. HEALY.

3176

No. 772.

UNION OF SOUTH AFRICA.

THE ACTING GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1.15 p.m. 19th January, 1924.)

TELEGRAM.

19TH JANUARY. Your telegram 11th January,§ Liquor Treaty with the United States. Union Government concurs.—INNES.

---

* 1218/24: not printed; reminder. † Nos. 433 and 436 in Dominions No. 88. ‡ No. 768.
§ 1218/24: not printed; reminder. ‖ No. 435 in Dominions No. 88.

2888

288

No. 773.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 5 p.m., 19th January, 1924.)

TELEGRAM.

YOUR telegram 8th January,* Draft Liquor Treaty with United States. Hoped that His Majesty's Representative at Washington may be in a position to sign Treaty not later than 25th January.—SECRETARY OF STATE FOR THE COLONIES.

3144

No. 774.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 21st January, 1924.)

(No. 114.)

Government House, St. John's,

MY LORD DUKE, 29th December, 1923.

I HAVE the honour to acknowledge the receipt of your telegrams of the 17th and 24th December† on the subject of the proposed draft Liquor Treaty with the United States, and to confirm my telegram of the 28th instant‡ to the effect that my Ministers concur in the proposals of His Majesty's Government.

I have, &c.,

W. L. ALLARDYCE.

3176

No. 775.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 7.15 p.m., 21st January, 1924.)

TELEGRAM.

21ST JANUARY. Your telegram 12th January,§ Liquor Treaty. Quite understood that Canadian Government wish to obtain approval of Canadian Parliament before ratification, and similar course contemplated here (see my telegram of 17th December‖). His Majesty's Government will readily leave to Canadian Government nomination of person to be member of joint board referred to in Article IV, in respect of vessels of Canadian registry, and agree that it is not necessary to make provision in Treaty. Same procedure contemplated in case of other Dominions. Hoped that His Majesty's Representative at Washington may be able to sign Treaty this week.—SECRETARY OF STATE FOR THE COLONIES.

3176

No. 776.

COLONIAL OFFICE to FOREIGN OFFICE.

SIR, Downing Street, 23rd January, 1924.

WITH reference to the letter from this Department of the 21st January,¶ on the subject of the proposed Liquor Treaty with the United States, I am directed by the Duke of Devonshire to transmit to you, to be laid before the Secretary of State for Foreign Affairs, a copy of a telegram** from the Officer Administering the Government of the Union of South Africa, together with a copy of a despatch†† from the Governor of Newfoundland.

---

* No. 767. † Nos. 433 and 436 in Dominions No. 88. ‡ No. 437 in Dominions No. 88.
§ No. 770. ‖ No. 433 in Dominions No. 88. ¶ 2888/24 L.F. ** No. 772. †† No. 774.

2. In view of the terms of the latter despatch, it did not appear to be necessary to communicate further with the Governor of Newfoundland as to the proposal that His Majesty's Representative at Washington should be authorized to sign the Treaty on behalf of the whole Empire (see your letter of the 18th January*); as regards Australia, the Secretary of State thinks that the Governor-General's telegram of 8th January† (enclosed in Colonial Office letter of 10th January‡) was intended to indicate concurrence in the general procedure proposed, and he does not anticipate a reply to his telegram of the 19th of January,§ a copy of which was enclosed in the letter from this Office under reference.

3. I am also to transmit to you a copy of a telegram‖ to the Governor-General of Canada in reply to his telegram of 12th January,¶ a copy of which was enclosed in the letter from this Office of the 15th January.** The terms of this telegram received the semi-official concurrence of the Foreign Office.

I am, &c.,
C. T. DAVIS.

3840

No. 777.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 12.45 p.m. 26th January, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

26TH JANUARY. His Majesty's Ambassador at Washington signed Liquor Treaty with United States 23rd January.

3840

No. 778.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Secret.)

SIR, Downing Street, 29th January, 1924.

I HAVE the honour to acknowledge the receipt of Your Excellency's Secret despatch of the 16th of January,†† and to request you to inform your Ministers that His Majesty's Ambassador at Washington signed on 23rd January the Treaty with the United States regarding the right of search and seizure of British vessels outside the three mile limit. The other Dominion Governments are being informed by telegram.

I have, &c.,
J. H. THOMAS.

8736

No. 779.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. } Dominions No. 79.)

[MY LORD,] [SIR,] Downing Street, 27th February, 1924.

WITH reference to [*Not to Irish Free State:* my telegram of the 26th of January‡‡] [*To Irish Free State only:* previous correspondence] I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, a copy of the Treaty§§ with the United States of America on the subject of the regulation of the liquor traffic, as signed at Washington on the 23rd of January.

---

*2888/24: not printed; it pointed out that the replies from Australia (No. 767) and Newfoundland (No. 774) did not in terms express concurrence in signature of the Treaty by His Majesty's Representative at Washington. † No. 767. ‡ 1218/24: L.F.; not printed. § No. 773. ‖ No. 775. ¶ No. 770. **2292/24: L.F.; not printed. †† No. 771. ‡‡ No. 777. §§ Not printed here: see Treaty Series 1924, No. 22.

2. His Majesty's Government would be glad to learn at an early date whether your Ministers concur in the ratification of this instrument by His Majesty the King.

3. [*To Australia, New Zealand and Union of South Africa only:* I should be glad to receive a telegraphic reply to this despatch.]

I have, &c.,
J. H. THOMAS.

9476

No. 780.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 5.20 p.m., 29th February, 1924.)

TELEGRAM.

[*Answered by Nos.* 785, 786, 787 *and* 789.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

29TH FEBRUARY. My telegram 26th January.* In view of difficult situation created by seizures of British vessels by United States authorities outside three-mile limit and danger of further seizures, considered most important that Liquor Treaty should be ratified as soon as possible. Text of Treaty is being laid before Parliament with a view to immediate debate if desired, after which no obstacle to ratification anticipated so far as this country concerned. In the circumstances, hoped that your Ministers will be in position to signify concurrence in ratification at earliest possible moment.—SECRETARY OF STATE FOR THE COLONIES.

9476

No. 781.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 5.55 p.m., 29th February, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

29TH FEBRUARY. My telegram† of to-day. Text of Liquor Treaty as signed is as stated in my telegram 17th December, my telegram 24th December,‡ with addition of following:—

(1) At end of Article six insert following:

Begins: The present Convention shall be duly ratified by His Britannic Majesty and by the President of the United States of America by and with the advice and consent of the Senate thereof, and the ratifications shall be exchanged at Washington as soon as possible. *Ends.*

(2) At end of Preamble insert following:—

Begins: And have appointed as their plenipotentiaries: His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas Emperor of India; The Right Hon. Sir Auckland Campbell Geddes, G.C.M.G., K.C.B., His Ambassador Extraordinary and Plenipotentiary to the United States of America; The President of the United States of America; Charles Evans Hughes, Secretary of State of the United States, who, having communicated their full powers found in good and due form, have agreed as follows. *Ends.*

---

* No. 777. † No. 780. ‡ Nos. 433 and 436 in Dominions No. 88.

(3) At end of Treaty insert following :—

Begins: In faith whereof the respective plenipotentiaries have signed the present Convention in duplicate and have thereunto affixed their seals. Done at the City of Washington this 23rd day of January in the year of Our Lord one thousand nine hundred and twenty-four. A. C. Geddes, Charles Evans Hughes. *Ends.*

—SECRETARY OF STATE FOR THE COLONIES.

9476

No. 782.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 6.5 p.m., 29th February, 1924.)

TELEGRAM.

(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

29TH FEBRUARY. My telegram* of to-day. Following from Prime Minister for your Prime Minister :—

Begins: It would greatly help me if you could let me know when you think it will be possible to signify concurrence in ratification of Liquor Treaty. Ramsay MacDonald. *Ends.*

—SECRETARY OF STATE FOR THE COLONIES.

9476

No. 783.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 6.15 p.m., 29th February, 1924.)

TELEGRAM.

[*Answered by No.* 788.]

29TH FEBRUARY. My telegram* of to-day. Following from Prime Minister for your Prime Minister :—

Begins: Personal. I am most anxious to proceed with as little delay as possible with the King's ratification of the Liquor Treaty with the United States so soon as the Senate at Washington has voted its approval. I shall be very grateful if you can expedite the passing of the Treaty through the Canadian Parliament. Can you tell me when you think I can count on this being done? Ramsay MacDonald. *Ends.*

—SECRETARY OF STATE FOR THE COLONIES.

9476

No. 784.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 796.]

(No. 140.)

SIR, Downing Street, 3rd March, 1924.

WITH reference to my despatch Dominions No. 79 of the 27th February,† I have the honour to request Your Excellency to inform your Ministers that, in view of the difficult situation created by the seizures of British vessels by the United States authorities outside the three-mile limit and the danger of further seizures, it is considered most important that the Treaty with the United States of America on the subject of the Regulation of the Liquor Traffic should be ratified as soon as possible.

* No. 780. † No. 779.

2. The text of the Treaty is being laid before Parliament with a view to an immediate debate, if desired, and it is anticipated that there will then be no obstacle to ratification, so far as this country is concerned.

3. In the circumstances it is hoped that your Ministers will be in a position to bring the Treaty before the Oireachtas and to signify their concurrence in its ratification at the earliest possible moment.

4. Inquiry is being made of the other Dominions by telegraph whether they concur in ratification.

I have, &c.,
J. H. THOMAS.

10461

No. 785.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.28 a.m., 4th March, 1924.)

TELEGRAM.

4TH MARCH. Your telegram of 29th February.* Liquor Treaty with United States. New Zealand Government has no objection to the Treaty being ratified. Ministers mention that it will be understood that the New Zealand Parliament will probably not meet before the last week in June.—JELLICOE.

10825

No. 786.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 11.3 a.m., 6th March, 1924.)

TELEGRAM.

6TH MARCH. Your telegram 29th February.* Liquor Treaty with the United States of America. My Ministers concur in ratification and will submit for formal sanction of Parliament as soon as sitting resumed in three weeks' time. —FORSTER.

11008

No. 787.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 8.15 p.m., 6th March, 1924.)

TELEGRAM.

6TH MARCH. Your telegram 29th February.* My Ministers agree to ratification of Liquor Treaty.—ALLARDYCE.

11018

No. 788.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9.30 p.m., 6th March, 1924.)

TELEGRAM.

6TH MARCH. Following from Prime Minister for your Prime Minister :—

Begins: Your telegram of 29th February,† Personal. As soon as the debate on the address is concluded, I will introduce resolution approving on the part of Canada Liquor Treaty. Impossible to say how long the Debate on the address will last, but I hope to have approval of the Treaty by both Houses and Senate within fortnight. *Ends.*

—GOVERNOR-GENERAL.

---

* No. 780. † No. 783.

11017

No. 789.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 12.7 a.m., 7th March, 1924.)

TELEGRAM.

6TH MARCH. Your telegram of the 29th February.* Following for Prime Minister from my Prime Minister:—

Begins: Union Government concurs in the ratification of the Liquor Treaty and desire His Majesty's Government to ratify it on their behalf. *Ends.*

—GOVERNOR-GENERAL.

11978

No. 790.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 3.30 p.m., 17th March, 1924.)

TELEGRAM.

[*Answered by No.* 793.]

17TH MARCH. Confidential. Intimation has been received from Department of External Affairs through High Commissioner that, in connexion with obtaining approval of Liquor Treaty with United States, Canadian Government desire to lay before Parliament considerable portion of secret correspondence with His Majesty's Government since June last as to history of negotiations leading up to signature of Treaty, and have inquired whether any objection on part of His Majesty's Government. No objection to publication of my telegram 17th December, my telegram 24th December,† my telegram 11th January,‡ your telegram 12th January, my telegram 21st January, my telegram 26th January,§ suggest, however, either deletion of penultimate sentence of my telegram of 11th January‡ and of "also" in last sentence, or, alternatively, addition of note to my telegram of 11th January to effect that Governments of Union of South Africa and Irish Free State also concurred subsequently in signature of Treaty. As regards rest of correspondence, it would in any case seem necessary to obtain consent of United States Government to publication of communications to or from them or accounts of conversations between United States Secretary of State and British Ambassador. Apart from this, Secretary of State for Foreign Affairs feels that publication of papers showing details of negotiations with United States Government might afford material for unfavourable criticism in United States, and would, therefore, deprecate publication of this part of correspondence in interest of good relations with United States. In the circumstances, would it be possible to bring Treaty before Canadian Parliament without laying papers other than those referred to in earlier part of this telegram? No present intention of laying papers before Parliament here. Am informing High Commissioner.—THOMAS.

12496

No. 791.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 5.15 p.m., 18th March, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

18TH MARCH. My telegram 29th February.‖ His Majesty's Ambassador, Washington, reports that United States Senate approved ratification Liquor Treaty 13th March, 61 votes to 7.—SECRETARY OF STATE FOR THE COLONIES.

---

* No. 780. † Nos. 433 and 436 in Dominions No. 88. ‡ No. 1218/24: not printed here.
§ Nos. 770, 775, 777. ‖ No. 780.

12496

No. 792.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 796.]

(No. 172.)

SIR, Downing Street, 19th March, 1924.

WITH reference to my despatch No. 140 of the 3rd March.* I have the honour to request Your Excellency to inform your Ministers that the United States Senate approved the ratification of the Treaty on the subject of the Regulation of the Liquor Traffic on the 13th March by 61 votes to 7.

2. In this connexion it would be very convenient to His Majesty's Government to learn when your Ministers expect to be in a position to bring the Treaty before the Oireachtas. Now that the Treaty has been approved by the United States Senate, it is considered very desirable that the necessary steps for its ratification should be taken at the earliest possible moment.

I have, &c.,
J. H. THOMAS.

13758

No. 793.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.40 a.m., 23rd March, 1924.)

TELEGRAM.

22ND MARCH. Confidential. Following from my Prime Minister:—

Begins: Your telegram of 17th March.† Am pleased to inform you that House of Commons unanimously approved this afternoon Liquor Treaty with United States. I referred, without quoting *in extenso*, to my telegram of 12th January, your telegram of 21st January and your telegram of 26th January.‡ Resolution now goes to Senate for approval. Senate has adjourned till 1st April. I will see that Resolution is considered immediately as soon as Senate reassembles. I do not contemplate necessity for any further reference to correspondence regarding this matter. *Ends.*

—BYNG.

16368

No. 794.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7th April, 1924.)

(No. 127.)

SIR, Government House, Ottawa, 25th March, 1924.

WITH reference to my telegram of the 21st [22nd] instant,§ on the subject of the Liquor Treaty with the United States, I have the honour to transmit, herewith, a copy of the Hansard Report‖ of the House of Commons and, in particular, to draw your attention to the Prime Minister's remarks as reported on pages 571 to 575.

Mr. Mackenzie King states that the Treaty will be considered by the Senate as soon as they reassemble and does not anticipate the necessity for any further reference to correspondence which has passed.

I have, &c.,
BYNG OF VIMY.

---

* No. 784. † No. 790. ‡ Nos. 770, 775 and 777. § No. 793. ‖ Extracts only reprinted.

Enclosure in No. 794.

CANADIAN HOUSE OF COMMONS DEBATES.

(21st March, 1924.)

(Extract.)

Convention with United States in connexion with laws dealing with Alcoholic Beverages.

* * * * * * *

RIGHT HON. W. L. MACKENZIE KING (Prime Minister): . . . . . As I have intimated, the treaty was signed on 23rd January by the British Ambassador. In this connexion may I point out to the House that the practice followed with respect to the signature of this treaty is the one decided upon at the recent Imperial Conference and set out in the report of the Summary of Proceedings of the Imperial Conference to be found on pages 13, 14 and 15 in the part of the report relating to negotiation, signature and ratification of treaties. With reference to the signature of treaties there are the following provisions:

(*a*) Bilateral treaties imposing obligations on one part of the Empire only should be signed by the representative of the government of that part.

The Halibut treaty which has been the subject of discussion in this House is of that character. It is a bilateral treaty which imposed obligations only on Canada, not on other parts of the British Empire, and as such, according to the procedure which the Imperial Conference has thought proper in this matter, it should be signed by a representative of the Government of Canada. Now I continue to quote from the report of the proceedings:—

"The full power issued to such representatives should indicate the part of the Empire in respect of which the obligations are to be undertaken, and the preamble and text of the treaty should be so worded as to make its scope clear.

(*b*) Where the bilateral treaty imposes obligations on more than one part of the Empire the treaty should be signed by one or more plenipotentiaries on behalf of all the Governments concerned."

This treaty between His Majesty and the President of the United States is a bilateral treaty which imposes obligations on more than one part of the Empire. It imposes obligations on all parts, and therefore it is, in the language of the procedure set forth by the Conference, to be signed by one or more plenipotentiaries on behalf of the Governments concerned. It would seem quite sufficient that the British Ambassador should be sole plenipotentiary for this purpose. I might say I am informed that the Governments of Australia, New Zealand, South Africa, Newfoundland, and the Irish Free State have all approved of the terms of the treaty, and have all expressed their acquiescence in having the British Ambassador sign the treaty in so far as their interests in the matter are concerned. The act of ratification is an act of the Sovereign. The treaty while it has been ratified by the United States has not yet been ratified by His Majesty the King. That ratification awaits, as I have already intimated, the concurrence of the Governments of the several parts of the Empire before that step is taken.

In regard to the ratification of a treaty, the Imperial Conference has the following to say with respect to procedure:—

"Ratification of treaties imposing obligations on more than one part of the Empire is effected after consultation between the Governments of those parts of the Empire concerned. It is for each Government to decide whether parliamentary approval or legislation is required before a desire for or a concurrence in ratification is intimated by the Government."

It will be seen by the statement I have just read that it is not essential to ratification that Parliament should approve treaties. Ratification being an executive act may be taken by the executive independent of Parliament altogether, should the executive of the country, in other words the Government concerned, so desire. We have felt that in these important matters of treaty the Parliament should be asked to approve before the Government would concur in the ratification. It is with a view of obtaining the approval of the Parliament of Canada that to-day we are asking this House to pass the resolution which I have just presented. . . . .

RIGHT HON. ARTHUR MEIGHEN (Leader of the Opposition): Before the Prime Minister closes, I would like to ask first this question: Does the treaty entirely fail of effect if it should be that the Parliament of any single one of the Dominions fails to ratify it?

MR. MACKENZIE KING: I assume that the British Government would reconsider the present wording of the treaty if any of the parliaments of the British Empire should refuse to approve it, possibly exempting the particular country concerned from the provisions of the treaty; but I should expect that in this case a question of that kind would not be apt to arise.

MR. MEIGHEN: There are two other questions on another point which the Prime Minister referred to, namely, the point of the formality of the execution. First, how is it determined whether a treaty is bilateral, affecting one part or dominion alone? What precautions are taken to make sure of that? Second, in the event of its being found to be a bilateral treaty affecting one part alone, upon whose recommendation does His Majesty act in authorizing the execution by the appropriate dominion representative?

MR. MACKENZIE KING: With regard to the first question which my right hon. friend has asked: How is it ascertained that a bilateral treaty applies to one particular part of the Empire or more than one, I would answer that that fact would be ascertained by the terms of the treaty itself, its subject matter and conference between the different parts of the Empire. The paragraph in the report of the Imperial Conference which deals with the subject of negotiation of treaties contains, I think, what will answer my right hon. friend's question. The paragraph reads:

"(*a*) It is desirable that no treaty should be negotiated by any of the governments of the Empire without due consideration of its possible effect on other parts of the Empire, or, if circumstances so demand, on the Empire as a whole.

(*b*) Before negotiations are opened with the intention of concluding a treaty, steps should be taken to ensure that any of the other governments of the Empire likely to be interested are informed, so that, if any such government considers that its interests would be affected, it may have an opportunity of expressing its views, or, when its interests are immediately involved, of participating in the negotiations."

If that course is pursued, I think it will soon become apparent to any particular self-governing dominion or the Government of the United Kingdom, whether the treaty which it proposes to negotiate is one that concerns only one part of the Empire or more than one part. In these, as in all matters, commonsense has to govern in the last degree; hard and fast lines cannot be laid down; but the broad intelligence that is usually applied to matters of this sort would soon, I think, make it quite apparent and clear whether a self-governing dominion or the Government of the United Kingdom would be justified in regarding a treaty as imposing obligations only upon itself.

As to the second question which my right hon. friend has asked: On whose advice does His Majesty act in ratifying a treaty, was it?

MR. MEIGHEN: No, in a case, for example, of a treaty which, after the conference, the other Dominions and the United Kingdom should agree affected Canada alone. In that event, some Canadian is authorized by His Majesty to sign. Upon whose advice does His Majesty act in authorizing the execution, thus approving the terms of the treaty?

MR. MACKENZIE KING: In this report of the Imperial Conference is mention of the legal adviser of the Foreign Office, who was present when the particular matter to which my right hon. friend refers was discussed at a subsidiary conference. His name is Sir C. J. B. Hurst. Perhaps I can best illustrate the point of view which was expressed at that time, by recalling, as best I can at the moment, an answer made by Sir Cecil Hurst to a question that was asked by one of the dominion prime ministers. It was in the nature of a rhetorical reply. In the event of advice being given to His Majesty which might prove to be not proper advice, and the necessity should arise for impeaching the minister or prime minister who had given it, would it, asked Sir Cecil, be the British Prime Minister or the Secretary of State for Foreign Affairs of Great Britain or the minister or prime minister of the dominion concerned against whom impeachment proceedings should be properly started? That question was put in that way to elucidate where the responsibility began and where it ended. I gathered, I think rightly, that the interpretation

which the Foreign Office placed upon the matter to which my right hon. friend just referred is this, that the government of the Dominion which was tendering the advice in such a case was the government that was responsible; that it was advising His Majesty directly in regard to matters which were of sole concern to the dominion; that in the transmission of that advice the British Government was acting as the channel through which that advice was transmitted, but was not the government which was formally tendering the advice.

Mr. Meighen: I understand, then, that the Prime Minister intimates that for the sake of approving of a certain treaty a Canadian should be appointed to execute it and that the British Government itself would entail no responsibility; in other words, that His Majesty would act solely on the advice of his Canadian Privy Council.

Mr. Mackenzie King: I take it that the view of the British Government is that it is prepared to trust the Governments of the self-governing Dominions "all in all or not at all" in this as in other matters; and that on a matter in regard to which a dominion government has a right to advise His Majesty direct, such as the question of who should be appointed to sign a particular treaty which comes within the group of bilateral treaties, to which I have referred, which impose obligations on only one part of the Empire, the responsibility shall rest with that particular government and not with the British Government.

Mr. Meighen: If such is the case, and if the approval of the British Government is not at all essential, is not indeed obtained, why does the transmission take place through the British Government and not through His Majesty direct?

Mr. Mackenzie King: I think my hon. friend will see that these are all matters of constitutional development. Up to the present time all communications have gone to His Majesty through the British Government. It will also be seen that it is obviously desirable to have some central agency or channel through which all communications may pass and where they may be noted. I think it would be palpably unwise to have different parts of the British Empire communicating direct with His Majesty, without any knowledge on the part of other parts of the Empire that such advice was being given in that way. I consider it advisable that in the working out of a great constitutional evolution—for that is really what is involved in these matters—steps should be taken slowly and with great caution.

Mr. Meighen: I take the responsibility of stating the situation as I understand it, and which I think is a more correct statement of the actual constitutional result. The function of the British Government will consist in making a recommendation: the wording of the transmission to His Majesty will be a recommendation. I do not think the Prime Minister would venture to deny that. The British Government having been first apprised of the terms of the treaty and having agreed that the matter is purely one that concerns Canada, the recommendation will in every case be cheerfully given; but it will signify to His Majesty the approval by the British Government of the treaty.

Mr. Mackenzie King: My right hon. friend is always prone to assert his own views as against the views of everyone else. I have given him my understanding of the situation, arrived at after a conference with the British authorities, and the Prime Ministers of the other dominions in the presence of Lord Curzon who as Secretary of State for Foreign Affairs presided at a subsidiary conference of the Imperial Conference held expressly for the purpose of considering these very matters. As I have intimated, when the matter was discussed, the conference had the benefit of advice from the legal adviser to the Foreign Office, Sir C. J. B. Hurst, who is perhaps the greatest authority on international law in the world. I believe I have accurately stated the position; it is certainly the basis upon which this Government is proceeding.

Mr. Meighen: As regards the merits of the treaty itself, I do not propose to take general exception to its terms as generally outlined by the Prime Minister. As respects the last point, whether I am right or whether the Prime Minister is, will I think wholly depend upon whether a recommendation actually goes from the British Government; whether the document that passes from them to His Majesty contains a recommendation or merely transmits one of ours. I shall be interested to know just how the matter develops and whether such a recommendation passes or not. This arrangement having been arrived at as between the Dominions and the United Kingdom on the one hand and the United States on the other, for the settlement of a somewhat vexed matter of controversy between them, I feel that on the part of this parliament there will not be a disposition to refuse ratification. With regard to the necessity for ratification by parliament, I only emphasize that this

is no new development; this is no accretion in the evolution of our constitutional relations; it is something that has been meticulously observed, in respect of matters both of great and of little consequence, in at least the last decade of our history.

Mr. Mackenzie King: In order that there may appear correctly in Hansard the references to the persons concerned in the subsidiary conference to which I have referred, I would direct the attention of hon. members to the opening paragraph in the summary of proceedings of the Imperial Conference. I have reference to the section relating to negotiations, signature and ratification of treaties.

> "The principles governing the relations of the various parts of the Empire in connexion with the negotiations, signature and ratification of treaties seemed to the conference to be of the greatest importance. Accordingly it was arranged that the subject should be fully examined by a committee, of which the Secretary of State for Foreign Affairs was chairman. The Secretary of State for the Colonies, the Prime Ministers of Canada, the Commonwealth of Australia, New Zealand, the Union of South Africa and Newfoundland, the Minister of External Affairs of the Irish Free State, and the Secretary of State for India as head of the Indian Delegation, served on this committee. With the assistance of the legal adviser to the Foreign Office, Sir C. J. B. Hurst, K.C.B., K.C., the following resolution was drawn up and agreed to:—"

Then follow several paragraphs relating to negotiations, the signing of treaties, and their ratification. It was as a member of that conference that I heard stated the position as I have given it to this House; and it was, I think, quite beyond question in the mind of anyone present that the position was exactly as I have indicated. Indeed, I might say to my right hon. friend, so important did I consider the matter, that at the conference I asked the particular question to which he himself has referred, and received the reply which I have given to the House.

17292

No. 795.

CANADA.

The GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 1.40 a.m., 10th April, 1924.)

Telegram.

9th April. On the 21st March House of Commons adopted Resolution approving of the Convention between His Majesty and the President of the United States of America signed at Washington 23rd January, 1924, for the purpose of avoiding any difficulties which might arise between them in connexion with the law in force in the United States on the subject of alcoholic beverages, and in similar Resolutions adopted 4th April, 1924, Senate united with the House in approval of the said Convention.—Byng.

18576

No. 796.

IRISH FREE STATE.

The GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 19th April, 1924.)

(No. 136.)

Sir, Vice Regal Lodge, Dublin, 17th April, 1924.

With reference to your despatches Nos. 140 and 172 of the 3rd and 19th March,* I have the honour to inform you that the Articles of the Liquor Treaty have been submitted, by way of Resolution, to both Houses of the Oireachtas for approval. The Resolution (copy of which is enclosed) was passed by both Houses, but in the Dail the following proviso was added to the third paragraph, viz.:—

> "Provided that such approval shall not be deemed to be an approval or acceptance of the inclusion of Ireland in the description of the United Kingdom among the Royal Titles of the Crown as one of the parties to the said Treaty."

---

* Nos. 784 and 792.

2. The continued use of the expression "United Kingdom of Great Britain and Ireland" which signifies a relationship rendered obsolete by the Treaty of 1921, is unacceptable to our people and is likely to give rise to misunderstanding abroad. It was this latter consideration particularly which caused the proposal and acceptance of the proviso.

3. My Ministers desire me to inform you that they recommend the ratification of the Treaty to His Majesty according to the terms of the Resolution.

I have, &c.,
T. M. HEALY.

Enclosure in No. 796.

MOTION BY THE MINISTER FOR EXTERNAL AFFAIRS.

BE IT RESOLVED THAT:

WHEREAS Articles of Agreement for a Treaty respecting the regulation of the Liquor Traffic outside the territorial waters of the United States of America (whereof the tenor appears by the Schedule hereto), were signed at Washington on the 23rd day of January, 1924, on behalf of the President of the United States of America and His Majesty, subject to ratification, and

Whereas the provisions of the said Articles of Agreement for a Treaty affect the interests of Saorstat Eireann and it is expedient that the same should be ratified in respect of Saorstat Eireann.

Dail Eireann approves of the ratification of the said Articles of Agreement for a Treaty and recommends that the Executive Council do so advise the Crown,

Provided that such approval shall not be deemed to be an approval or acceptance of the inclusion of Ireland in the description of the United Kingdom among the Royal Titles of the Crown as one of the parties to the said Treaty.

Schedule referred to.

Article 1.—The High Contracting parties declare that it is their firm intention to uphold the principle that three marine miles extending from the coastline outwards and measured from low water mark constitute the proper limits of territorial waters.

Article 2.—(1) His Britannic Majesty agrees that he will raise no objection to the boarding of private vessels under the British flag outside the limits of territorial waters by the authorities of the United States, its territories or possessions in order that inquiries may be addressed to those on board and an examination be made of the ship's papers for the purpose of ascertaining whether the vessel or those on board are endeavouring to import or have imported alcoholic beverages into the United States, its territories or possessions in violation of the laws there in force. When such inquiries and examination show a reasonable ground for suspicion a search of the vessel may be instituted.

(2) If there is reasonable cause for belief that the vessel has committed or is committing or attempting to commit an offence against the laws of the United States, its territories or possessions, prohibiting the importation of alcoholic beverages, the vessel may be seized and taken into a Port of the United States, its territories or possessions for adjudication in accordance with such laws.

(3) The rights conferred by this Article shall not be exercised at a greater distance from the coast of the United States, its territories or possessions than can be traversed in one hour by the vessel suspected of endeavouring to commit the offence. In cases, however, in which the liquor is intended to be conveyed to the United States, its territories or possessions by a vessel other than the one boarded and searched, it shall be the speed of such other vessel and not the speed of the vessel boarded, which shall determine the distance from the coast at which the right under this Article can be exercised.

Article 3.—No penalty or forfeiture under the laws of the United States shall be applicable or attach to alcoholic liquors or to vessels or persons by reason of the carriage of such liquors when such liquors are listed as sea stores or cargo destined for a port foreign to the United States, its territories or possessions, on board British vessels voyaging to or from ports of the United States, or its territories or possessions, or passing through the territorial waters thereof, and such carriage shall be as now provided by law with respect to the transit of such liquors through the Panama Canal, provided that such liquors shall be kept under seal continuously while the

vessel on which they are carried remains within said territorial waters and that no part of such liquors shall at any time or place be unladen within the United States, its territories or possessions.

Article 4.—Any claim by a British vessel for compensation on the grounds that it has suffered loss or injury through the improper or unreasonable exercise of the rights conferred by Article 2 of this Treaty or on the ground that it has not been given the benefit of Article 3, shall be referred for the joint consideration of two persons, one of whom shall be nominated by each of the High Contracting Parties.

Effect shall be given to the recommendations contained in any such joint report. If no joint report can be agreed upon the Claim shall be referred to the Claims Commission established under the provisions of the agreement for the Settlement of Outstanding Pecuniary Claims signed at Washington, the 18th August, 1910, but the claim shall not, before submission to the tribunal, require to be included in a schedule of claims confirmed in the manner therein provided.

Article 5.—This Treaty shall be subject to ratification and shall remain in force for a period of one year from the date of the exchange of ratifications.

Three months before the expiration of the said period of one year, either of the High Contracting Parties may give notice of its desire to propose modifications in the terms of the Treaty.

If such modifications have not been agreed upon before the expiration of the term of one year mentioned above, the Treaty shall lapse.

If no notice is given on either side of the desire to propose modifications, the Treaty shall remain in force for another year, and so on automatically, but subject always in respect of each such period of a year to the right on either side to propose as provided above three months before its expiration modifications in the Treaty, and to the provision that if such modifications are not agreed upon before the close of the period of one year, the Treaty shall lapse.

Article 6.—In the event that either of the High Contracting Parties shall be prevented either by judicial decision or legislative action from giving full effect to the provisions of the present Treaty, the said Treaty shall automatically lapse, and, on such lapse, or whenever this Treaty shall cease to be in force, each High Contracting Party shall enjoy all the rights which it would have possessed had this Treaty not been concluded.

21856

No. 797.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
} Dominions No. 232.)

[MY LORD,] [SIR,] Downing Street, 22nd May, 1924.

WITH reference to my despatch Dominions No. 79 of the 27th of February,* and connected correspondence, I have the honour to request [Your Excellency] [you] to inform your Ministers that the Instrument of His Majesty's Ratification of the Convention with the United States of America respecting the Liquor Traffic has been forwarded to His Majesty's Ambassador at Washington for exchange against a similar instrument on the part of the President of the United States.

I have, &c.,
J. H. THOMAS.

---

* No. 779.

24662

No. 798.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 3.50 p.m., 27th May, 1924.)

TELEGRAM.

(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

27TH MAY. My telegram 18th March.* Liquor Treaty with United States. Exchange of ratifications took place 22nd May.—THOMAS.

24662

No. 799.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 326.)

SIR, Downing Street, 27th May, 1924.

WITH reference to my despatch No. 172 of the 19th March† regarding the Treaty with the United States on the subject of the Regulation of the Liquor Traffic, I have the honour to request Your Excellency to inform your Ministers that His Majesty's Ambassador at Washington has reported that the exchange of ratifications of the Treaty took place on the 22nd May.

I have, &c.,
J. H. THOMAS.

25394

No. 800.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 3.30 p.m., 30th May, 1924.)

TELEGRAM.

(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

My telegram 27th May.‡ Liquor Treaty with United States. President issued Proclamation 22nd May putting Treaty into immediate effect.—THOMAS.

25394

No. 801.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 335.)

SIR, Downing Street, 31st May, 1924.

WITH reference to my despatch No. 326 of the 27th May§ regarding the Treaty with the United States on the subject of the Regulation of the Liquor Traffic, I have the honour to request Your Excellency to inform your Ministers that His Majesty's Ambassador at Washington has reported that the President issued a Proclamation on the 22nd May putting the Treaty into immediate effect.

I have, &c.,
J. H. THOMAS.

---

* No. 791. † No. 792. ‡ No. 798. § No. 799.

41281

No. 802.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. } Dominions No. 437. Confidential.)

[MY LORD,] [SIR,] Downing Street, 4th September, 1924.

I HAVE the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of correspondence with His Majesty's Ambassador at Washington on the subject of the seizure of vessels by the United States Government under the Convention of the 23rd of January, 1924, respecting the regulation of the Liquor Traffic.

I have, &c.,
(for the Secretary of State).
HENRY LAMBERT.

[40791]

Enclosure 1 in No. 802.

(Extract.)
(No. 1225.)

SIR, British Embassy, Manchester, Mass., 25th July, 1924.

WITH reference to my despatch No. 1191 of 18th July enclosing copy of a circular I have addressed to Consuls as to the action they should take in cases of British vessels arrested under provision of the Liquor Treaty, I have the honour to enclose herewith copy of a letter addressed to me by Mr. Consul-General Gray of Boston forwarding a protest from the Master of the Canadian Schooner "Frances Louise" which was lately arrested and brought into Boston on the charge of violating the United States Liquor Laws.

From the Master's own statement it is quite clear that he was engaged in violating those laws. He states indeed that he was arrested more than twenty miles from the coast, but as the Treaty does not specify in terms of miles any precise distance from the coast, this is immaterial.

The activities of the "Frances Louise" being quite clearly admitted by the Master himself, it seems to me that any interference on his behalf by this Embassy would have no useful result but rather the reverse, and that the case should be left simply to the Courts to decide.

I should, however, be grateful if you would cause instructions to be sent me as to how you would wish me to act in this and similar cases.

* * * * * * *

I have, &c.,
ESMÉ HOWARD.

The Rt. Hon. James Ramsay MacDonald, M.P.,
&c., &c., &c.

(No. 55.)

SIR, British Consulate-General, Boston, 23rd July, 1924.

WITH reference to my immediately preceding despatch to Your Excellency dated 16th July, on the subject of the arrest of the British Schooner "Frances Louise" and her Master under the recent Liquor Treaty, I have now the honour to transmit herewith the enclosed communication addressed to me by the Master, protesting against the treatment accorded on behalf of himself, the owners, and the owners of the cargo, and requesting an inquiry, and that the good offices of Your Excellency may be enlisted to see that prompt and immediate relief be granted.

The result of my inquiries have already been communicated to Your Excellency in my preceding despatch. It is observed that the Master now claims that his vessel was twenty-two, not sixteen-and-a-half, miles from the coast at the time of arrest: that he was not in United States waters nor within an hour's sailing of the United States when he was arrested, and his boat and cargo seized.

He admits having sold liquor to the launch "Catherine B," but it is understood that his Counsel are prepared to submit evidence to rebut any evidence that the United States authorities may put forward in an endeavour to prove that the distance from the ship to the coast can be covered by the launch in one hour.

I also gather that an acquittal is hoped for on the further plea that, even if Article II (2) of the Treaty may be construed as permitting the seizure of the vessel for adjudication in accordance with the laws of the United States, the United States have no law by which such vessels on the high seas can be adjudicated.

Further, it is gathered that if an attempt is made to plead that the Treaty is tantamount to legally permitting the application of United States Law to vessels on the High Seas, the point may be raised by the defence whether the Treaty itself is valid under the United States Constitution.

In confidence I would add as follows:—

Counsel for the defence state that much of the trouble is due to the fact that the Master is new to the trade, and has made definite admissions instead of refusing to admit anything. He is now allowed out on bail for $500, and it will not be surprising if he forfeits his bail and escapes to Canada. It is also understood that the United States authorities at Boston are in grave doubt of their position under the Treaty and under United States Law, and that the United States Attorney has gone to Washington, it is thought to obtain guidance in the case.

I have, &c.,

EDWARD F. GRAY.

His Excellency the British Ambassador,
&c., &c., &c.,
British Embassy,
Manchester, Mass.

[40791]

Enclosure 2 in No. 802.

(No. 1281.)
(Confidential.)

SIR, British Embassy, Manchester, Mass, 8th August, 1924.

WITH reference to my despatch No. 1225 of 25th July, regarding the seizure of the Canadian Schooner "Frances Louise," I have the honour to report that I understand from His Majesty's Consul-General at Boston that the lawyers for the defendants offered to bring forward witnesses to prove that the engines of the motor boat, on the basis of the speed of which the ship had been seized, had been tampered with by the United States authorities after the capture of the boat in order to enable them to prove their case for seizure under the Treaty. In other words, the engines were so altered as to give to the boat a speed greater than she actually had when her arrest was effected.

Though, apparently, these witnesses failed to appear when required, I hear that the lawyers for the defence have obtained from a local firm a statement containing details and the date of the work done by them on the motor boat in question.

If the above is correct, it seems possible that the defence may be able to prove that the "Frances Louise" was beyond the limits specified in the Liquor Treaty when she was seized, and that her detention is thus in violation of the Treaty.

I shall not fail to report in due course the result of the legal proceedings in this case, but, meanwhile, I think it better, for the reasons given in my despatch under reference, to give the United States authorities the benefit of the doubt, and I do not therefore propose to approach the United States Government in the case.

I have, &c.,

ESMÉ HOWARD.

The Rt. Hon. James Ramsay MacDonald, M.P.,
&c., &c., &c.

[41030]

Enclosure 3 in No. 802.

EXTRACT FROM A TELEGRAM FROM SIR E. HOWARD (MANCHESTER, MASS.) to FOREIGN OFFICE, DATED 18TH AUGUST, 1924.

(Paraphrase.)

WITH reference to the prosecution of the "Frances Louise" as reported in my despatch No. 1225, I now understand that the prosecution will rely on the doctrine of hot pursuit rather than on the terms of the Liquor Treaty.

The reason for this is that in the first place the question of the speed of the launch which brought the liquor from the "Frances Louise" makes a verdict against the vessel doubtful, and secondly the question of whether the Treaty contravenes the 18th Amendment of the Constitution has not yet been decided by the Supreme Court. This information, which I am forwarding to the Canadian Government, was obtained in informal conversation from Mr. L. Curtis, Assistant United States Attorney, who is the prosecuting counsel in the case.

I should be glad to be informed if, in your opinion, I should enter a protest against this new proceeding, and to have your views as to its validity. I should add that up to the present no report of this charge has been published.

* * * * * * *

[41030]

Enclosure 4 in No. 802.

TELEGRAM FROM MR. RAMSAY MACDONALD to SIR E. HOWARD (MANCHESTER, MASS.), DATED 24TH AUGUST, 1924.

(Paraphrase.)

WITH reference to the prosecution of the schooner "Frances Louise" reported in your telegram of 18th August, until it is evident that the actual proceedings are not being conducted under the Treaty, there is no ground for protest, but in case you should have any conversation with Mr. Hughes on this subject, our views as set forth below may be of use to you.

If the United States authorities are going to utilize the Treaty in cases to which it is applicable, and then to employ doctrines, which are not acceptable to us, in cases where it does not apply, a protest should be made. We do not think we can allow such proceedings.

In this particular case, however, if they are able to deal with it under conditions laid down in the Treaty, there would be no ground for protest. But, if this were so, there would be no necessity for them to put forward the doctrine of hot pursuit.

Whatever happens—and particularly in view of the definite statement Mr. Hughes has made on this point—the United States authorities cannot be permitted to proceed outside the Treaty on the grounds of a doubt as to its constitutional validity.

42185

No. 803.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 3.15 p.m., 15th September, 1924.)

TELEGRAM.

[*Answered by Nos.* 804 *and* 806.]

15TH SEPTEMBER. Confidential. His Majesty's Ambassador, Washington, has forwarded to Secretary of State for Foreign Affairs copy of his Confidential despatch No. 326, 19th August,* to you regarding "Frances Louise." As regards last paragraph but one, His Majesty's Ambassador has already been informed† that His Majesty's Government take the view that United States authorities cannot be

* Not printed: it summarized Sir E. Howard's views as set out in Enclosure 2 in No. 807 asked for the views of the Canadian Government on the subject, and suggested that the attitude to be adopted by the Embassy in such cases should be discussed between His Majesty's Government and the Canadian Government. † See Enclosure 4 in No. 802.

permitted to proceed outside Treaty on grounds of doubt as to its constitutional validity, or to employ doctrines unacceptable to His Majesty's Government in support of seizures in cases where Treaty does not apply, and that in such circumstances protest should be made. They now propose to inform him that, subject to these considerations, they agree generally with policy suggested in his despatch, that he should report all seizures of British ships to His Majesty's Government and in case of ships registered in Canada, to Canadian Government also, but that he should make no representations to United States except after reference to Government concerned. Before communicating with Ambassador they would be glad to know whether these instructions agreeable to your Ministers and whether they concur in general policy suggested. Please telegraph reply.—SECRETARY OF STATE FOR THE COLONIES.

46735

No. 804.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1.30 a.m., 2nd October, 1924.)

TELEGRAM.

[*Answered by No.* 807.]

1ST OCTOBER. Your telegram of 15th September, Confidential.* "Frances Louise." Canadian Government concur in the views of His Majesty's Government that it is not permissible for the United States Authorities to attempt to justify action authorized solely by the Treaty on other grounds which are not acceptable, and that protest in the case of the "Frances Louise" would be warranted; further, that they consider that the reluctance of His Majesty's Ambassador at Washington to present the protest of the owner was amply justified, and that the general policy suggested in his despatch regarding protection of vessels seized under provisions of the Treaty may be accepted. Despatch† follows by mail, enclosing minute of the Council approved 1st October.—BYNG.

45586

No. 805.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
} Confidential.)

[MY LORD,] [SIR,] Downing Street, 2nd October, 1924.

WITH reference to my Confidential despatch Dominions No. 437 of the 4th of September,‡ I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of an extract from a communication from His Majesty's Ambassador at Washington summarizing the official libel laid before the United States District Court at Massachusetts pleading for forfeiture of the schooner "Frances and Louise," together with a copy of the Judgment in the case.

2. Similar despatches are being sent to the Governors-General of [*To Australia:* New Zealand, the Union of South Africa, and the Irish Free State, and the Governor of Newfoundland.] [*To New Zealand:* the Commonwealth of Australia, the Union of South Africa, and the Irish Free State, and the Governor of Newfoundland.] [*To South Africa:* the Commonwealth of Australia, New Zealand, and the Irish Free State, and the Governor of Newfoundland.] [*To Irish Free State:* the Commonwealth of Australia, New Zealand, and the Union of South Africa, and the Governor of Newfoundland.] [*To Newfoundland:* the Commonwealth of Australia, New Zealand, the Union of South Africa, and the Irish Free State.]

I have, &c.,
J. H. THOMAS.

---

* No. 803. † No. 806. ‡ No. 802.

Enclosure 1 in No. 805.

TELEGRAM FROM SIR E. HOWARD (MANCHESTER, MASS.) to FOREIGN OFFICE.

(Received 4.45 p.m., 8th September, 1924.)

(Extract.)

No. 279. 8th September.

* * * * * *

Libel sets forth facts of case and states that vessel was seized at a point 164 miles from coast on 14th July at a time when she was within Admiralty and maritime jurisdiction of United States for the purpose of illegally introducing alcoholic liquor into United States in violation of its laws. After enumerating number of cases landed, etc., libel adds that this was effected by using motor launches "Katherine B" and "D 229," and that these were being operated by direction of master of "Frances and Louise" and her owners acting through persons on shore. Both motor-boats mentioned were apprehended on 14th July, and libel declares that from the time of the arrival of these boats "within United States" there was immediate continuous action on the part of authorities looking to seizure of "Frances and Louise," and that from the time of the delivery by "Frances and Louise" of 185 cases of liquor found on "D 229" there was immediate hot pursuit on the part of revenue cutter "Ossippee," resulting in arrest of schooner above-mentioned. Forfeiture of "Frances and Louise" is called for in view of these facts and by virtue of sections 447, 448, 450, 453, 585 and 586 of Tariff Act of 1922.

* * * * * * *

Enclosure 2 in No. 805.

JUDGMENT IN "FRANCES LOUISE" CASE.

JUDGE MORTON is reported as delivering judgment orally as follows:—

"The case seems to me a simple one, in which there is no necessity for my taking it under advisement. In my opinion the matter is covered by the Treaty with Great Britain of 1924. That Treaty provides for cases of liquor ships hovering on the coast and being visited while so hovering by small boats from the shore. Of course, such small boats only go to the hovering vessel to get goods from her. Both parties understood that when they entered into the Treaty. The plain inference is that such trading does not render the larger vessel amenable to seizure except as provided in the Treaty.

When the Treasury officials made the seizure of the "Frances Louise," they were acting upon the belief that she had brought herself within liability of seizure under the Treaty. Later it turned out that that was not true, and then an attempt was made, rather as an afterthought, I believe, to hold the schooner on other and very much broader grounds which have been suggested in the argument. Of course, that must fail, because, as I have said, the whole matter is covered by the Treaty, and it is not necessary to decide whether and how far the broader grounds argued by counsel are sound.

There seems to be a good deal of similarity between the facts as they appear here, and the case of the 'Emerald,' as stated by Mr. Curtis"—(Assistant United States District Attorney)—"in which the vessel was arrested and later released. I do not see that an understanding between the vessel and the shore as to her movements diminishes her rights under the Treaty or renders her subject to forfeiture when she would not otherwise be so. I entertain no doubt that the Treaty is constitutional. So it follows that there may be decrees dismissing the libel against the schooner, her cargo, and for penalties."

48885

No. 806.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 16th October, 1924.)

(Confidential.)

SIR, Government House, Ottawa, 4th October, 1924.

WITH reference to your Confidential telegram of the 15th ultimo,* and previous correspondence, on the subject of the seizure of the "Frances Louise" by the United States authorities, I have the honour to transmit, herewith, copies of an approved Minute of the Privy Council setting forth the views of my responsible advisers.

It was upon this Minute that my telegram of the 1st instant† was based.

I have, &c.,

BYNG OF VIMY.

Enclosure in No. 806.

CERTIFIED COPY OF A MINUTE OF A MEETING OF THE COMMITTEE OF THE PRIVY COUNCIL, APPROVED BY THE DEPUTY OF HIS EXCELLENCY THE GOVERNOR-GENERAL ON THE 1ST OCTOBER, 1924.

(P.C. 1705.)

His Majesty's Ambassador, No. 326, 19th August.
His Majesty's Ambassador, No. 338, 1st September.
Colonial Office Dominions, No. 437, Confidential, 4th September.
His Majesty's Ambassador, No. 345, 9th September.
His Majesty's Ambassador, No. 348, 12th September.
His Majesty's Ambassador, telegram, 12th September.
Colonial Office Confidential telegram, 15th September.

THE Committee of the Privy Council have had before them a report, dated 22nd September, 1924, from the Secretary of State for External Affairs, submitting that he has had under consideration despatches, as noted in the margin, from His Majesty's Ambassador at Washington, and from the Secretary of State for the Colonies, relating to the case of the seizure of the Canadian vessel "Frances Louise," and to the general policy to be adopted in regard to extending protection to British vessels seized by the United States authorities under the provisions of the Liquor Treaty entered into with the United States at Washington on the 23rd January, 1924.

In the first of the above noted despatches His Majesty's Ambassador sets forth reasons which had led him to think it unadvisable to present to the United States authorities the protest of the owners of the "Frances Louise" against her seizure, and he further expressed the opinion that, in view of Canada's participation in the Liquor Treaty above referred to, and of the signing at Washington on the 6th June, 1924, of the further Treaty relative to Smuggling Offences, it would not be consistent or desirable to extend protection to vessels seized under the provisions of the Treaty which there was reason to believe were engaged in illicit liquor traffic to the United States, but that only those cases should be taken up with the United States Government where there seemed to be a clear violation of the Liquor Treaty, resulting in injustice to an innocent vessel.

From the subsequent despatches it has become apparent that the United States Government does not seek to justify its action in seizing the "Frances Louise" outside territorial waters by the provisions of the Liquor Treaty, but by the application of the doctrine of "hot pursuit," being influenced in the absence of final judicial decision, as the Ambassador intimates, by doubt of the constitutionality of the Treaty as contravening the 18th amendment of the Constitution.

The Ambassador's despatch of the 12th of September conveys the information that the United States District Court at Boston held that the "Frances Louise" had not rendered herself liable to seizure under the Treaty and therefore dismissed the libel against her, further intimating that it entertained no doubt that the Treaty was constitutional.

---

* No. 803. † No. 804.

298

His Majesty's Government, while approving the general policy favoured by the Ambassador as outlined above, take the view that in the present case of the "Frances Louise" the United States authorities cannot be permitted to proceed outside the Treaty on grounds of doubt as to its constitutional validity, or to employ a doctrine unacceptable to His Majesty's Government, in support of seizure in cases where the Treaty does not apply, and that in such circumstances protest should be made; but before communicating to Sir Esmé Howard such a view, they inquire if such instructions would be agreeable to Your Excellency's Ministers, and whether they concur in the general policy suggested.

The Minister considers that the reluctance of Sir Esmé Howard to present the protest of the owners to the United States Government in the circumstances which he indicates was amply justified, and that the general policy to be pursued in regard to the protection of vessels seized under the provisions of the Treaty which he suggests may be accepted by the Government of Canada. He concurs, however, in the view of His Majesty's Government that it is not permissible for the United States authorities to attempt to justify action authorized solely by the Treaty provisions on other grounds which are not acceptable, and that the fact of such an attitude having become evident in the case of the "Frances Louise" would warrant a protest against her seizure; and he recommends that the Secretary of State for the Colonies be so informed by telegraph.

The Committee concur in the foregoing and advise that a copy hereof be transmitted to Mr. Secretary Thomas and to His Majesty's Ambassador at Washington.

All of which is respectfully submitted for Your Excellency's approval.

C. G. KEZAR,
Assistant Clerk of the Privy Council.

47732

No. 807.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
Dominions No. 497. Confidential.)

[MY LORD,] [SIR,] Downing Street, 22nd October, 1924.

WITH reference to [*To Canada:* Your Excellency's telegram of the 1st of October,*] [*Not to Canada:* My Confidential despatch of the 2nd of October,†] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a telegram addressed to His Majesty's Ambassador at Washington stating the policy His Majesty's Government and the Canadian Government desire to be followed in cases of seizures of British ships by the United States authorities under the Liquor Treaty.

An extract from the despatch from Sir Esmé Howard, No. 1225 of the 25th of July, referred to in the telegram, is also enclosed for your Minister's information.

I have, &c.,

J. H. THOMAS.

Enclosure 1 in No. 807.

TELEGRAM TO SIR E. HOWARD (WASHINGTON) FROM THE FOREIGN OFFICE.

(Sent 6 p.m., 7th October, 1924.)

(No. 293.)

YOUR telegram No. 285 (of the 16th September, seizure of British ships under Liquor Treaty).

I concur generally in the lines of the policy suggested in your despatch No. 1225 of the 25th July. His Majesty's Government wish to consider each case on its

---

* No. 804. † No. 805.

merits, and no representations should therefore be made to the United States Government except under instructions from this department. The circumstances of all seizures of British vessels should be reported by despatch as a rule, and you should be guided as to the amount of detail to be furnished by the degree of interest attaching to the case. In the case of ships registered in Canada, information should be sent to the Canadian Government as well as to His Majesty's Government and you should refer to the Canadian Government before making representations.

[40791]

Enclosure 2 in No. 807.

EXTRACT FROM DESPATCH No. 1225, OF 25TH JULY, FROM HIS MAJESTY'S AMBASSADOR AT WASHINGTON TO THE FOREIGN OFFICE.

* * * * * *

PERHAPS I may be allowed to state my own personal opinion as to how, in the future, cases of this kind should be dealt with by the Embassy.

The object of the Liquor Treaty, as I understand it, was genuinely to assist the United States Government in enforcing their Liquor Laws by not insisting on our legal right of protecting vessels which abuse the British flag in order to smuggle liquor into the United States and then claim our protection when interfered with outside the three-mile limit. Our action in abandoning, through this Treaty, our strict legal rights for the protection of bootlegging and smuggling vessels has unquestionably produced an excellent effect on our relations with this country generally. If we now protest and interfere on behalf of clear cases of bootlegging vessels caught even a mile or two beyond the distance from the coast that can be covered in one hour according to the provisions of the Treaty, we shall not only reproduce in an aggravated form the tension existing before the Treaty but even prejudice our case if ever we do require to make a serious protest on behalf of some innocent vessel.

It appears to me, therefore, that our general line of policy in dealing with such arrests would be in clear cases of bootleggers to leave them to be dealt with by the Courts, even though they may protest that they have been arrested some distance beyond the limits stipulated by the Treaty, which they are almost sure to do in every case where there is the slightest doubt.

On the other hand, I think that we should reserve all our strength to protest in cases where, if ever such cases should unfortunately arise, the United States authorities interfere with the liberties of innocent vessels clearly engaged in genuine trade.

By acting in this way I venture to think our protests on behalf of such vessels are likely to receive more consideration from the United States Government, and we shall avoid reviving the accusation formerly made against us of protecting vessels overtly engaged in endeavouring to break the laws of this country.

* * * * * *

I have, &c.,
ESMÉ HOWARD.

56627

No. 808.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.

Dominions No. 593. Secret.)

[MY LORD,] [SIR,] Downing Street, 29th December, 1924.

WITH reference to my predecessor's Confidential despatch Dominions No. 437 of the 4th of September,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copies of a despatch from His Majesty's Ambassador at Washington reporting a conversation with the

* No. 802.

Secretary of State of the United States regarding the seizure of the "Frances Louise," and of the despatch from the Secretary of State for Foreign Affairs in reply.

2. I would invite reference also to the Duke of Devonshire's Secret despatch [*Not to Irish Free State:* Dominions No. 305 of the 13th of August, 1923,*] [*To Irish Free State:* of the 15th of August, 1923,*] relative to the case of the schooner "Henry L. Marshall," [*To Canada only:* and also to Sir Esmé Howard's despatch to you No. 379 of the 7th of October, 1924.]

I have, &c.,
L. S. AMERY.

Enclosure 1 in No. 808.

(No. 1538.)

SIR, British Embassy, Washington, D.C., 7th October, 1924.

WITH reference to my despatch No. 1518 of 3rd October, I have the honour to transmit herewith copies of a telegram† I received on the 3rd instant from the Governor-General of Canada respecting the seizure of the "Frances Louise" off Boston and of a despatch† which I have to-day addressed to Lord Byng of Vimy recording a conversation I have had with Mr. Hughes on this subject. You will observe that Mr. Hughes, while admitting that the doctrine of "hot pursuit" could not be invoked in order to justify the arrest and condemnation of this vessel, took a strong stand on the rights of United States Authorities to arrest vessels acting as she did outside the territorial waters of the United States of America. He based his opinion on the decision come to by His Majesty's Government in the case of the British Columbian Schooner "Araunah" which was arrested by the Russian Authorities in 1888 off Copper Island but outside Russian territorial waters on the ground that she was actually engaged with the help of small boats in fishing within those waters. Mr. Hughes said that he had used the same arguments in dealing with the case of the "Henry L. Marshall," q.v. in the time of my predecessor Sir Auckland Geddes and that he had never receded from the opinion he then held that a vessel standing off the coast and actively engaged in a maritime adventure for profit involving a breach of the Municipal Law of the country was liable to arrest, a doctrine which he considered was fully justified by the admission or concession made by Lord Salisbury in 1888 in the case of the "Araunah." He admitted that at the time of the discussions over the "Henry L. Marshall" His Majesty's Government had never agreed to this point of view and had only abandoned their protest in regard to her arrest on hearing that she had been fraudulently transferred to the British register and was actually in America ownership. He supported the expediency for maritime countries of admitting this doctrine by the following illustration. If, he asked, American adventurers started gun-running along the Irish coast, in case of serious troubles in that country, would not the British Navy arrest American ships hovering off the Irish coast and engaged in this illicit traffic? And might His Majesty's Government not then be glad to point to a precedent set by the United States Government to which they could turn to justify such an arrest?

I did not attempt to reply to this argument without direct instruction from you as to the line I should take, but it certainly seems to me to have considerable weight. At the same time I feel I cannot, unless instructed to do so by you, take, in future, a different line from that followed in Mr. Chilton's note No. 578 of 10th July, 1923, to Mr. Hughes enclosed in his despatch to Lord Curzon No. 853 of 10th July of that year.

In this note Mr. Chilton stated:—

"In order to avoid the possibility of any misunderstanding on the part of the United States Government as to His Majesty's Government's attitude in this matter, I have the honour, under instructions from His Majesty's Principal Secretary of State for Foreign Affairs, to inform you that any attempt on the part of the United States authorities to seize a British ship outside the three-mile limit would be regarded by His Majesty's Government as creating a very serious situation. In regard to the "Henry L. Marshall" case, I have been instructed to explain that the absence of a protest by His Majesty's Government against the condemnation of this

* 38711/23: not printed. † Not printed.

vessel in no way implies any alteration in the views of His Majesty's Government with regard to the principle at stake, inasmuch as that vessel, owing to the circumstances in which she secured her British registry, was not recognized by His Majesty's Government as entitled to British registry. Consequently, His Majesty's Government have not felt called upon to assert the principle at stake on her behalf, since, as far as His Majesty's Government are concerned, the 'Henry L. Marshall' remains an American vessel."

In his despatch No. 1224 of the 8th of August, 1923, to Mr. Chilton, the Secretary of State approved the terms of Mr. Chilton's note quoted above.

If I interpret rightly what Mr. Hughes told me yesterday it simply means that the United States Government will rely not only upon the provisions of the Liquor Treaty but also upon the arguments used by the Secretary of State in his discussions with Sir Auckland Geddes to justify the arrest of foreign vessels outside the three-mile limit in cases in which the Liquor Treaty does not apply. We, therefore, seem to be, for all practical purposes, back at the point where we were before that Treaty was ratified except that indeed by the Treaty British ships have the right of bringing intoxicating liquor under seal into United States ports.

I should be extremely grateful to learn what language I should use to Mr. Hughes the next time that I have to discuss this question with him. I cannot tell whether His Majesty's Government is prepared now to be more transigeant in the matter of such arrests than they were in 1923. In view, however, of Mr. Hughes' casual reference to the possibility of American gun-runners I think we may infer that, if we all take an intransigeant line about bootleggers, the United States Government will be equally intransigeant in regard to any case in which His Majesty's Government may desire to deal drastically with "hovering" American smugglers.

We must further remember that this Government cannot afford, owing to the pressure of the Prohibitionists in this country, to permit fleets of bootleggers to continue their operations indefinitely off the coast of the United States. It must further be remembered that the validity of the Liquor Treaty under the constitution still remains to be proved and that the test case is still pending before the Courts. If the Supreme Court decides against the Treaty, we shall be faced again with a very serious position which was only averted by the signature of the Treaty last year, and, if we insist on the inviolability of "hovering" bootlegging ships, shall certainly be accused here of supporting the bootlegging trade on account of the profits which British subjects are making out of it. This will not be an easy accusation to refute.

For the above reasons I venture to submit that the whole question requires careful consideration before a final and definite decision is taken.

I have, &c.,

ESMÉ HOWARD.

The Rt. Hon. James Ramsay MacDonald, M.P.,
&c., &c., &c.

Enclosure 2 in No. 808.

(No. 1756.)

SIR, Foreign Office, S.W.1., 21st November, 1924.

I HAVE received your despatch, No. 1538 of 7th October, reporting a conversation with the Secretary of State of the United States regarding the seizure of the "Frances Louise."

2. It does not appear that it is at the present stage necessary to take any action with reference to the remarks of the Secretary of State. The following comments may, however, be useful to Your Excellency for your own information.

3. Mr. Hughes admits that the doctrine of "hot pursuit" does not apply in this case. The case has no analogy to that of the "Araunah," as the "Araunah," though herself lying outside the territorial limits, was committing the offence inside the territorial limits through members of her crew fishing out of her own boats. The "Frances Louise," however, was not in communication with the shore or doing anything within American territorial limits by means of her own boats. All she did was to sell or deliver on the high seas to certain United States citizens a commodity the import of which into the United States was illegal. Her action might equally well have been taken in mid-Atlantic. In this connexion you will recollect that the seizure of the "Henry L. Marshall" was held by the United States Government to be justified because, though herself outside territorial waters,

she had, in their view, brought herself within the territorial jurisdiction of the United States by communicating with the United States territory by means of small boats, even though they were not her own. You are aware that His Majesty's Government informed the United States Government at the time that this was a doctrine to which they could not agree.

4. If and when the owners of the "Frances Louise" approach His Majesty's Government with a view to a claim for compensation being put forward on their behalf, the question can be considered whether the action of the vessel was such as to render His Majesty's Government disposed, in effect, to assist her smuggling operations by claiming compensation. It appears to His Majesty's Government that the action of the United States authorities in searching this vessel was neither unreasonable nor contrary to the Treaty. Whether, having subsequently found that a conviction was not possible under the Treaty, they were justified in attempting to secure a conviction on grounds which His Majesty's Government do not consider valid, is another matter, but no action on this point is necessary at present in view of the terms of the judgment of the United States District Court.

5. If, however, in the course of the appeal the United States Government should put forward any claim of right to seize British vessels on the high seas or if the decision of the United States Court of Appeal should admit any such right on the part of the United States Government, the question can then be considered of claiming submission of the case to some international tribunal. But there is no need to consider this possibility until the eventuality indicated above has materialized.

6. The communication which you have received from the Dominion Government at Ottawa indicates no divergence of view from that expressed above.

I am, &c.,
(For the Secretary of State),
ROBERT VANSITTART.

---

(2) Pacific Halibut Fishery Treaty.

(Treaty Series 1925, No. 18.)

27832

No. 809.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1.12 a.m., 12th June, 1924.)

TELEGRAM.

11TH JUNE. My Ministers request that His Majesty the King may be humbly moved to ratify the Convention concluded between Canada and the United States on the 2nd March, 1923, to secure the preservation of the Halibut Fishery of the Northern Pacific Ocean, and that the instrument of ratification be forwarded to me to be exchanged in Washington by representative of the Canadian Government against similar ratification of the President of the United States.—BYNG.

28113

No. 810.

FOREIGN OFFICE to COLONIAL OFFICE.

THE Under-Secretary of State for Foreign Affairs presents his compliments to the Under-Secretary of State for the Colonies and, by direction of the Secretary of State, transmits herewith copies of two despatches and a telegram from His Majesty's Ambassador at Washington on the subject of the Northern Pacific Halibut Fishery Convention.

Foreign Office,
13th June, 1924.

Reference to previous correspondence: Colonial Office letter of 29th January, 1924.*

---

* 3683/24: not printed; it enclosed a copy of a despatch from the Governor-General forwarding Press extracts on the subject of the Convention.

Enclosure 1 in No. 810.

(No. 828.)

SIR, British Embassy, Washington, 19th May, 1924.

I HAVE the honour to transmit to you, herewith, copies of correspondence with the Department of State, Washington, on the subject of the Northern Pacific Halibut Fishery.

I have, &c.,
(for the Ambassador),
H. G. CHILTON.

His Majesty's Principal Secretary of State for Foreign Affairs,
Foreign Office, London.

Reference: Washington despatch No. 1220 of 5th October, 1923.

(No. 408.)

SIR, British Embassy, Washington, D.C., 8th May, 1924.

IN his note of 4th October, 1923, Mr. Phillips was so good as to inform Mr. Chilton that the President of the United States had expressed his readiness to resubmit to the Senate the Convention, concluded between the United States and Great Britain on 2nd March, 1923, for the protection of the Northern Pacific Halibut Fishery, with a view to obtaining the advice and consent of the Senate to the ratification of the Convention as signed, that is to say, without the reservation made by the Senate on 3rd March, 1923.

As the Government of Canada are taking steps to pass legislation in connexion with the Convention, I have the honour to ask you to be so good as to inform me at the earliest possible moment whether this Convention has been re-submitted to the Senate and whether the Senate has agreed to its ratification without the reservation above referred to.

I have, &c.,
ESMÉ HOWARD.

The Honourable
Charles E. Hughes,
Secretary of State of the United States,
Washington, D.C.

EXCELLENCY, Department of State, Washington, 12th May, 1924.

I HAVE the honour to acknowledge the receipt of your note No. 408 of 8th May, 1924, relating to the Convention for the preservation of the Halibut Fishery of the Northern Pacific Ocean, signed by representatives of the United States and Great Britain on 2nd March, 1923, and to legislation which the Government of Canada is taking steps to enact in connexion with the Convention.

The President re-submitted the Convention to the Senate on 11th December, 1923, for determination by that body whether it would reconsider its resolution of 4th March, 1923, and advise and consent to the ratification of the Convention as signed.

I understand that it is the purpose of the Chairman of the Committee on Foreign Relations to bring the matter up for consideration as soon as advices have been received, that the legislation under consideration by the Canadian Government to amend the Northern Pacific Halibut Fishery Protection Act of 1923, has become law.

Accept, &c.,
CHARLES E. HUGHES.

(No. 439.)

SIR, British Embassy, Washington, D.C., 16th May, 1924.

I HAVE the honour to acknowledge the receipt of your note of the 12th instant, regarding the Northern Pacific Halibut Fishery, in which you were good enough to inform me that as soon as he is informed that the Canadian Parliament has passed the legislation, which it has lately been considering on this subject, the Chairman of the Committee on Foreign Relations proposes to re-submit to the Senate the Convention referred to it by the President on 11th December, 1923.

I am happy to be in a position to inform you that the Bill,* of which I have the honour to enclose a copy, has been passed by both Houses of the Canadian Parliament, by the House of Commons on the 3rd ultimo and by the Senate on the 10th ultimo, and that it only requires the formal assent of His Excellency the Governor-General (which can and will be given at any convenient time) before it becomes law. There appears to be, therefore, no reason why the Chairman of the Committee on Foreign Relations should not now proceed to secure the necessary action by the Senate, and I shall be glad to be informed as soon as this action has been taken.

I have, &c.,
(for the Ambassador),
H. G. CHILTON.

The Honourable
Charles E. Hughes,
Secretary of State of the United States,
Washington, D.C.

Enclosure 2 in No. 810.

(No. 872.)

SIR, British Embassy, Washington, 23rd May, 1924.

I HAVE the honour to transmit to you, herewith, copies of a despatch from the Department of State, Washington, on the subject of the Convention for the preservation of the Halibut Fishery of the Northern Pacific Ocean.

I have, &c.,
(for the Ambassador),
H. G. CHILTON.

His Majesty's Principal Secretary of State for Foreign Affairs,
Foreign Office, London.

Reference.—Washington despatch No. 828 of 19th May, 1924.

EXCELLENCY, Department of State, Washington, 21st May, 1924.

I HAVE the honour to acknowledge the receipt of your note No. 439 of 16th May, 1924, in further reference to the Convention for the preservation of the Halibut Fishery of the Northern Pacific Ocean signed by representatives of the United States and Great Britain on 2nd March, 1923, and to legislation which the Government of Canada has under consideration in connexion with the protection of the Halibut Fishery.

The reference in the first paragraph of your note to the purpose of the Chairman of the Committee on Foreign Relations of the Senate to bring the Halibut Fishery Convention up for reconsideration by the Senate as soon as he is informed that the Canadian Parliament has passed the legislation, represents inaccurately the circumstance as stated in my note of 12th May that the Chairman of the Committee will take such action as soon as the legislation has become law. It may be that this discrepancy of statement is of little practical importance since from the statements in your note it appears that the Royal assent is regarded as a formality of the execution of which there is no uncertainty.

I am bringing your statement of the situation to the attention of the Chairman of the Committee on Foreign Relations for his consideration.

Accept, &c.,
CHARLES E. HUGHES.

His Excellency
The Right Honourable Sir Esmé Howard, G.C.M.G., K.C.B., C.V.O.,
Ambassador of Great Britain.

---

* Not reprinted.

Enclosure 3 in No. 810.

TELEGRAM FROM SIR E. HOWARD (WASHINGTON) to FOREIGN OFFICE.

(Received 9.0 a.m., 3rd June, 1924.)

(No. 185. (R).)

2ND JUNE. My despatch No. 828. On 31st May Senate ratified Halibut Convention without reservations.

29571

No. 811.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 23rd June, 1924.)

(No. 258.)

SIR, Government House, Ottawa, 13th June, 1924.

I HAVE the honour to enclose, herewith, a copy of an Approved Minute of the Privy Council for Canada regarding the ratification of the Convention concluded between Canada and the United States on the 2nd March, 1923, to secure the preservation of the Halibut Fishery of the Northern Pacific Ocean.

It was upon this Minute that my telegram of the 11th instant* was based.

I have, &c.,

BYNG OF VIMY.

Enclosure in No. 811.

(P. C. 972.)

THE FOLLOWING IS A TRUE COPY OF A MINUTE OF A MEETING OF THE COMMITTEE OF THE PRIVY COUNCIL, APPROVED BY HIS EXCELLENCY THE GOVERNOR-GENERAL ON THE 10TH JUNE, 1924.

THE Committee of the Privy Council have had before them a report, dated 10th June, 1924, from the Right Honourable the Secretary of State for External Affairs, representing that the Convention concluded between Canada and the United States at Washington on the 2nd March, 1923, to secure the preservation of the Halibut Fishery of the Northern Pacific Ocean, has now been approved by the United States Senate without reservation.

The Committee, therefore, on the recommendation of the Right Honourable the Secretary of State for External Affairs, advise that Your Excellency may be pleased to address a telegraphic despatch to the Right Honourable the Secretary of State for the Colonies asking that His Majesty be humbly moved to ratify the said Convention, and that the instrument of ratification be forwarded to Your Excellency to be exchanged in Washington by the representative of the Canadian Government against the similar ratification of the President of the United States.

E. J. LEMAIRE,

Clerk of the Privy Council.

33033

No. 812.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9 p.m., 11th July, 1924.)

TELEGRAM.

[*Answered by No.* 813.]

11TH JULY. My telegram of 11th June.† Instrument of Ratification of Halibut Treaty. My Ministers anxious to know when this may be expected.—BYNG.

---

* No. 809. † No. 809.

33033

No. 813.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 5.55 p.m., 18th July, 1924.)

TELEGRAM.

18TH JULY. Your telegram 11th July.* Anticipated that Instrument of Ratification of Halibut Treaty will be ready for despatch next week.—THOMAS.

36321

No. 814.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 818.]

(No. 327.)

MY LORD, Downing Street, 31st July, 1924.

WITH reference to my telegram of the 18th July† I have the honour to transmit to Your Excellency the King's Ratification of the Convention signed at Washington on the 2nd March, 1923, relating to the preservation of the Northern Pacific Halibut Fishery, for exchange against a similar ratification on the part of the President of the United States of America.

2. The Secretary of State for Foreign Affairs would be obliged if an authenticated copy of the certificate recording the exchange could be sent in due course.

I have, &c.,

J. H. THOMAS.

41137

No. 815.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.50 p.m., 28th August, 1924.)

TELEGRAM.

[*Answered by Nos.* 816 *and* 817.]

28TH AUGUST. Your despatch of 31st July, No. 327.‡ My Ministers inquire whether model certificate recording exchange of ratification of Treaty might be supplied with information as to customary British procedure to authorize the agent who effects the exchange, more particularly whether additional Full Powers are issued by His Majesty for such purpose or whether original Full Powers are sufficient for the purpose.—BYNG.

43257

No. 816.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 12.40 p.m., 13th September, 1924.)

TELEGRAM.

13TH SEPTEMBER. Your telegram 28th August.§ Halibut Fishery Convention. Not customary for a Full Power to be issued for the exchange of His Majesty's ratification of Convention for that of foreign Power. Model certificate of exchange follows by mail.—SECRETARY OF STATE FOR THE COLONIES.

---

* No. 812. † No. 813. ‡ No. 814. § No. 815.

43257

No. 817.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 405.)

Downing Street, 15th September, 1924.

MY LORD,

WITH reference to Your Excellency's telegram of the 28th of August,* and in confirmation of my telegram of 13th September,† regarding the procedure to be adopted for effecting an exchange of ratifications of the Convention of the 2nd of March, 1923, relating to the preservation of the Northern Pacific Halibut Fishery, I have the honour to request you to inform your Ministers that it is not customary for a Full Power to be issued for the exchange of His Majesty's ratification of a Convention for that of a foreign Power.

2. I enclose a draft model certificate of exchange of ratifications. The certificate should be signed in duplicate, one original copy being for retention by the State Department of the United States of America.

I have, &c.,
(for the Secretary of State),
ARNOLD.

Enclosure in No. 817.

DRAFT.

CERTIFICATE OF EXCHANGE OF RATIFICATIONS.

THE Undersigned having met together for the purpose of exchanging the Ratifications of
between His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and

signed at on the day of , 192 ;
and the respective Ratifications of the said
having been carefully compared, and found to be exactly conformable to each other, the said exchange took place this day in the usual form.

In witness whereof they have signed the present Certificate, and have affixed thereto the seal of their arms.

Done at the day of 192 .

52462

No. 818.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8th November, 1924.)

(No. 457.)

Government House, Ottawa, 30th October, 1924.

SIR,

WITH reference to your despatch No. 327 of the 31st July,‡ regarding the ratification of the Halibut Convention signed at Washington on the 2nd March, 1923, between Great Britain and the United States of America, I have the honour to inform you that the ratifications of this Convention were duly exchanged at Washington on the 21st instant by the Honourable Ernest Lapointe, Minister of Justice, acting on behalf of Canada, and the Honourable Charles E. Hughes, Secretary of State, acting on behalf of the United States of America.

A certified copy of the Protocol of Exchange of Ratifications is enclosed.

I have, &c.,
BYNG OF VIMY.

---

* No. 815. † No. 816. ‡ No. 814.

303

Enclosure in No. 818.

PROTOCOL OF EXCHANGE.

THE undersigned Plenipotentaries having met for the purpose of exchanging the ratifications of the Convention signed at Washington, 2nd March, 1923, between Great Britain and the United States of America for the preservation of the Halibut Fishery of the Northern Pacific Ocean, including Bering Sea, and the ratifications of the Convention aforesaid having been carefully compared and found exactly conformable to each other, the exchange took place this day in the usual form.

In Witness whereof, they have signed the present Protocol of Exchange and have affixed their seals thereto.

Done at Washington this twenty-first day of October, one thousand nine hundred and twenty-four.

(L.S.) ERNEST LAPOINTE.
(L.S.) CHARLES E. HUGHES.

Certified a true copy of the original.
R. H. WALKER,
Acting Under-Secretary of State for External Affairs.

---

(3) Treaties with Canada regarding the Suppression of Smuggling on the International Boundary and Extradition for Narcotic Offences.

(*Treaty Series* 1925, *Nos.* 39 *and* 40.)

9145

No. 819.

FOREIGN OFFICE to COLONIAL OFFICE.

THE Under-Secretary of State for Foreign Affairs presents his compliments to the Under-Secretary of State for the Colonies and, by direction of the Secretary of State, transmits herewith copies of a despatch from His Majesty's Representative at Washington on the subject of the illegal transport of liquor across the Canadian border.

Foreign Office,
25th February, 1924.

Enclosure in No. 819.

(No. 170.)

British Embassy, Washington, D.C., 7th February, 1924.

SIR,

I HAVE the honour to transmit to you, herewith, copies of a despatch, which I have addressed to His Excellency the Governor-General of Canada, regarding certain statements which have recently appeared in the American press on the subject of the agreement alleged to have been reached between the United States and Canada as a result of the Conference regarding the illegal transport of liquor across the Canadian border, which was held at Ottawa during the last week of November, 1923.

I have, &c.,
H. G. CHILTON.

The Right Honourable James Ramsay MacDonald, M.P.,
&c., &c., &c.

(No. 49.)

British Embassy, Washington, D.C., 7th February, 1924.

MY LORD,

WITH reference to previous correspondence respecting the Conference held in Ottawa during the last week of November, 1923, between representatives of the Dominion and United States Governments, with a view to the prevention of the illegal traffic in liquor across the Canadian border, I have the honour to inform Your Excellency that my attention has been drawn to statements which have recently appeared in the press to the effect that an agreement has been arrived at

between the United States and Canada in this matter, and that a Convention is now being drafted containing the decision reached at the Conference held last autumn.

I should be most grateful if Your Excellency would inform me whether the press reports referred to above have any basis in fact, in which event I have the honour to request that I may be furnished with full information on the subject.

A copy of this despatch has been communicated to His Majesty's Principal Secretary of State for Foreign Affairs.

I have, &c.,
H. G. CHILTON.

His Excellency
The Lord Byng of Vimy, G.C.B.,
&c., &c., &c.
Governor-General of Canada, Ottawa.

11073

No. 820.

FOREIGN OFFICE to COLONIAL OFFICE.

THE Under-Secretary of State for Foreign Affairs presents his compliments to the Under-Secretary of State for the Colonies and, by direction of the Secretary of State, transmits herewith copy of a despatch from His Majesty's Representative at Washington on the subject of the illegal transport of liquor across Canadian border.

Foreign Office,
7th March, 1924.

Reference to previous correspondence: Foreign Office letter of 25th February, 1924.*

[Similar letter sent to Board of Trade.]

Enclosure in No. 820.

(No. 216.)

SIR, British Embassy, Washington, 14th February, 1924.

WITH reference to my despatch No. 170 of the 7th instant, I have the honour to transmit to you herewith copies of a note, together with enclosures, which I have addressed to the United States Government, at the request of His Excellency the Governor-General of Canada, on the subject of the Conference held in November last between the United States and Canada regarding the illegal transport of liquor across the Canadian border.

I have, &c.,
H. G. CHILTON.

The Rt. Hon. James Ramsay MacDonald, M.P.,
&c., &c., &c.

(No. 139.)

SIR, British Embassy, Washington, 12th February, 1924.

I HAVE the honour to refer to previous correspondence regarding the Conference which was held at Ottawa in the last week of November, 1923, between representatives of the United States and the Canadian Government, for the purpose of discussing ways and means of preventing illicit traffic in liquor across the Canadian border and, by request of His Excellency the Governor-General, to transmit to you herewith copies of a statement containing the proposals which the United States delegation put forward at the Conference in question, together with a second statement containing the recommendations submitted by the Dominion Government in reply to the proposals of the American delegation.

In communicating to you the above documents, I have the honour to request

* No. 819.

that I may be informed at an early date when the Government of the United States will be prepared to publish these proposals and recommendations.

I have, &c.,
H. G. CHILTON.

The Honourable
Charles E. Hughes,
Secretary of State of the United States,
Washington, D.C.

STATEMENT OF PROPOSALS WHICH THE UNITED STATES DELEGATION HOPES MAY BE AGREED UPON AS A RESULT OF THE CONFERENCE.

THE United States delegation respectfully requests that an administrative agreement may be reached, evidenced by an exchange of letters:—

1. That the Canadian Customs officers along the border be instructed to furnish to designated United States attorneys, United States Customs officials, Prohibition officers or other officers, information concerning clearance of ships from Canadian ports with cargoes of liquor or other articles on board, and also information concerning consignments or loads of liquor or other articles transported by land or aeroplane across the border. United States Customs officers would be instructed to furnish information to Canadian Customs officers concerning shipments or loads of silk and other dutiable articles which there was reason to believe were being smuggled across the border in Canada.

2. That clearances be denied to ships carrying cargoes of liquor when the port of destination is in the United States and also that clearances be denied to ships with cargoes of liquor, which from their tonnage, size and general character would be unable to reach the destinations set forth in the applications for clearances.

3. That an executive reciprocal arrangement be effected for the return of stolen property of all kinds belonging to nationals of the one country and seized by the Customs authorities of the other, upon satisfactory proof of ownership and upon proof that there was no collusion.

4. That reciprocal arrangements be made for the exchange of information concerning the names and activities of those persons known or suspected to be engaged in violation of the Customs, liquor and narcotic laws of the respective countries.

5. That upon request Customs and other administrative officials of the respective Governments be instructed to attend as witnesses and produce such available records and files, or certified copies thereof, as may be considered essential to the trial of civil or criminal cases.

It is understood that the cost of transcripts of records, depositions, certificates and letters rogatory in civil or criminal cases, and the cost of first-class transportation both ways, maintenance and other proper expenses involved in connexion with the attendance of such witnesses, would be paid by the nation requesting their attendance at the time of their discharge by the court from further attendance at such trial.

Letters rogatory and commissions shall be executed with all possible despatch and copies of official records or documents promptly certified by the appropriate officials, in accordance with the provisions of the laws of the respective countries.

6. That a treaty be concluded containing reciprocal arrangements for the extradition of persons accused of violation of the Customs, liquor and narcotic laws of the respective Governments or the States or Provinces thereof.

7. In the event that the proposed extradition convention shall not be concluded, then the convention between the United States and Great Britain of 18th May, 1908, with reference to reciprocal rights for the United States and Canada in the matters of conveyance of prisoners shall be amended by the conclusion of a supplemental convention which shall provide reciprocal rights with respect to the conveyance of persons accused of violating the Customs, liquor and narcotic laws of the respective Governments.

8. A treaty authorizing the Canadian authorities to transport liquor across Alaska under seal and under guard shall be concluded.

9. A treaty authorizing the revenue cutters of each country to pursue across the international boundary line, ships engaged in violating the Customs, liquor and narcotic laws on the Great Lakes, and to search and seize vessels hovering along the international boundary line for the purpose of smuggling goods from one country into the other, or of violating its laws.

Proposal No. 1.

That the Canadian Customs officers along the border be instructed to furnish designated United States attorneys, United States Customs officials, Prohibition or other officers, information concerning clearance of vessels from Canadian ports with cargoes of liquor or other goods where there is reasonable ground for belief that the goods are intended to be smuggled into the United States; and also information concerning consignments or loads of liquor or other goods being transported by land or aeroplane across the border. Reciprocally that United States Customs officers be instructed to furnish information to Canadian Customs officers or other designated officials concerning shipments or loads of silk or other goods where there is reasonable ground for belief that the goods are intended to be smuggled into Canada.

Proposal No. 2.

That no clearance be granted for a port outside Canada to any vessel carrying intoxicating liquors as cargo unless the Collector is satisfied that such vessel's seaworthiness, means of propulsion and equipment are amply sufficient to enable her to make the voyage indicated.

The undersigned are of the opinion that under the present law there is no authority to refuse clearance to vessels with cargoes of liquor merely because the port of destination is a port of the United States.

Proposal No. 3.

That it be left to the Department of Customs and Excise to effect informally a reciprocal arrangement with the corresponding department of Government of the United States relating to return of stolen property in certain circumstances.

Proposal No. 4.

That reciprocal arrangement be made for the exchange of information concerning the names and activities of persons known to be or suspected of being engaged in violation of the Customs, liquor or narcotic drug laws of the respective countries.

Proposal No. 5.

That upon request from the one country, Customs and other administrative officials of the other country be instructed to attend as witnesses and assist in every way legally possible, by production of available records, documents and files or certified copies thereof or otherwise, as may be considered necessary to the trial of civil or criminal cases instituted by the Government.

It is understood that the cost of transcripts of records, depositions, certificates and letters rogatory in civil or criminal cases and the cost of first-class transportation both ways, maintenance and other proper expenses involved in connexion with the attendance of such witnesses, would be paid by the nation requesting their attendance at the time of their discharge by the Court from further attendance at such trial.

Letters rogatory and commissions shall be executed with all possible despatch and copies of official records or documents promptly certified by the appropriate officials, in accordance with the provisions of the laws of the respective countries.

Proposal No. 6.

That with regard to the proposal that a Treaty be concluded containing reciprocal arrangements for the extradition of persons accused of violation of the Customs, liquor and narcotic laws of the respective Governments or the states or provinces thereof, the undersigned are of opinion that the adoption of this proposal would involve a departure from an underlying principle of the existing

Extradition Treaties between the two countries, which is, that extradition will not be permitted unless the offence charged would have been an offence against the laws of the country of refuge if committed there, and that, having in view the diversified character of the laws relating to the above subjects in the several states and provinces of the United States and Canada, it would be unwise to enter into an agreement such as is proposed.

Proposal No. 7.

That with regard to this proposal, which involves the extension of the existing Convention between the United States and Great Britain of 18th May, 1908, to the conveyance of persons accused of violating the Customs, liquor and narcotic laws of the respective Governments, it is to be observed that, having in view the principle mentioned in the next preceding paragraph, it is inadvisable to authorize the conveyance of a prisoner of one country through territory of the other except where he is charged with the commission of an act which would be an offence against the laws of both countries.

Proposal No. 8.

That a Treaty be concluded permitting Canadian authorities to transport liquors across Alaska under seal and under guard.

Proposal No. 9.

That this proposal be not entertained.

Respectfully submitted,

R. R. Farrow,
Commissioner of Customs and Excise.
W. W. Cory,
Deputy Minister of the Interior.
A. Johnston,
Deputy Minister of Marine and Fisheries.
W. Stuart Edwards,
Assistant Deputy Minister of Justice.
Geo. W. Taylor,
Assistant Commissioner of Customs and Excise.
Chas. P. Blair,
General Executive Assistant Customs and Excise.
W. F. Wilson,
Chief, Customs-Excise Preventive Service.

24904

No. 821.

CANADA.

The GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 4.5 a.m., 24th May, 1924.)

Telegram.

[*Answered by No. 826.*]

23rd May. Liquor Treaty. United States and Canada. Minute of Council passed to-day submitting draft of proposed Treaty. After the usual preamble Articles are as follows:—

Begins: Article I. The High Contracting Parties agree that the appropriate officers of the Government of Canada and of the United States of America respectively shall be required to furnish upon request to the duly authorized officers of the other Government, information concerning the clearance of vessels or transportation of cargoes, shipments or loads of articles across the international boundary when importation of cargo carried or of articles transported by land is subject to payment of duty; also to furnish information respecting clearance of vessels to foreign ports when there is ground to suspect that owners or persons in possession of the cargo intend to smuggle it into the territory of Canada or of the United States.

2. High Contracting Parties agree that clearance from the United States or from Canada shall be denied to any vessel carrying cargo consisting of articles importation of which into territory of Canada or of the United States, as the case may be, is prohibited, when it is evident from the tonnage, size and general character of the vessel or length of the voyage and perils or conditions of navigation attendant upon it that vessel will be unable to carry its cargo to destination proposed in the application for clearance.

3. Each of the High Contracting Parties agrees with the other that property of all kinds in its possession which, having been stolen and brought into the territory of the United States or of Canada, is seized by its Customs authorities shall, when the owners are nationals of other country, be returned to such owners subject to satisfactory proof of such ownership and absence of any collusion, and subject moreover to payment of expenses of seizure and detention and to abandonment of any claims by owner against Customs or Custom officers, warehouse men or agents for compensation or damages for seizure, detention, warehousing or keeping of properties.

4. High Contracting Parties reciprocally agree to exchange information concerning names and activities of all persons known or suspected to be engaged in violation of the narcotic laws of United States or of Canada respectively.

5. It is agreed that Customs and other administrative officials respectively of Governments of United States and of Canada shall upon request be directed to attend as witnesses and to produce such available records and files or certified copies thereof as may be considered essential to the trial of civil or criminal cases and as may be produced compatibly with public interest.

Cost of transcript of records, depositions, certificates and letters rogatory in civil or criminal cases and the cost of first-class transportation both ways, maintenance and other proper expenses involved in attendance of such witnesses shall so far as may be necessary or required be advanced by requisitioning authority at the time of requisition and shall, except in so far as they shall have been so advanced, be paid by that authority : at the time of discharge of the witnesses by the Court from further attendance at trial.

Letters rogatory and commissions should be executed with all possible despatch, and copies of official records or documents should be certified promptly by appropriate officials in accordance with provisions of the laws of the respective countries.

6. Following offences are added to the list of offences Nos. 1 to 3 in first Article of Treaty concluded between the United States and Great Britain on 18th May, 1908, with reference to reciprocal rights for the United States and Canada in the matter of the conveyance of prisoners and wreck and salvage, that is to say :

4. Offences against Narcotics Laws of the respective Governments.

7. No penalty or forfeiture under the Law of the United States shall be applicable or attached to alcoholic liquors or to vessels, vehicles or persons by reason of the carriage of such liquors when they are transported under guards by Canadian authorities through the territorial waters of the United States to Skagway, Alaska, and thence by the shortest route via the White Pass and Yukon Railway upwards of twenty miles to Canadian Territory, and such transit shall be as now provided by law with respect to transit of alcoholic liquors through the Panama Canal or on the Panama Railway, provided that such liquors shall be kept under Seal continuously while the vessel or vehicle on which they are carried remains within the said territory and that no part of such liquors shall at any time or place be unladen within the United States, its territories or possessions.

8. This Convention shall be ratified and ratifications shall be exchanged as soon as possible. Convention shall come into effect at the expiration of ten days from the date of exchange of ratifications, and it shall remain in force for one year, and thereafter until one or other of the High Contracting Parties shall signify its wish to terminate it, and no longer. *Ends.*

Above communicated to His Majesty's Ambassador at Washington for communication to the United States Government.

Despatch follows by mail.—Byng.

24839

No. 822.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6.0 a.m., 24th May, 1924.)

TELEGRAM.

[*Answered by Nos.* 825 *and* 826.]

23RD MAY. My telegram 23rd May.* Following is text of Minute of the Council approved to-day :—

Begins: The Committee of the Privy Council have had before them a Report dated 23rd May, 1924, from the Secretary of State for External Affairs with reference to Minute of the Council dated 23rd May, 1924, Privy Council No. 871, submitting draft of a proposed Treaty between Canada and the United States for the purpose of suppressing smuggling operations along the International boundary and of assisting in arrest and prosecution of persons violating Narcotics Law of either Government.

The Minister represents that it is expedient in connexion therewith to invest fit person with Full Powers to treat on the part of His Majesty the King in respect of the Dominion of Canada with a person or persons similarly empowered on the part of the United States of America, and he therefore recommends that His Majesty the King be humbly moved to issue Letters Patent to the Honourable Ernest Lapointe, K.C., B.A., LL.B., a member of His Majesty's Privy Council for Canada and Minister of Justice of the Dominion, naming and appointing him as Commissioner and Plenipotentiary in respect to the Dominion of Canada with Full Powers and authority to conclude such Treaty with such Plenipotentiary or Plenipotentiaries as may be vested with similar powers and authority on the part of the United States of America, and to sign for and in the name of His Majesty the King in respect of the Dominion of Canada everything so agreed upon and concluded and to transact all such other matters as may appertain thereto.

Minister further recommends that this Order in Council be transmitted by telegraph to the Right Honourable Secretary of State for the Colonies with a request that as set forth herein His Majesty the King be humbly moved to issue to the said Honourable Ernest Lapointe necessary Full Powers authorizing him to conclude and sign such a Treaty in respect to Canada.

All of which is respectfully submitted for Your Excellency's approval.

E. J. Lemaire, Clerk of the Privy Council. *Ends.*

—Byng.

24840

No. 823.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5.30 a.m., 24th May, 1924.

TELEGRAM.

[*Answered by Nos.* 825 *and* 826.]

23RD MAY. With reference to despatches of to-day† respecting conclusion of Treaty between His Majesty the King in respect of the Dominion of Canada and the United States for suppression of smuggling operations along international boundary and to assist in arrest and prosecution of persons violating the Narcotics Law of either Government, my Ministers desire to draw attention of His Majesty's Government to the circumstances that Article 6 of proposed draft Treaty is in the nature of amendment to the Treaty between Great Britain and the United States respecting reciprocal conveyance of Canadian and American prisoners through

---

* No. 821. † Nos. 821 and 822.

American and Canadian territory respectively; that such amendment will affect such treaty only in so far as matters concerned relate to the Dominion of Canada, and will not, therefore, affect the interests of the British Government in the matter.

My Ministers desire further to state that, as the Congress of the United States will in all probability adjourn about the 7th June, they would be obliged if the Full Power requested for the Honourable Ernest Lapointe with respect to conclusion and signature of the said Treaty could be forwarded immediately so that the Treaty may be signed in time to submit to the United States Senate before the conclusion of its present Session.—BYNG.

25363

No. 824.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.55 a.m., 27th May, 1924.)

TELEGRAM.

[*Answered by No.* 830.]

26TH MAY. My telegram of 23rd May,* Liquor Treaty. Following is the preamble of the draft of the proposed Treaty, Articles of which were telegraphed in my telegram referred to:—

Begins: His Majesty the King of Great Britain and Ireland and of the British Dominions beyond the Sea(s) Emperor of India, in behalf of the Dominion of Canada, and the United States of America, being desirous of suppressing smuggling operations along the boundary between the Dominion of Canada and the United States of America and of assisting in the arrest and prosecution of persons violating the Narcotic Laws of either Government, have agreed to conclude a Convention to give effect to these purposes and have named as their plenipotentiaries; His Britannic Majesty in behalf of the Dominion of Canada; and the President of the United States; who having communicated to each other their respective Full Powers which were found to be in due and proper form have agreed upon the following Articles. *Ends.*

Canadian Government desires to alter the phrasing "In behalf of the Dominion of Canada" in the preamble so as to read "In respect of the Dominion of Canada" in order that the phrasing may conform with the wording of the Resolution adopted at the Imperial Conference, 1923, also to insert after words of the said preamble "violate the Narcotic Laws of either Government" following words "and of permitting transportation of alcoholic liquor through Alaska into the Yukon Territory." Purpose of this addition is as expressed in the Resolution adopted at the Imperial Conference, 1923, to make clear in its preamble the full scope of the proposed Treaty.—BYNG.

25386

No. 825.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 219.)

Downing Street, 27th May, 1924.

MY LORD,

WITH reference to Your Excellency's telegrams of the 23rd May,† I have the honour to transmit to you, to be laid before your Ministers, the Full Power issued by His Majesty the King to the Honourable E. Lapointe authorizing him to negotiate and sign the proposed Treaty with the United States of America for the prevention of smuggling across the International Boundary.

I have, &c.,

J. H. THOMAS.

---

* No. 821. † Nos. 821, 822 and 823.

Enclosure in No. 825.

GEORGE R.I.

GEORGE, by the Grace of God, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas King, Defender of the Faith, Emperor of India, etc., etc., etc. To all and singular to whom these Presents shall come, Greeting!

Whereas, for the better treating of and arranging certain matters which are now in discussion, or which may come into discussion, between Us and Our Good Friends the United States of America, relating to the suppression of smuggling operations along the boundary between the United States of America and Canada and the prosecution of persons violating the narcotic laws of the United States of America or Canada, We have judged it expedient to invest a fit person with Full Power to conduct the said discussion on Our part in respect of Our Dominion of Canada; Know ye, therefore, that We, reposing especial Trust and Confidence in the Wisdom, Loyalty, Diligence, and Circumspection of Our Trusty and Well-beloved the Honourable Ernest Lapointe, one of Our Counsel learned in the Law, Member of the Parliament of Canada, Member of Our Privy Council for Canada, Minister of Justice and Attorney-General of Our Dominion of Canada, have named, made, constituted and appointed, as We do by these Presents name, make, constitute and appoint him Our undoubted Commissioner, Procurator, and Plenipotentiary in respect of Our Dominion of Canada; Giving to him all manner of Power and Authority to treat, adjust and conclude with such Minister or Ministers as may be vested with similar Power and Authority on the part of Our Good Friends the United States of America any Treaty, Convention or Agreement that may tend to the attainment of the above-mentioned end, and to sign for Us and in Our Name, in respect of Our Dominion of Canada, everything so agreed upon and concluded, and to do and transact all such other matters as may appertain thereto, in as ample manner and form, and with equal force and efficacy, as We Ourselves could do if personally present: Engaging and Promising, upon Our Royal Word, that whatever things shall be so transacted and concluded by Our said Commissioner, Procurator, and Plenipotentiary in respect of Our Dominion of Canada, shall, subject if necessary to Our Ratification, be agreed to, acknowledged and accepted by Us in the fullest manner, and that We will never suffer, either in the whole or in part, any person whatsoever to infringe the same, or act contrary thereto, as far as it lies in Our power.

In witness whereof We have caused the Great Seal of Our United Kingdom of Great Britain and Ireland to be affixed to these Presents, which We have signed with Our Royal Hand.

Given at Our Court of Saint James, the Twenty-Sixth day of May, in the Year of Our Lord, One thousand Nine hundred and Twenty-four and in the Fifteenth Year of Our Reign.

SEAL.

25386

No. 826.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 4.55 p.m., 28th May, 1924.)

TELEGRAM.

[*Answered by Nos.* 828, 829 *and* 830.]

28TH MAY. Your telegrams 23rd May,* Liquor Treaty. Full Power sent by mail 27th May.† His Majesty's Ambassador Washington has been informed by telegraph of issue of Full Power, and it has been suggested that, should Full Power not arrive in time, it may be possible to arrange for United States Government to accept statement that Full Power signed by His Majesty.

Observed that in Article I, draft Treaty, expression "foreign ports" is used. If, as is assumed to be case, words are intended to refer to ports outside United States of America and Canada respectively, would it not be desirable to make intention clearer lest doubt should arise whether in relation to Canada term includes ports in other parts of British Empire.—SECRETARY OF STATE FOR THE COLONIES.

---

* Nos. 821, 822 and 823.

25835

No. 827.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9.45 a.m., 29th May, 1924.)

TELEGRAM.

[*Answered by No.* 830.]

28TH MAY. My telegram of 23rd May* submitting draft of proposed Liquor Treaty with the United States of America. Minute of Council approved to-day submitting draft of proposed treaty regarding extradition for narcotic offences, of which the following is the text:—

Begins: "His Majesty the King of Great Britain and Ireland and of the British Dominions beyond the Sea(s) Emperor of India, in respect of the Dominion of Canada, and the United States of America, being desirous of enlarging the list of crimes on account of which extradition may be granted in so far as Canada is concerned under the Convention concluded between the United States and Great Britain on the 12th July, 1889, and the 13th December, 1900, and the 12th April, 1905, and the 15th May, 1922, with a view to the better administration of Justice and the prevention of crime, have resolved to conclude a Supplementary Convention for this purpose, and have appointed as their plenipotentiaries, to wit, His Britannic Majesty; the President of the United States; who, after having communicated to each other their respective Full Powers which were found to be in due and proper form, have agreed to and concluded the following articles:

Article I.—Following crimes are, subject to the provision contained in Article II hereof, added to the list of crimes numbered I to X in the first Article of the said Convention of 12th July, 1889, and to the list of crimes numbered XI to XIII in Article I of the Supplementary Convention concluded between the United States and Great Britain on the 15th May, 1922, that is to say: XVII, Crimes and offences against the law for suppression of traffic in narcotics.

Article II.—Operation of the present Convention is confined to cases in which, the offences mentioned in the preceding Article having been committed in the United States or in the Dominion of Canada, person charged with the offence is found in the Dominion of Canada or in the United States respectively.

Article III.—Present Convention shall be considered as integral part of the said Extradition Conventions of 12th July, 1889, and 13th December, 1900, and 12th April, 1905, and 15th May, 1922, and the first Article of the said Convention of 12th July, 1889, shall be read as if the list of crimes therein contained had originally comprised the additional crimes specified and numbered XVII in the first Article of the present Convention subject to the provision contained in Article II.

Present Convention shall be ratified and ratifications shall be exchanged either at Washington or London as soon as possible.

It shall come into force ten days after its publication in conformity with the laws of the High Contracting Parties, and it shall continue and terminate in the same manner as the said Convention of the 12th July, 1889."
Ends.

Above has been telegraphed to His Majesty's Ambassador at Washington for communication to the United States Government and is communicated for your information in accordance with the principles governing the relations of the various parts of the Empire and procedure to be observed in negotiation, signature and ratification of international agreements as recommended by Conference of 1923.

My Ministers desire that His Majesty the King may be humbly moved to issue necessary Full Powers to the Honourable Ernest Lapointe, K.C., B.A., LL.B., member of His Majesty's Privy Council for Canada, Minister of Justice of the Dominion, authorizing him conclude with the duly empowered plenipotentiary or plenipotentiaries of the United States of America and to sign such treaty in respect of Canada.—BYNG.

---

* No. 821.

26114

306

No. 828.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2.45 a.m., 31st May, 1924.)

TELEGRAM.

30TH MAY. Your telegram of 28th May.* Liquor Treaty. My Ministers desire to express their thanks for your having expedited the issue of the necessary Full Powers, and also for having drawn the attention of the Canadian Government to the use of the word "Foreign" in Article I of the draft Treaty and to intimate that it is proposed to substitute for the word "Foreign" the word "any."—BYNG.

26590

No. 829.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6.40 a.m., 3rd June, 1924.)

TELEGRAM.

[*Answered by No.* 830.]

2ND JUNE. Your telegram of 28th May.* Proposed Treaty with United States respecting extradition for offences in connexion with traffic in narcotics. My Ministers desire to express high appreciation of your courtesy in securing so promptly Full Powers for the Honourable Ernest Lapointe in connexion with the Treaty with the United States for the suppression of smuggling operations along the International boundary and arranging for telegraphing such Full Powers.

My Ministers ask that you may be informed that, owing to the expected adjournment of the United States Congress 7th June and the desirability of both Treaties being dealt with at the same time, it is of the utmost importance that the like Full Powers should be issued to Mr. Lapointe to make possible the conclusion of the Treaty respecting extradition above referred to before Congress rises, and that if the actual document itself cannot arrive in time, Canadian Government would be much obliged if telegraphic authorization could be given him for the purpose.—BYNG.

26644

No. 830.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 4.30 p.m., 3rd June, 1924.)

TELEGRAM.

[*Answered by No.* 832.]

3RD JUNE. Your telegram 26th May, your telegram 28th May, your telegram 2nd June,† Treaties with United States of America. As regards wording of preambles, Secretary of State for Foreign Affairs points out that full title of His Majesty is "His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions, etc."

Full Power forwarded in my despatch 27th May, 219,‡ authorizes Lapointe to conclude any Treaty, Convention or Agreement that may tend to suppression of smuggling operations along boundary and prosecution of persons violating narcotic laws of United States and Canada, and would thus appear sufficient to authorize signature of proposed Extradition Treaty without issue of special Full Power to that end.—SECRETARY OF STATE FOR THE COLONIES.

---

* No. 826. † Nos. 824, 827 and 829. ‡ No. 825.

26644

No. 831.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 4.40 p.m., 3rd June, 1924.)

TELEGRAM.

3RD JUNE. Secret. My telegram of to-day.* Treaties with United States of America. I think it well that your Ministers should know that in Debate in Irish Free State Parliament on ratification of Liquor Treaty with United States there was considerable discussion as to use of expression "United Kingdom of Great Britain and Ireland" in King's title. Matter is under examination, but alteration in existing title could only be effected by agreement between British and Dominion Governments and would require legislation.—SECRETARY OF STATE FOR THE COLONIES.

26740

No. 832.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.52 a.m., 4th June, 1924.)

TELEGRAM.

3RD JUNE. Your telegram of 3rd June.* Treaties with United States of America. My Ministers much appreciate the prompt attention their requests have received and wish to thank you for the assurance that Full Powers given Lapointe sufficient to authorize signature of treaties. Lapointe will see that the full title of His Majesty is set forth in the preambles of the treaties, as indicated by the Secretary of State for Foreign Affairs. Washington is being advised accordingly. My Ministers have received information that Lapointe should be at Washington early Thursday afternoon, 5th June, to sign pending treaties, and that Congress will adjourn *sine die* 7th June. He leaves for Washington to-morrow, 4th June.—BYNG.

28111

No. 833.

FOREIGN OFFICE to COLONIAL OFFICE.

THE Under-Secretary of State for Foreign Affairs presents his compliments to the Under-Secretary of State for the Colonies and, by direction of the Secretary of State, transmits herewith copy of a telegram from His Majesty's Ambassador at Washington, dated 10th June, on the subject of the proposed Canadian-United States Treaty for suppression of liquor smuggling across the border.

Foreign Office,
13th June, 1924.

Reference to previous correspondence: Colonial Office letter of 26th May.†

Enclosure in No. 833.

HIS MAJESTY'S AMBASSADOR AT WASHINGTON to THE SECRETARY OF STATE FOR FOREIGN AFFAIRS.

(Received 9.15 p.m., 10th June, 1924.)

TELEGRAM.

(No. 204. (R.)) 10th June. Your telegram No. 140. Canadian Liquor Treaty, although signed by Lapointe on 6th June, was not considered by Senate prior to adjournment. Its ratification by that body is therefore postponed until next December.

---

* No. 830. † 24904/24: not printed; it forwarded for consideration a copy of No. 821.

29264

309

No. 834.

FOREIGN OFFICE to COLONIAL OFFICE.

THE Under-Secretary of State for Foreign Affairs presents his compliments to the Under-Secretary of State for the Colonies and, by direction of the Secretary of State, transmits herewith copies of a despatch from His Majesty's Ambassador at Washington, on the subject of the Canadian-United States Liquor Treaty.

Foreign Office,
19th June, 1924.

Reference to previous correspondence: Foreign Office letter of 13th June, 1924.*

Enclosure in No. 834.

(No. 981.)

SIR, British Embassy, Washington, D.C., 6th June, 1924.

WITH reference to my despatch No. 918 of 30th May,† relative to the Treaty between the United States of America and the Dominion of Canada for the purpose of suppressing the illicit liquor traffic between the two countries, I have the honour to report that the United States Government intimated to me on the 4th of June that they were disposed to accept my statement that Full Powers to sign this Treaty had been conferred on Mr. Lapointe, and that they would be glad to sign the Treaty with him as soon as possible.

In the hope of getting the Treaty ratified by the Senate before the end of the present session, Mr. Lapointe arrived in Washington yesterday, and the Treaty was signed at the State Department this morning. It will be immediately forwarded to the Senate for ratification, but it is doubtful whether there will be time for this formality before the session ends to-morrow.

I understand that certain minor alterations have been made in the draft which I forwarded to you with my despatch under reference (including the insertion of the full title of His Majesty the King in the preamble), as the result of consultation between Mr. Lapointe and the State Department.

Copies of the Treaty in the form in which it was signed are not available for transmission by this bag, but they will be forwarded as soon as available. Meanwhile, copies of the summary‡ of the Treaty as issued to the press by the State Department this evening, are enclosed.

Every assistance has been accorded by this Embassy to Mr. Lapointe in connexion with the signature of this Treaty, and he left for Ottawa this afternoon taking with him the signed copy of the Treaty for the Dominion Government.

I have, &c.,
ESMÉ HOWARD.

The Right Honourable James Ramsay MacDonald, M.P.,
&c., &c., &c.

30545

No. 835.

FOREIGN OFFICE to COLONIAL OFFICE.

THE Under-Secretary of State for Foreign Affairs presents his compliments to the Under-Secretary of State for the Colonies and, by direction of the Secretary of State, transmits herewith copies of a despatch from His Majesty's Ambassador at Washington on the subject of the proposed Canadian-United States Treaty for suppression of liquor smuggling across the border.

Foreign Office,
27th June, 1924.

Reference to previous correspondence: Foreign Office letter of 27th May, 1924.§

---

* No. 833. † Enclosure in No. 835. ‡ Not printed; for the text of the Treaty see Treaty Series No. 39 of 1925. § 25386/24: not printed; it forwarded the Full Power for Mr. Lapointe (see enclosure in No. 825).

Enclosure in No. 835.

(No. 918.)

British Embassy, Washington, D.C., 30th May, 1924.

SIR,

WITH reference to your telegram No. 140 of the 27th instant, I have the honour to transmit to you herewith copies of a note to the United States Government, enclosing the draft of a proposed treaty between the United States of America and the Dominion of Canada for the purpose of suppressing the illicit liquor traffic across the international boundaries between the two countries.

I have not failed to inform the United States Government that Full Powers were despatched on 27th May to the Honourable Ernest Lapointe authorizing him to conclude the treaty above-mentioned, and I have also expressed the hope that, if the Full Powers referred to are for any reason delayed in transit between London and Ottawa and the signature of the Treaty is thereby threatened with postponement until after the recess of Congress has begun, the United States Government will accept my statement as a definite assurance that the Full Powers conferred upon the Honourable Ernest Lapointe have been signed by His Majesty.

I have, &c.,

ESMÉ HOWARD.

The Rt. Hon. J. Ramsay MacDonald, M.P.,
&c., &c., &c.

(No. 478.)

British Embassy, Washington, 28th May, 1924.

SIR,

I HAVE the honour to refer to previous correspondence respecting the prevention of liquor smuggling across the Canadian border and, by request of His Excellency the Governor-General of Canada, to transmit to you herewith the draft* of a proposed treaty between the United States of America and the Dominion of Canada for the purpose of suppressing the illicit liquor traffic across the international boundary between the two countries which has been drawn up as a result of the recommendations agreed upon by the representatives of the United States and Canada at the conference held at Ottawa in November last.

Lord Byng of Vimy, who feels confident that the terms of the enclosed draft treaty will be agreeable to the United States Government, desires me to emphasize the mutual advantages which would accrue to both the Governments concerned if the treaty could be signed and ratified during the present session of Congress, and I have, therefore, the honour to request that I may be furnished with an expression of your views on this matter as soon as possible.

I have, &c.,

ESMÉ HOWARD.

The Honourable
Charles E. Hughes,
Secretary of State of the United States,
Washington, D.C.

35874

No. 836.

FOREIGN OFFICE to COLONIAL OFFICE.

(Received 26th July, 1924.)

Foreign Office, S.W.1, 24th July, 1924.

SIR,

WITH reference to your letter of the 27th ultimo,† relative to the proposed supplementary Treaty between the United States of America and the Dominion of Canada for extradition in respect of offences against the laws for the suppression of the traffic in narcotics, I am directed by Mr. Secretary Ramsay MacDonald to transmit to you a copy of a despatch addressed to the Governor-General of Canada by His Majesty's Ambassador at Washington, enclosing a copy of a note from the United States Government drawing attention to certain defects in the draft Treaty.

* Not printed; for the text of the Treaty as signed see Treaty Series No. 30 of 1925. † 28186/24: not printed: it enclosed a copy of a despatch from the Governor-General of Canada forwarding the Privy Council Minute on which No. 827 was based.

2. I am to state, for Mr. Secretary Thomas's information, that Mr. Ramsay MacDonald concurs in the insertion in the preamble and Article 1 of the draft Treaty of the phrases mentioned in paragraph 4 of the note from the United States Government, and to observe that the text of Article 1 would then follow as far as "1905" the wording of the corresponding article of the supplementary extradition Convention signed at London, 15th May, 1922.

3. I am to add that there would appear to be no objection to the omission from the preamble of the phrase "in so far as Canada is concerned" suggested in the fifth paragraph of the enclosed note.

I am, &c.,
COURTENAY FORBES.

Enclosure in No. 836.

(No. 251.)

British Embassy, Manchester, Mass., 27th June, 1924.

MY LORD,

WITH reference to Your Excellency's despatch No. 485 of the 30th ultimo and previous correspondence, with regard to the proposed Treaty with the United States of America for the purpose of enlarging the list of extraditable crimes so as to assist in the suppression of the traffic in narcotics, I have the honour to enclose a copy of a note which I have received from the United States Government.

I shall be glad to learn in due course what further action Your Excellency's Ministers desire me to take in the matter, as well as the nature of the reply which should be returned to Mr. Hughes.

I have, &c.,

ESMÉ HOWARD.

His Excellency
The Lord Byng of Vimy, G.C.B.,
&c., &c., &c.
Governor-General of Canada,
Ottawa.

Department of State, Washington, 23rd June, 1924.

EXCELLENCY,

I HAVE the honour to acknowledge the receipt of your note No. 485 of 30th May, 1924, with which, at the request of the Governor-General of Canada, you enclosed a draft of a proposed Treaty providing for the extradition, as between the United States and the Dominion of Canada, of persons charged with crimes and offences against the laws for the suppression of the traffic in narcotics.

The proposal was received at too late a date to arrange for the conclusion of the Treaty and its submission to the Senate of the United States for approval prior to the recent adjournment of Congress.

This Government would be pleased to conclude a Treaty such as you proposed, but it appears that the draft submitted with your note under acknowledgment is defective in some respects.

In line 4 of the draft there is an evident omission after the word "the" of the words "President of the." Likewise in line 7 of Article 1 of the draft after the word "the" there is an evident omission of the following words: "13th December, 1900, and to the list of crimes numbered 14 and 15 in Article 1 of the Supplementary Convention concluded between the United States and Great Britain on the 12th April, 1905, and to the list of crimes numbered 16 in Article 1 of the Supplementary Convention concluded between the United States and Great Britain on the."

It is observed that in the preamble to the draft Convention it is stated that the contracting parties are desirous of enlarging the list of crimes on account of which extradition may be granted "in so far as Canada is concerned." This statement seems to be somewhat inexact since, of course, the United States is concerned as well as Canada. Moreover, Article 2 of the draft Convention expressly provides for the limitation of the operation of the Convention to the United States and Canada, and therefore the quoted words contained in the preamble would seem to be superfluous and it is suggested that they be omitted.

I beg to be advised whether it would be satisfactory to the Governor-General of Canada to conclude the Treaty in question with the changes indicated above.

Accept, &c.,
CHARLES E. HUGHES

His Excellency
The Right Honourable
Sir Esmé Howard, G.C.M.G., K.C.B., C.V.O.,
Ambassador of Great Britain.

38543

No. 837.

FOREIGN OFFICE to COLONIAL OFFICE.

SIR, Foreign Office, S.W.1, 12th August, 1924.

WITH reference to the Foreign Office letter of the 24th ultimo* and previous correspondence relative to the proposed Treaty for the extradition as between the United States and Canada of persons charged with crimes and offences against the laws for the suppression of the traffic in narcotics, I am directed by Mr. Secretary Ramsay MacDonald to transmit to you a copy of a despatch from His Majesty's Ambassador at Washington.

2. In the preamble of the draft Treaty enclosed therein the title of His Majesty is incorrectly rendered, and Sir E. Howard's attention is being called to this point.

I am, &c.,
HUBERT MONTGOMERY.

Enclosure in No. 837.

(No. 1214.)

SIR, British Embassy, Manchester, Mass., 25th July, 1924.

I HAVE the honour to transmit to you, herewith, copies of a note to the Department of State, Washington, on the subject of the draft Treaty between the United States and Canada making provision for enlarging the list of extraditable crimes.

I have, &c.,
(for the Ambassador),
HERBERT W. BROOKS.

His Majesty's Principal Secretary of State for Foreign Affairs,
Foreign Office, London.

Reference: Washington despatch No. 1075 of 27th June, 1924.

(No. 666.)

SIR, British Embassy, Manchester, Mass., 25th July, 1924.

I HAVE the honour to refer to the note No. 811/114 of the 23rd ultimo† in which Mr. Hughes was so good as to indicate the views of the United States Government with regard to the proposed Treaty for the extradition, as between the United States and Canada, of persons charged with crimes and offences against the laws for the suppression of the traffic in narcotics, and to inform you that the views of the United States Government have been carefully considered by the Government of Canada.

The Dominion Government would have no objection to the insertion of the words "President of the" in line 4 of the preamble, nor to remedying the omission in line 6 of Article 1 of the Treaty by the insertion of the words suggested by the Secretary of State. They submit, for the consideration of the United States Government, that, instead of the words "in so far as Canada is concerned," which appeared to Mr. Hughes to be somewhat inexact, the following words should be inserted "with regard to certain offences committed in the United States or in the Dominion of Canada." These words would bring the preamble into precise agreement with the provisions of Article 11 of the Treaty.

---

* No. 836. † Sub-enclosure to Enclosure in No. 836.

For your convenience a draft* of the Treaty as amended and approved by the Dominion Government including the alterations mentioned above is enclosed herein, and I should be grateful if I might be informed whether the terms of this draft meet with the approval of the United States Government.

I have, &c.,
ESMÉ HOWARD.

The Honourable
Joseph C. Crew,
Acting Secretary of State,
Washington, D.C.

40960

No. 838.

FOREIGN OFFICE to COLONIAL OFFICE.

[*Answered by No.* 839.]

THE Under-Secretary of State for Foreign Affairs presents his compliments to the Under-Secretary of State for the Colonies and, by direction of the Secretary of State, transmits herewith copy of correspondence with His Majesty's Representative at Washington on the subject of the proposed treaty between the United States and Canada in regard to the extradition of persons charged with offences against the laws for the suppression of the traffic in narcotics, for such observations as Mr. Secretary Thomas may desire to offer.

Foreign Office,
27th August, 1924.

Reference to previous correspondence: Foreign Office letter of 12th August, 1924.† Colonial Office letter of 27th June, 1924.‡

Enclosure 1 in No. 838.

(No. 1268.)

SIR, Foreign Office, S.W.1, 9th August, 1924.

WITH reference to Your Excellency's despatch No. 1214 of the 25th ultimo§ relative to the proposed treaty for the extradition as between the United States and Canada of persons charged with crimes and offences against the laws for the suppression of the traffic in narcotics, I have to observe that in the preamble of the draft treaty enclosed therein The King's title is incorrectly rendered and should read: "His Majesty The King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India."

I am, &c.,
(For the Secretary of State),
HUBERT MONTGOMERY.

His Excellency
The Right Honourable
Sir Esmé Howard, G.C.M.G., K.C.B., C.V.O.,
&c., &c., &c.

Enclosure 2 in No. 838.

TELEGRAM FROM SIR E. HOWARD (MANCHESTER, MASS.) to FOREIGN OFFICE.

(Received 9 a.m., 27th August, 1924.)

(No. 274. (R.))

26TH AUGUST. Your despatch No. 1268. Am I to inform Canadian Government or are you doing so through Colonial Office?

---

* Not printed here; for the text of the Treaty as signed see Treaty Series No. 40 of 1925. † No. 837.
‡ 28186/24: not printed; it enclosed a copy of a despatch from the Governor-General of Canada forwarding the Privy Council minute on which No. 827 was based. § Enclosure in No. 837.

40960

No. 839.

COLONIAL OFFICE to FOREIGN OFFICE.

Sir, Downing Street, 4th September, 1924.

I am directed to acknowledge the receipt of your letter of the 27th August* regarding the proposed treaty for the extradition as between Canada and the United States of America of persons charged with crimes and offences against the laws for the suppression of the traffic in narcotics.

2. As it was stated in the Governor-General's telegram of the 4th June† (a copy of which was enclosed in the letter from this Department of the 5th June‡) that arrangements would be made to set forth His Majesty's full title in the preamble to this treaty as well as that relating to the suppression of smuggling on the International boundary, it would seem sufficient for His Majesty's Ambassador at Washington to draw the attention of the Canadian Government to the point.

I am, &c.,
C. T. DAVIS.

43491

No. 840.

FOREIGN OFFICE to COLONIAL OFFICE.

The Under-Secretary of State for Foreign Affairs presents his compliments to the Under-Secretary of State for the Colonies and, by direction of the Secretary of State, transmits herewith copy of a despatch from His Majesty's Ambassador at Washington on the subject of the proposed treaty between the United States and Canada for the extradition of persons charged with offences against the laws for the suppression of the narcotic traffic.

Foreign Office,
12th September, 1924.

Reference to previous correspondence: Colonial Office letter of 4th September, 1924.§

Enclosure in No. 840.

(No. 1353.)

Sir, British Embassy, Manchester, Mass., 25th August, 1924.

I have the honour to transmit to you herewith copies of a note from the Department of State, Washington, on the subject of the proposed treaty between the United States and Canada for the extradition of persons charged with the crimes and offences against the laws for the suppression of the narcotic traffic.

I have, &c.,
(For the Ambassador),
H. W. Brooks.

His Majesty's Principal Secretary of State for Foreign Affairs,
Foreign Office,
London.

Reference: Embassy despatch No. 1214 of 25th July, 1924.‖

Excellency, Department of State, Washington, 21st August, 1924.

I have the honour to acknowledge the receipt of your Note No. 666 of 25th July, 1924,¶ in which, referring to the Department's Note of 23rd June, 1924,** suggesting certain changes in the proposed treaty for the extradition as between the United States and Canada of persons charged with crimes and offences against the laws for the suppression of the traffic in narcotics, you enclosed an amended draft of the proposed treaty.

* No. 838. † No. 832. ‡ 26740/24: not printed; it enclosed a copy of No. 832. § No. 839.
‖ Enclosure in No. 837. ¶ Sub-enclosure to Enclosure in No. 837. ** Sub-enclosure to Enclosure in No. 836.

In response to your inquiry I take pleasure in stating that the terms of the amended draft meet with the approval of the Department, and that it is prepared to sign a treaty in the terms of that draft.

312

Accept, &c.,
Charles E. Hughes.

His Excellency
The Right Honourable
Sir Esmé Howard, G.C.M.G., K.C.B., C.V.O.,
Ambassador of Great Britain.

47913

No. 841.

FOREIGN OFFICE to COLONIAL OFFICE.

The Under-Secretary of State for Foreign Affairs presents his compliments to the Under-Secretary of State for the Colonies and, by direction of the Secretary of State, transmits herewith copy of a despatch from His Majesty's Ambassador, Washington, on the subject of the proposed treaty between Canada and the United States of America for the extradition of persons charged with crimes against the laws for the suppression of the narcotic traffic.

Foreign Office,
10th October, 1924.

Reference to previous correspondence: Colonial Office letter of 4th September, 1924.*

Enclosure in No. 841.

(No. 1480.)

Sir, British Embassy, Manchester, Mass., 24th September, 1924.

I have the honour to transmit to you herewith copies of a despatch to the Governor-General of Canada on the subject of the proposed treaty between Canada and the United States for the extradition of persons charged with crimes and offences against the laws for the suppression of the traffic in narcotics.

I have, &c.,
(For the Ambassador),
H. G. Chilton.

His Majesty's Principal Secretary of State for Foreign Affairs,
Foreign Office,
London.

Reference: Foreign Office telegram No. 267 of 6th September, 1924.

(No. 361.)

My Lord, British Embassy, Manchester, Mass., 24th September, 1924.

With reference to my despatch No. 344 of the 8th instant, I have the honour to transmit to Your Excellency herewith copy of a note from the United States Government from which it appears that Mr. Hughes will be ready at an early date to sign the proposed treaty between Canada and the United States for the mutual extradition of persons charged with crimes and offences against the laws for the suppression of the traffic in drugs and narcotics.

I should be glad if Your Excellency would inform me in due course of the date selected by the Dominion Government for the signature of the treaty above-mentioned.

I have, &c.,
Esmé Howard.

His Excellency
The Lord Byng of Vimy, G.C.B.,
&c., &c., &c.,
Governor-General of Canada,
Ottawa.

---

* No. 839.

Department of State, Washington,
20th September, 1924.

EXCELLENCY,

I HAVE the honour to acknowledge the receipt of your note No. 811 of 8th September, 1924, advising me of the receipt by you of a communication from His Majesty's Government stating that in the preamble of the draft treaty for the extradition as between the United States and Canada of persons charged with crimes and offences against the laws for the suppression of the traffic in narcotics the title of His Majesty the King is not correctly rendered and should read "His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India."

In reply I have the honour to inform you that the alteration requested has been made in the preamble of the draft treaty, and that I shall be happy, upon your return to Washington, to fix a time convenient to you for the signature of the treaty.

Accept, &c.,
CHARLES E. HUGHES.

His Excellency
The Right Honourable
Sir Esmé Howard, G.C.M.G., K.C.B., C.V.O.,
Ambassador of Great Britain.

---

(4) Real and Personal Property Convention, 1899.

(Treaty Series 1900, *No.* 17.)

Position of Irish Free State.

58315

No. 842.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 706.)

SIR, Downing Street, 22nd December, 1924.

I HAVE the honour to transmit to Your Excellency, to be laid before your Ministers, a copy of correspondence with the United States Ambassador regarding the position of the Irish Free State in relation to the Convention between the United Kingdom and the United States of America relative to the Disposal of Real and Personal Property.

2. I enclose for convenience of reference a copy of a Parliamentary Paper (Cd. 356) (Treaty Series No. 17 of 1900) containing the text of the Convention.

3. The United States Ambassador has inquired semi-officially whether there would be any objection to the publication of the correspondence between the Foreign Office and the United States Embassy. His Majesty's Government propose to inform Mr. Kellogg that there is no objection to the publication of the correspondence, and I shall be glad to learn whether your Ministers concur in the proposed reply.

I have, &c.,
L. S. AMERY.

Enclosure 1 in No. 842.

(No. 568.)

SIR, London, 17th November, 1924.

UNDER instructions of my Government I have the honour to inquire whether, as a result of the creation of the Irish Free State, the British Government consider that the provisions of the Property Convention of 2nd March, 1899, are still binding on Ireland without notice, as provided for by Article 4, Paragraph 1.

I have, &c.,
FRANK B. KELLOGG.

The Right Honourable
Austen Chamberlain,
&c., &c., &c.,
Foreign Office, S.W.1.

Enclosure 2 in No. 842.

YOUR EXCELLENCY, Foreign Office, S.W.1, 12th December, 1924.

WITH reference to Your Excellency's Note of 17th November, I have the honour to inform you that the establishment of the Irish Free State is not regarded as affecting the position in connexion with the applicability to Ireland of the Convention of the 2nd March, 1899, relative to the disposal of real and personal property.

I have, &c.,
(for the Secretary of State),
G. R. WARNER.

His Excellency
The Honourable
Frank B. Kellogg,
&c., &c., &c.

---

(5) Treaty-Making Policy. Suggested new Commercial Treaty with Great Britain.

62025

No. 843.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.) Dominions No. 48. Confidential.)

[MY LORD,] [SIR,] Downing Street, 6th February, 1924.

WITH reference to my predecessor's despatch [Dominions No. 464 of the 10th of December,*] [No. 716 of the 12th of December,†] I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, a copy of a despatch from His Majesty's Chargé d'Affaires at Washington forwarding a copy of a memorandum on the treaty-making policy of the United States of America which was prepared by the Commercial Counsellor to the Swedish Legation at Washington for the information of his Government.

I have, &c.,
J. H. THOMAS.

Enclosure in No. 843.

(No. 1468.)

MY LORD, British Embassy, Washington, 28th November, 1923.

WITH my despatch No. 1297 of the 24th October I had the honour to forward to Your Lordship copies of the Notes recently exchanged between the Government of the United States of America and the Government of Brazil by which the preferential treatment accorded to American goods on importation into Brazil was abandoned.

I now transmit copies of an interesting memorandum on the treaty-making policy of the United States which has been prepared for the information of his Government by the Commercial Counsellor to the Swedish Legation at Washington. This memorandum was communicated confidentially to the Commercial Counsellor of this Embassy, but it is to be observed that it contains nothing new and is obviously based upon the report entitled "Reciprocity and Commercial Treaties" laid before the American Congress in 1919 by the United States Tariff Commission. Copies of the last-mentioned report are already in Your Lordship's possession, and it is reasonable to infer that the conclusions and recommendations of the Commission

---

* 58210/23: not printed. † 58210/23: not printed.

are primarily responsible for the enactment of Section 317 and other administrative sections of the Tariff Act of 1922, as well as for the altered policy of the United States in the negotiation of commercial treaties with foreign countries. The new policy has been very clearly set forth by the State Department in a letter recently addressed to Mr. W. W. Davies, correspondent in New York of *La Nacion* of Buenos Ayres, which I quote textually as follows:—

"I have received your letter dated 25th October, 1923, in which you refer to the recent exchange of notes between the United States and Brazil by virtue of which each accords to the other unconditional most-favoured-nation treatment in customs matters. You inquire whether such overtures have been made, or will be made, to any Latin-American countries other than Brazil, and make specific mention of Argentina.

United States Policy.—You are probably aware of the fact that prior to the beginning of the present year preferential tariff rates had for about twenty years been conceded by Brazil to certain imports from the United States. The existence of these preferences had recently been an anomalous feature of our tariff relations, since the general policy of this Government has been neither to give nor to seek customs preferences. In view of the adoption of the Tariff Act of 1922, Section 317 of which authorizes the President to declare additional duties upon the products of any country that may discriminate against the commerce of the United States, it was felt that this Government could not longer consistently ask the Brazilian Government to grant to United States goods rates lower than those accorded to similar imports from other countries. In making known its determination no longer to seek the renewal of preferential treatment, this Government explained to the Government of Brazil that its policy henceforth would be to seek from Brazil, as from other countries, treatment for United States goods as favourable as might be accorded by Brazil to the products of any third country. Subsequent conversations between representatives of the two Governments in Washington and Rio de Janeiro resulted in the recent exchange of notes embodying this policy.

New Treaties.—Initial steps have recently been taken looking toward the negotiation of new treaties of amity, commerce and consular rights with the five countries of Central America, in each of which it is the purpose of this Government to incorporate a provision for unconditional most-favoured-nation treatment in customs matters, should such a provision be found to be agreeable to the Government of the other interested country. The Department contemplates making similar overtures in the near future to other Latin-American countries for the negotiation of new treaties, or the modification of existing treaties, in harmony with this principle, excepting, however, as in the recent exchange of notes with Brazil, the special treatment which the United States accords or hereafter may accord to Cuba and the commerce between the United States and its dependencies and the Panama Canal Zone. Meanwhile, pending the conclusion of a treaty, the Department would be prepared to give prompt consideration to any proposal to bring about reciprocal most-favoured-nation treatment by an exchange of notes similar to or identical, *mutatis mutandis*, with the recent exchange between the United States and Brazil."

It is, perhaps, well to point out that in this letter, as well as in their recent exchange of notes with Brazil, and in the commercial treaties at present being negotiated with Austria, Czechoslovakia, Latin-American countries, etc., the Government of the United States affirm two doctrines of particular interest at the present time. The first is that a system of Colonial preferences may be established without violating the principle of equality of treatment. The second doctrine is an extension of the first and declares that an exception to the principle of equality of treatment may also be validly made where, as in the case of the United States and Cuba, special political ties and political responsibilities have led to commercial relations of a special character.

Under this cover I have also the honour to transmit a Confidential copy of the draft Treaty* of Friendship and Commerce between the United States and the Republic of Austria.

I have, &c.,
H. G. Chilton.

The
Marquess Curzon of Kedleston, K.G.,
&c., &c., &c.

The Treaty-Making Policy of the United States.

On 18th October, 1923, an exchange of notes took place between the Governments of the United States of America and Brazil, in consequence of which the two countries agreed to accord to each other, in their trade relations, the so-called "unconditional" most-favoured-nation treatment. This agreement is of particular interest, in so far as it indicates a plain departure from the principles followed in the past by the United States when concluding commercial treaties with foreign powers. That this abandonment of a system, practised for more than a century, is not merely incidental but, on the contrary, signifies the beginning of a new epoch in the history of the treaty-making policy of the United States of America, will appear from the following:—

I. The Treaty Policy of the United States of America before the World War.

Absence of a uniform system.—A close study of the various commercial treaties concluded between the United States of America and foreign powers before the outbreak of the World War shows that this country has not followed a consistent and continuous treaty policy. It is true that the intention originally was to create a uniform system by securing for the United States of America and extending to other countries equality of treatment, but, owing to the circumstances described below, the intended continuity was interrupted from the very beginning. Separate and individual commercial agreements were entered into, whereby the treatment accorded different countries by the United States of America often varied considerably. As a consequence, the history of the commercial treaty-making policy of the United States of America reveals a series of separate, divergent agreements, which could hardly be said to form the links of a chain in a uniform system.

Most-favoured-nation treatment.—The explanation of this absence of a uniform system in the treaty policy of the United States of America must, in the first place, be traced to the special interpretation given the most-favoured-nation clause by the United States of America. From a modern point of view this clause simply implies that the contracting parties engage to grant a third power the same advantageous treatment accorded each other. But even in the first commercial treaty concluded between the United States of America and France, on 6th February, 1777, a reservation is made in the most-favoured-nation clause, i.e.: "*freely, if the concession* (to the third state) *was freely made, or on allowing the same compensation, if the concession was conditional.*" This wording implies that, in cases where a certain compensation is accorded a third power in return for special concessions, such treatment is not granted automatically to the second party, but only on condition of reciprocal concession or compensation.

In Europe, the above-named conditional form of the most-favoured-nation clause was found occasionally in commercial treaties concluded during the first half of the nineteenth century. From the year 1860, however, the so-called "unconditional" clause became predominant, and since then the term "most-favoured-nation treatment" has in Europe been interpreted to mean that such concessions as are granted a third power are automatically accorded the second party.

However, all through the history of her commercial treaty-making policy the United States of America has been governed strictly by the principle of making concessions only in return for concessions sought. A perusal of the commercial treaties to which the United States of America has been a party shows that in nearly all of them the most-favoured-nation clause contains the provision regarding reciprocity (among others it is found in the treaties with Sweden of 1783, 1816, and

---

* Not printed.

1827, "et celle-ci jouira de cette faveur gratuitement si la concession est gratuite; ou en accordant la même compensation si la concession est conditionelle"). It further shows that since 1890 the said clause appears less regularly, and that, during later years, the United States of America has concluded a number of commercial treaties, in which the most-favoured-nation clause has been entirely eliminated. However, the practice of the United States of America with regard to the principle of reciprocity has led to the above-mentioned chain of separate and special arrangements, which have stood in the way of the adoption of a general policy.

The drawbacks.—Even at an early stage it became evident that the United States of America was not pursuing a consistent treaty-making policy. The separate agreements created discontent among the nations which considered themselves less favourably treated, and were the cause of quite a number of troublesome complications between the United States of America and certain European countries during the decades preceding the World War. The demand for a uniform system with regard to treaties grew, as the United States of America took an active part in world politics, and the Tariff Commission—the special organization charged with the investigation of commercial treaties—found it advisable to emphasize, in a special report to Congress, the need for a change in the method hitherto followed and the adoption of a clear and consistent policy, in conformity with new international principles.

There is reason to believe that the United States of America will heed the advice of the Tariff Commission and abandon, definitely, the old system. The above-mentioned treaty with Brazil would seem to be the first evidence in this respect.

II. The Treaty Policy of the United States of America after the World War.

The principle of equal treatment.—The guiding principle for the new treaty policy would, it seems, be that of equality of treatment, i.e., the demand for and granting of equally advantageous treatment, which should be extended to all the countries with which commercial treaties are concluded. The principle would imply that, hereafter, the most-favoured-nation clause would be employed, unconditionally, and that, consequently, the commercial advantages which have been, or in the future will be granted a third power, automatically are accorded to the second party. The United States of America would hereby have abandoned her old standpoint with the claim to conditional terms, and, instead, would have adopted the European idea regarding the most-favoured-nation treatment.

Reprisals.—In this connexion the much-discussed Section 317 in the Tariff Act of 1922 is of special interest, because this particular section has a direct bearing on the new principles which will govern the treaty-making policy of the country. Before the passage of the said law the United States of America had no means at her disposal whereby the Executive could effect reprisals against another country without delay, in cases where the United States of America was not accorded equality of treatment by other countries. Section 317, which treats in detail the so-called flexible tariff rates, contains provisions authorizing the President to raise or lower the tariff rates in force, not to exceed fifty per cent., in such cases where it is shown by the investigations of the Tariff Commission that a country "discriminates in fact against the commerce of the United States of America, directly or indirectly . . . in such manner as to place the United States at a disadvantage compared with the commerce of any foreign country." This measure provides the United States of America with effective retaliatory means against such countries as are not willing to grant the United States of America the same advantages as are accorded a third power, and also serves as a guarantee for the ultimate adoption of the new system. It would therefore seem that the provisions of Section 317 have played an important part in the decision of the United States of America with regard to the modern interpretation of the most-favoured-nation clause.

It is probable that the United States of America will have to make exceptions from the above-mentioned policy regarding equal treatment, at least in one instance, namely, with respect to Cuba. The intimate political and economic relations existing between these two countries since the Spanish-American War, when Cuba became independent of Spain and was placed under the protectorate of the United States of America, would, it seems, warrant the claim to such exceptional treatment.

* * * * * * *

The stipulation in Section 320 of the American Tariff Act of 1922, to the effect that the provisions of the Act should in no way effect a change in the commercial relations between the United States of America and Cuba, as set forth in the Treaty of 11th December, 1902, indicates that Cuba will continue to hold a preferential position in the commercial policy of the United States of America. This is also corroborated in the text of the Treaty just concluded between the United States of America and Brazil, which grants, reciprocally, the most-favoured-nation treatment, but makes a reservation with respect to the special privileges which have been or may hereafter be accorded Cuba.

Resumé.

A survey of the current opinion prevailing in commercial circles in the United States of America shows that the country is now entering a new epoch in its commercial policy. The Treaty of Brazil of 18th October, 1923, would seem to be an indication of the turning point.

All through the commercial policy of the United States of America the so-called "conditional" form of the most-favoured-nation clause has been employed, which means that such special concessions as may be granted a third power is not accorded to the other contracting party except in return for a like concession (the principle of reciprocity). The drawbacks of this system, which among other things have given rise to quite a number of complications of a commercial nature with Europe, have been more evident as the United States of America became actively engaged in world politics and have finally led to the conclusion regarding the adoption of a policy along entirely new lines.

The basis for this new policy will no doubt be the principle of equal treatment whereby the United States of America would have abandoned definitely the old attitude with regard to conditional terms and, instead, have adopted the modern, so-called European idea of the interpretation of the most-favoured-nation clause. Exception will very likely be made with respect to Cuba, on account of the intimate political and economic relations existing between the two countries.

The provisions in Section 317 of the American Tariff Act of 1922, empowering the President to adopt immediately retaliatory measures against such countries as do not grant the most-favoured-nation treatment to the United States of America, constitute a safe guarantee for the enforcement of the new principle in the commercial treaties. It would therefore seem that the said section has been of decisive importance in connexion with the adoption of a new commercial policy.

Gustaf Weidel.

33047

No. 844.

The SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.

Dominions No. 313. Confidential.)

[My Lord,] [Sir,] Downing Street, 11th July, 1924.

With reference to my Confidential despatch Dominions No. 48 of the 6th of February,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a despatch from His Majesty's Ambassador at Washington regarding suggested negotiations for a new commercial treaty between Great Britain and the United States of America.

I have, &c.,

J. H. THOMAS.

---

* No. 843.

Enclosure in No. 844.

(No. 790.)

SIR, British Embassy, Washington, D.C., 12th May, 1924.

* * * * * * *

MR. Hughes went on to say that he would be glad to negotiate a new commercial treaty on general lines with His Majesty's Government which would bring the Treaty of 1815 more up to date and by which, amongst other things, British Indian merchants and non-European subjects of His Majesty might have the same privileges for trading and travel to and from the United States as the subjects and citizens of other countries having such Commercial Treaties with the United States Government. He said that the United States Government had drawn up a general form of Commercial Treaty which they proposed to negotiate with a number of countries and that this form contained an unconditional most-favoured-nation clause. I inquired whether this meant that the United States were prepared to waive their former interpretation of the most-favoured-nation clause which I believed laid it down that the benefits of the most-favoured-nation clause could only be claimed by countries which gave something in return for them. I said I was aware that this interpretation had severely handicapped us as a free-trade country in former years.

The Secretary of State replied that by an unconditional most-favoured-nation clause he certainly implied that most-favoured-nation treatment would be accorded without any conditions of this kind being attached.

I said that this was a very important matter and asked him whether I might report it to you. He gave no permission to do so saying, however, that what he had said had been said informally and that the possibility of negotiating a treaty on these lines depended practically on the acceptance by the Senate, which was now considering the ratification, of the new German Treaty, which contained a clause of this kind, and with regard to which there was a considerable divergence of opinion in that body. Should, however, the German Treaty go through he would be quite prepared to begin negotiations with His Majesty's Government for a treaty on similar lines.

I have, &c.,
ESMÉ HOWARD.

The Right Honourable
James Ramsay MacDonald, M.P.,
&c., &c., &c.

VENEREAL DISEASE AMONG SEAMEN.

International Agreement.

32965

No. 845.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

[*Answered by Nos.* 846, 847, 849, 850, 852 *and* 853.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. } Dominions No. 348.)

[MY LORD,] [SIR,] Downing Street, 28th July, 1924.

[*To all except Irish Free State:* With reference to Mr. Churchill's despatch Dominions No. 499 of the 16th of December, 1921,* and connected correspondence,] *To all:* I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, a copy of a note from the Belgian Ambassador together with [*To Irish Free State:* the latest] [*To others:* a revised] draft† of [a] [the] proposed international agreement relating to the treatment of venereal diseases amongst seamen.

* No. 274 in Dominions No. 81. † Not printed here.

2. His Majesty's Government have at present under consideration the question of the signature of the agreement on behalf of this country; and they would be glad to learn in due course your Minister's views as to the accession of [Canada] [the Commonwealth of Australia] [New Zealand] [the Union of South Africa] [the Irish Free State] [Newfoundland] to the agreement.

I have, &c.,
J. H. THOMAS.

Enclosure in No. 845.

(W. 4842/4842/94.)

Ambassade de Belgique,
MONSIEUR LE PREMIER MINISTRE, Londres, le 12 juin 1924.

EN me référant à la lettre de l'honorable prédécesseur de Votre Excellence, No. W 7203, 1580,94, du 13 septembre 1923, concernant la convention relative aux maladies vénériennes des marins, j'ai l'honneur de porter à Sa connaissance que le Département des Affaires Etrangères de Belgique est actuellement en possession d'un certain nombre de réponses affirmatives à la demande qu'il avait adressée aux diverses puissances maritimes et qui avait pour but d'obtenir leur agrément à un projet d'arrangement international relatif aux facilités à donner aux marins pour le traitement des maladies vénériennes.

Estimant qu'il est désirable de hâter autant que possible l'arrangement en question, mon Gouvernement m'a prié de recourir à l'obligeant intermédiaire de Votre Excellence en vue d'obtenir que le Gouvernement de Sa Majesté Britannique veuille bien munir son représentant diplomatique en Belgique des pleins pouvoirs l'autorisant à procéder à la signature de l'accord.

Je serais reconnaissant à Votre Excellence si Elle voulait bien me faire connaitre la suite qui aura été réservée à la demande de mon Gouvernement.

Je saisis, etc.,
B. MONCHEUR.

Son Excellence
The Right Honourable J. Ramsay MacDonald, M.P.,
Premier Ministre.
Secrétaire principal d'Etat pour
les Affaires Etrangères.

41887

No. 846.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 3rd September, 1924.)

(No. 350.)

SIR, Vice Regal Lodge, Dublin, 2nd September, 1924.

I HAVE the honour to acknowledge receipt of your despatch Dominions No. 348 of the 28th July,* transmitting a copy of a Note from the Belgian Ambassador, together with the draft of a proposed international agreement for the treatment of venereal diseases amongst seamen, and to inform you that my Ministers do not desire to accede to this agreement on behalf of the Irish Free State.

I have, &c.,
T. M. HEALY.

45933

No. 847.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 29th September, 1924.)

[*Answered by No.* 851.]

(No. 408.)

SIR, Government House, Ottawa, 18th September, 1924.

WITH reference to your despatch Dominions No. 348 of the 28th July,* asking to be informed of the views of the Canadian Government as to the accession of

* No. 845.

Canada to the proposed international agreement relating to the treatment of venereal diseases amongst seamen, which was enclosed therein. I have the honour to enclose, herewith, copies of an approved Minute of the Privy Council of Canada to the effect that Canada is willing to adhere to the revised Convention.

I have, &c.,
BYNG OF VIMY.

Enclosure in No. 847.

CERTIFIED COPY OF A MINUTE OF A MEETING OF THE COMMITTEE OF THE PRIVY COUNCIL, APPROVED BY HIS EXCELLENCY THE GOVERNOR-GENERAL ON THE 16TH SEPTEMBER, 1924.

(P.C. 1567.)

THE Committee of the Privy Council have had before them a report, dated 5th September, 1924, from the Secretary of State for External Affairs, submitting with reference to a despatch, dated 28th July, 1924, from the Secretary of State for the Colonies, enclosing the revised draft of a proposed international agreement relating to the treatment of venereal diseases amongst seamen and asking to be informed of the views of Your Excellency's advisers as to Canada's accession to this agreement,—that by Minute of Council approved on the 23rd March, 1922,* the Government of Canada accepted the principle of the proposed Convention as originally drafted and expressed willingness to participate therein.

The Minister states that the revised draft differs from that first submitted by the addition of a new Article 7, by which the self-governing Dominions, Colonies, Possessions or Protectorates of the High Contracting Parties are excepted from the application of the Treaty unless adhesion is made in their name.

The Minister observes that the Minister of Health points out that the measures prescribed by the proposed Convention have already been adopted and are now enforced in the Dominion, and that he is of opinion that the insertion of the new article does not affect the decision expressed in the Order in Council of the 23rd March, 1922.

The Secretary of State for External Affairs concurs in this view and recommends that Canada adhere to the revised Convention and that due notification of her willingness to adhere be conveyed to the Secretary of State for the Colonies.

The Committee concur in the foregoing, and advise that Your Excellency may be pleased to transmit a copy hereof to the Right Honourable the Secretary of State for the Colonies.

All of which is respectfully submitted for Your Excellency's approval.

E. J. LEMAIRE,
Clerk of the Privy Council.

45804

No. 848.

THE SECRETARY OF STATE TO THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
Dominions No. 487.)

[MY LORD,] [SIR,] Downing Street, 8th October, 1924.

WITH reference to my despatch Dominions No. 348 of the 28th of July,† I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a despatch to His Majesty's Ambassador at Brussels instructing him to sign on behalf of Great Britain and Northern Ireland the international agreement relating to the treatment of venereal diseases among seamen.

I have, &c.,
J. H. THOMAS.

---

* Enclosure in No. 384 in Dominions No. 87. † No. 845.

Enclosure in No. 848.

(No. 1315.)

SIR, Foreign Office, S.W.1, 23rd September, 1924.

THE Office International d'Hygiène Publique, on the suggestion of the British delegate at the meeting of the committee in October, 1920, made certain proposals for the conclusion of an international agreement relating to the treatment of venereal diseases among seamen. The Belgian Government eventually took the initiative in seeking the concurrence of the several governments concerned in the terms of a draft agreement which was drawn up by the Committee of the Office International. A copy of the text, which has now been approved by His Majesty's Government and which the Belgian Government have invited them to sign, is enclosed herein.*

2. I request that Your Excellency will take an early opportunity to sign the agreement on behalf of Great Britain and Northern Ireland. A special Full Power is enclosed for the purpose. Your signature should be accompanied by a declaration in the following terms:

"I declare that my signature applies only to Great Britain and Northern Ireland. I reserve the right of each of the British Dominions, Colonies, Overseas Possessions and Protectorates, and of each of the Territories over which His Britannic Majesty exercises a mandate to accede to the agreement under Article 7."

3. The date of signature should be reported to me in due course.

I am, &c.,
(for the Secretary of State),
R. H. CAMPBELL.

His Excellency
The Right Honourable
Sir G. Grahame, G.C.V.O., K.C.M.G.,
&c., &c., &c.

48274

No. 849.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 13th October, 1924.)

(No. 525.)

SIR, Governor-General's Office, Pretoria, 24th September, 1924.

I HAVE the honour to transmit to you herewith, with reference to your despatch Dominions No. 348 of the 28th July, 1924,† and to Prince Arthur of Connaught's despatch No. 51 of 14th February, 1922,‡ copy of a Minute from Ministers on the subject of the proposed international agreement relating to the treatment of venereal diseases amongst seamen.

I have, &c.,
ATHLONE,
Governor-General.

Enclosure in No. 849.

Prime Minister's Office, 23rd September, 1924.

MINUTE No. 756.

WITH reference to Minute No. 33/1515 of 19th August, 1924, from His Excellency the Governor-General transmitting despatch Dominions No. 346 dated 28th July, 1924, from the Secretary of State for the Colonies on the subject of the accession of the Union of South Africa to the proposed international agreement relating to the treatment of venereal diseases amongst seamen, Ministers have the honour to inform His Excellency that the position remains as stated in their Minute No. 101 of 9th February, 1922,‡ except that since then a venereal diseases clinic has been established at Durban at which seamen are entitled to free medical treatment.

---

* Not printed. † No. 845. ‡ No. 383 in Dominions No. 87.

Under the circumstances stated in their Minute above mentioned Ministers are unable to recommend that the Union should become a party to the proposed agreement.

J. B. M. HERTZOG.

39198

No. 850.

NEWFOUNDLAND.

THE ACTING GOVERNOR to THE SECRETARY OF STATE.

(Received 18th October, 1924.)

(No. 109.)

SIR, Government House, St. John's, 23rd September, 1924.

WITH reference to your despatch Dominions No. 348 of the 28th July* respecting a revised draft of the proposed international agreement relating to the treatment of venereal diseases amongst seamen, I have the honour to inform you that Ministers regret that they are unable at present to adhere to the proposed Agreement.

I have, &c.,
W. H. HORWOOD.

48725

No. 851.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 457.)

MY LORD, Downing Street, 24th October, 1924.

I HAVE the honour to acknowledge the receipt of Your Excellency's despatch No. 408 of the 18th of September,† and to request you to inform your Ministers that the desire of the Canadian Government to accede to the international agreement for the treatment of venereal diseases amongst seamen, has been noted; and that the accession of Canada, together with those of any other Dominions which may wish to accede, will be notified at the time when His Majesty's ratification is deposited.

I have, &c.,
J. H. THOMAS.

51725

No. 852.

COMMONWEALTH OF AUSTRALIA.

THE DEPUTY GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4th November, 1924.)

(No. 274.)

Governor-General's Office,
SIR, Melbourne, 27th September, 1924.

WITH reference to your despatch dated 28th July, 1924, Dominions No. 348,* relative to the proposed international agreement for the treatment of venereal diseases amongst seamen, I have the honour to invite your attention to the Governor-General's despatch dated 12th July, 1922, No. 284,‡ and to inform you that I am advised by the Prime Minister that the views expressed therein still represent the attitude of the Commonwealth Government towards the proposed agreement.

IT is not considered desirable, therefore, that the Commonwealth Government should adhere to the text of the proposed agreement in its entirety, inasmuch as the Commonwealth method of providing free treatment is not in accordance with that implied by the wording of the agreement.

* No. 845. † No. 847. ‡ No. 886 in Dominions No. 87.

To the extent, however, of using the personal card for medical record and providing sufficient medicines for treatment during the voyage to the next port of call, the Commonwealth Government is prepared to conform to the proposed agreement, so that uniformity of practice will, to this extent, be secured.

I have, &c.,
STRADBROKE,
Deputy to the Governor-General.

53394

No. 853.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 13th November, 1924.)

[*Answered by No.* 855.]

(No. 226.)

SIR, Government House, Wellington, 10th October, 1924.

WITH reference to your despatch Dominions No. 348 of the 28th July,* I have the honour to inform you, at the instance of my Prime Minister, that the Government of New Zealand desires to become a signatory of the proposed international agreement relating to the treatment of venereal diseases amongst seamen.

2. The draft agreement has been perused by my Ministers, who consider it satisfactory.

I have, &c.,
JELLICOE,
Governor-General.

55148

No. 854.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. } Dominions No. 557.)

[MY LORD,] [SIR,] Downing Street, 2nd December, 1924.

WITH reference to my predecessor's despatch Dominions No. 487 of the 8th of October,† I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a despatch to His Majesty's Ambassador at Brussels relative to the signature on behalf of Great Britain and Northern Ireland of the international agreement relating to the treatment of venereal diseases among seamen.

I have, &c.,
L. S. AMERY.

Enclosure in No. 854.

(No. 1560.)

SIR, Foreign Office, S.W.1, 21st November, 1924.

WITH reference to my predecessor's despatch No. 1315 of 23rd September last instructing you to sign, on behalf of Great Britain and Northern Ireland, the international agreement relating to the treatment of venereal diseases among seamen, I request that Your Excellency will amend the declaration to accompany your signature so that it will read as follows:—

"I declare that my signature applies only to Great Britain and Northern Ireland. I reserve the right of each of the British Dominions, Colonies,

* No. 845. † No. 848.

Oversea Possessions and Protectorates, and of each of the Territories in respect of which a mandate on behalf of the League of Nations has been accepted by His Britannic Majesty, to accede to the agreement under Article 7."

I am, &c.,
(for the Secretary of State),
G. H. VILLIERS.

His Excellency
The Right Honourable
Sir G. Grahame, G.C.V.O., K.C.M.G.,
&c., &c., &c.

58201

No. 855.

NEW ZEALAND.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 237.)

SIR, Downing Street, 23rd December, 1924.

I HAVE the honour to acknowledge the receipt of Viscount Jellicoe's despatch No. 226 of the 10th October* on the subject of the international agreement relating to the treatment of venereal disease among seamen.

2. In accordance with the terms of Article 7 of this agreement, it is proposed, at the time when His Majesty's ratification of the agreement is deposited, to give notice of accession under that Article on behalf of New Zealand as well as on behalf of Canada, whose Government have asked that such notice should be given on their behalf. It is presumed that this course will be in accordance with the wishes of your Ministers.

I have, &c.,
L. S. AMERY.

WEIHAIWEI.

Proposed Convention for retrocession of:

48735

No. 856.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 11.50 a.m., 15th October, 1924.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

15TH OCTOBER. Secret. As a result of arrangements made at Washington Conference (see notes exchanged between heads of British and Chinese Delegations contained in pages 86-88 of print† enclosed in my despatch of 6th May, 1922. Dominions 139‡) draft convention for retrocession of Weihaiwei has been agreed upon between His Majesty's Government and Chinese Government. No special Dominion interests appear to be affected, main reservations being (1) facilities for British Navy for ten years with option of renewal and (2) maintenance of Port Edward area for international trade. In the circumstances, arrangements are being made for signature to take place forthwith and ratifications to be exchanged and territory handed over on 31st December next, or, if that date impossible, 25th January next, Chinese New Year, but Chinese Government anxious that settlement should be treated as confidential until exchange of ratifications in view of possible popular agitation and opposition. Copies of draft Convention will follow.—THOMAS.

---

* No. 853. † Miscellaneous No. 1 of 1922 (Cmd. 1627). ‡ 16969/22: not printed; it enclosed a copy of Cmd. 1627.

48735

No. 857.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Secret.)

SIR, Downing Street, 15th October, 1924.

I HAVE the honour to transmit to Your Excellency, to be laid before your Ministers, a copy of a telegram* which has been sent to the Governors-General of Canada, the Commonwealth of Australia, New Zealand, and the Union of South Africa, and to the Governor of Newfoundland regarding the retrocession of Weihaiwei.

2. A copy of the print referred to (Miscellaneous No. 1 of 1922) is enclosed for reference.

I have, &c.,
J. H. THOMAS.

48735

No. 858.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. } Dominions No. 509. Secret.)

[MY LORD,] [SIR,] Downing Street, 24th October, 1924.

WITH reference to my Secret [*Not to Irish Free State:* telegram of the 15th of October,*] [*To Irish Free State:* despatch of the 15th of October,†] on the subject of the retrocession of Weihaiwei, I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of a despatch‡ from His Majesty's Minister at Peking transmitting the draft Convention in the form finally agreed upon between himself and the Chinese Minister for Foreign Affairs.

I have, &c.,
J. H. THOMAS.

---

* No. 856. † No. 857. ‡ Not printed here: Foreign Office print F. 3264/12/10, 29th September, 1924.

CO 886/11/2

320

94

Dominions No. 94.

Part I.

CONFIDENTIAL.

INTERNATIONAL ARRANGEMENTS AND TREATY RELATIONS.

POSITION OF THE SELF-GOVERNING DOMINIONS AND SOUTHERN RHODESIA.

CORRESPONDENCE, 1925.

(in Two Parts).

Part I.

Index to Parts I and II, and Serial Numbers 1 to 402.

(*In continuation of Dominions Nos.* 75, 76, 78, 80, 81, 87, 88 *and* 93; *continued by Dominions No.* 102.)

NOTE.

THE telegrams to the Dominions printed in these volumes contain only a very few of the "News" telegrams conveying information on various aspects of foreign affairs, which were sent to the Dominions during 1925. The total number of these "News" telegrams, classified under subjects, was as follows:—

Albania	1	Mexico	1
Arabia	3	Morocco and Tangier	5
Bulgaria	6	Opium Conference	1
China	35	Persia	3
Egypt	6	Reparations	2
France	3	Russia	2
Germany—Political	2	Russo-Turkish Treaty	1
Occupied Territory	14	Security (including telegrams as to the Locarno Treaties)	74
Greece	3	Security Pact for the Balkans	1
Inter-Allied Debts	2	Syria	1
'Iraq	15		
League of Nations, Geneva Protocol and Disarmament	9	Total	190
Locarno Treaties (see under Security)			

In addition, Foreign Office prints on subjects connected with foreign affairs were sent to the Dominion Prime Ministers and Governors-General as follows:—

Abyssinia	1	Italy	13
Afghanistan	5	Japan	7
Albania	8	Latvia	1
Arabia	2	Locarno Treaties (see under "Security")	
Arms Traffic	1	Mexico	1
Austria	4	Morocco	15
Balkan Security	6	Opium	1
Belgium	2	Persia	25
Brazil	2	Poland	5
Bulgaria	18	Geneva Protocol	5
China	25	Reparations	4
Czechoslovakia	3	Roumania	2
Disarmament	10	Russia	35
Egypt and the Sudan	13	Security (including Locarno Treaties)	155
Esthonia	3	Serb-Croat-Slovene State	7
Finland	2	Siam	1
France	8	Singapore Base	3
Germany—Political	17	Syria	9
Occupied Territory and the League of Nations	46	Turkey	44
Greece	6	United States of America	10
Hungary	9		
Inter-Allied Debts	4	Total	576
'Iraq	17		
	21		

Position of the Self-Governing Dominions and Southern Rhodesia.

CORRESPONDENCE, 1925.

(In Two Parts).

PART I

(Serial Numbers 1 to 402).

INDEX.

PAGE IN PART I.

Aerial Navigation Convention, 1919.

(Treaty Series 1922, Nos. 2 and 11).
(1) Amendment of Articles 5 and 34. (Treaty Series 1925, Nos. 12 and 13.) ... 1
Applications for derogations by His Majesty's Government, Canada, France and Belgium ... 1
(2) Application for derogation by Italy ... 5
(3) Application for derogation by Poland ... 7

Albania.

(1) Commercial Agreement, 1925. (Treaty Series 1925, No. 47.) ... 9
(2) Proposed Extradition Treaty.
(*See under* Extradition Treaties).

Angola Boundary.

Negotiations between Union Government and Portuguese Government ... 10

Antarctic.

Territorial Claims ... 13

Arbitration Agreements.

(1) Denmark and Iceland. (Treaty Series 1922, Nos. 12 and 13.) ... 36
(2) Netherlands. (Treaty Series 1925, No. 36.) ... 37
(3) Norway. (Treaty Series 1925, No. 30.) ... 42
(4) Portugal. (Treaty Series 1925, No. 41.) ... 42
(5) Sweden. (Treaty Series 1925, No. 28.) ... 42
(6) Siam ... 47

Arbitration, Commercial.

(*See under* League of Nations.)

Arctic Regions, Canadian Claims in the ... 50

Armaments, Limitation of

(1) Proposed Naval Disarmament Conference at Washington ... 74
(2) Discussions at the Sixth Assembly of the League of Nations ... 83

Arms Traffic Convention, 1925.

(League of Nations paper A.13. 1925. IX).
(1) Position of Colonies, etc., under Convention and question of its inter-Imperial applicability ... 89
(2) Exclusion of South West Africa from "Special Zone" under the Convention ... 101
(3) Signature of Convention on behalf of Canada ... 106

Austria.

(1) Commercial Treaty, 1924. (Treaty Series 1925, No. 21.) ... 106
(2) Agreement relating to Commercial Travellers' Samples. (Treaty Series 1925, No. 27.) ... 108

Belgium

(1) Abrogation of the Treaties of 1839 establishing the Status of Belgium ... 110
(2) Convention relating to Legal Proceedings in Civil and Commercial Matters. (Treaty Series 1924, No. 13.) ... 117
(3) Commercial Convention with Canada. (Treaty Series 1925, No. 7.) ... 121
(4) Proposed Agreement relating to Legalization of Documents ... 121
(5) Extradition Treaty, 1923.
(*See under* Extradition Treaties).

31951. Wt. 8060/1677. 30. 4/27. J. J. K. & Co., Ltd.

Brazil. PAGE IN PART I.

Proposed Extradition Treaty.
(*See under* Extradition Treaties).

British Subjects.

Position of, under Commercial Treaties 124
(*See also* under Esthonia).

Bulgaria.

Commercial Agreement, 1925. (Treaty Series 1925, No. 53.) 126

Canada.

(1) Commercial Convention with Belgium.
(*See under* Belgium).
(2) Commercial Convention with the Netherlands.
(*See under* Netherlands).
(3) Commercial Agreement with Spain.
(*See under* Spain).
(4) Pacific Halibut Fishery Treaty.
(*See under* United States).
(5) Treaties with United States as to Smuggling and Extradition for Narcotic Offences.
(*See under* United States).
(6) Treaties with United States as to the International Boundary and the Lake of the Woods.
(*See under* United States).

China.

(1) Ratification of Washington Treaties. (Treaty Series 1925, Nos. 42 and 43.) 120
(2) Customs Tariff Conference, 1925-26 132
(3) Commission on Extra-Territorial Jurisdiction 143
(4) Proposed Convention relating to Weihaiwei.
(*See under* Weihaiwei).

Civil Procedure Conventions.

(*See under* Belgium, Czechoslovakia).

Customs Formalities Convention.

(*See under* League of Nations).

Customs Tariffs.

International Convention for the Publication of 145

Czechoslovakia.

(1) Commercial Treaty, 1923. (Treaty Series 1924, No. 35.) 148
(2) Convention respecting Legal Procedure in Civil and Commercial Matters ... 152
(3) Extradition Treaty, 1924.
(*See under* Extradition Treaties).

Denmark.

(*See under* Arbitration Agreements).

Dominican Republic.

Proposed Commercial Treaty 153

Electric Power Convention.

(*See under* Freedom of Transit).

Esthonia.

(1) Commercial Treaty, 1926. (Treaty Series 1926, No. 10.) Position of British subjects under Commercial Treaties 155
(2) Extradition Treaty.
(*See under* Extradition Treaties).

Exploration of the Sea, International Council for the

Admission of the Irish Free State 159

Extradition Treaties. PAGE IN PART I.

(1) Albania 157
(2) Belgium. (Treaty Series 1924, No. 1.) 157
(3) Brazil 158
(4) Czechoslovakia 162
(5) Esthonia (Treaty Series 1926, No. 18.) and Lithuania 163
(6) Finland. (Treaty Series 1925, No. 22.) 164
(7) Latvia. (Treaty Series 1925, No. 44.) 171
(8) Poland 177
(9) Russia 177
(10) United States. Proposed new Extradition Treaty... 178
(11) United States. Treaty with Canada as to Extradition for Narcotic Offences.
(*See under* United States).

Finland.

(1) Commercial Treaty, 1923. (Treaty Series 1924, No. 34.) 184
(2) Extradition Treaty, 1924.
(*See under* Extradition Treaties).

Foreign Affairs.

System of Consultation with Dominions as to 189

France.

Denunciation of Agreement of 1899 for Free Delivery and Attestation of Certificates of Origin 190

Freedom of Transit.

Conventions adopted by the Second General Conference on the Freedom of Communications and Transit held at Geneva, 1923. (Treaty Series 1925, Nos. 23, 24, 25 and 26.) 193

Geneva Protocol.

(*See under* League of Nations).

Germany.

Commercial Treaty, 1924. (Treaty Series 1925, No. 45.) 198

Greece.

Proposed Commercial Treaty 203

Greenland.

Treatment of British subjects, Companies and Vessels. (Treaty Series 1925, No. 35.) 208

Hague Convention VI of 1907.

Denunciation of 209

Iceland.

(*See under* Arbitration Agreements).

Industrial Property Convention.

(1) Industrial Property Conventions, 1883 and 1911. Position of Dominions as separate contracting countries. Representation of Dominions at Industrial Property Conference at The Hague, 1925 214
(2) Industrial Property Convention, 1911. Accession of Australia and Irish Free State 223
(3) Industrial Property Convention, 1925. Procedure for Signature ... 228

International Labour Conference.

(1) Ratification of International Labour Conventions by Australia and Irish Free State 239
(2) Amendment of Article 393, Treaty of Versailles. (Treaty Series 1925, No. 6.) 242

International Office of Public Health.

Agreement of 1907 establishing 243

International Radio-Telegraph Convention, 1912.

Proposed Conference at Washington for revision of 244

International Sanitary Convention, 1912.

(Treaty Series 1921, No. 2.) Conference for revision of... 249

International Telegraph Convention.

Accession of Southern Rhodesia 255

International Veterinary Bureau.

Convention for Creation of. (Treaty Series 1926, No. 11.) 257

PART II.

PAGE IN PART II.

'Iraq.

Frontier line between Turkey and 'Iraq. Treaty Series 1925, No. 17, and 1926, No. 10.) 1

Irish Free State.

(1) Ratification of International Labour Conventions.
(*See under* International Labour Conference).
(2) Registration of Articles of Agreement with League of Nations.
(*See under* League of Nations).
(3) Accession to the International Metric Convention.
(*See under* Metric System).
(4) Position in relation to White Phosphorus Convention.
(*See under* Phosphorus, White).
(5) Position in relation to Real and Personal Property Convention with the United States.
(*See under* United States).

Italy.

Agreement regulating Professional Practice of Medical Practitioners, 1925. (Treaty Series 1925, No. 50.) 6
(*See also under* Jubaland).

Japan.

Supplementary Convention to the Treaty of Commerce and Navigation, 1911 7

Jubaland, Treaty regarding cession of

(Treaty Series 1925, No. 29.)... 13

Latvia.

(1) Proposed Agreement relating to Estates of Deceased Seamen 13
(2) Extradition Treaty, 1924.
(*See under* Extradition Treaties).

Laws of War, Revision of 15

League of Nations.

(1) Amendment of Article 16 of Covenant. (Treaty Series 1924, No. 32.) ... 17
(2) Geneva Protocol for Pacific Settlement of International Disputes (Cmd. 2278, Cmd. 2368, Cmd. 2458, and Cmd. 2492) 19
(3) Registration of Treaties under Article 18 47
(4) Registration by Irish Free State of Articles of Agreement of 6th December, 1921 49
(5) Inter-Imperial Applicability of Conventions negotiated under the Auspices of the League, and Procedure for Signature of such Conventions 50
(6) Customs Formalities Convention. (Treaty Series 1925, No. 16.) 60
(7) Protocol concerning Arbitration Clauses in Commercial Matters. (Treaty Series 1925, No. 4.) 61

Lithuania.

(*See under* Extradition Treaties and Memel).

Locarno, Treaties of, 1925.

(Cmd. 2435, Cmd. 2468 and Cmd. 2525) 63

Mandates.

(1) Attitude of United States Government.
(*a*) Conventions relating to Palestine and "B" Mandated Territories. Treaty Series 1925, No. 54, and 1926, Nos. 22, 23 and 24.) 107
(*b*) United States rights in "C" Mandated Territories 110
(2) Position of Mandated Territories in relation to Treaties. Discussion by Permanent Mandates Commission 120
(3) Position of Mandated Territories in relation to Commercial Treaties ... 123
(4) Position of Mandated Territories in relation to Extradition Treaties ... 126

PAGE IN PART II.

Memel, Convention Relating to
(Treaty Series 1925, No. 48.) 132

Metric System, International Convention Relating to the
(Treaty Series 1923, No. 24.) Accession of the Irish Free State 133

Mexico.
Resumption of Diplomatic Relations and proposed Claims Convention 134

Muscat.
Commercial Treaty, 1891 142

Negotiation, Signature and Ratification of International Agreements.
Resolution of the Imperial Conference, 1923 143

Netherlands.
(1) Commercial Convention with Canada. (Treaty Series 1925, No. 32.) ... 145
(2) Renewal of Arbitration Convention.
(*See under* Arbitration Agreements.)

Norway.
(1) Proposed Commercial Agreement with Australia 148
(2) Agreement for the Reciprocal Exchange of Information concerning Lunatics 149
(3) Negotiations relating to Territorial Waters.
(*See under* Territorial Waters.)

Obscene Publications Convention, 1923:
(Treaty Series 1926, No. 1.) 152

Opium Conventions, 1925. 153

Panama.
Proposed Commercial Treaty 162

Persia.
Agreement, 1920, modifying the Commercial Convention of 1903. (Treaty Series 1920, No. 17.) 162

Phosphorus, White.
Convention Prohibiting the Use of, in the Manufacture of Matches. Position of the Irish Free State 163

Poland:
Commercial Treaty, 1923. (Treaty Series 1924, No. 20.) 164

Portugal.
(1) Tonnage Measurement Agreement, 1926. (Treaty Series 1926, No. 15.) ... 165
(2) Renewal of Arbitration Agreement.
(*See under* Arbitration Agreements).
(3) Negotiations with the Union of South Africa as to the Angola Boundary.
(*See under* Angola Boundary).

Postal Conventions, 1924 168

Reparation.
Conference of Financial Experts in Paris (Cmd. 2330) 188

Russia.
(*See under* Extradition Treaties and Territorial Waters).

Siam.
(1) General Treaty and Commercial Treaty, 1925. (Treaty Series 1926, Nos. 7, 8 and 9.) 192
(2) Arbitration Convention, 1925.
(*See under* Arbitration Agreements.)

Spain.
(1) Commercial Agreement with Canada, 1925 201
(2) Limits of Territorial Waters.
(*See under* Territorial Waters).

Sweden.
(*See under* Arbitration Agreements and Territorial Waters).

PAGE IN PART II.

Territorial Waters.

(1) Discussion at the Imperial Conference, 1923 209
(2) Italy: Extent of Territorial Waters 210
(3) Norway: Negotiations relating to the Limits of Norwegian Territorial Waters, and proposed Fisheries Convention 218
(4) Soviet Fishery Regulations 236
(5) Spain: Claim to a six-mile limit 239
(6) Sweden: Extent of Territorial Waters 240
(7) United States: Liquor Treaty,
(See under United States).

Turkey.

(1) Proposed Convention to Regulate the Admission of British Subjects in Turkey and of Turkish Citizens in the United Kingdom to the Various Forms of Commerce, Professions and Industries 251
(2) 'Iraq Frontier Question.
(See under 'Iraq).

Union of South Africa.

(1) Attitude as regards International Status of Dominions.
(See under Foreign Affairs).
(2) Attitude as regards Negotiations relating to "C" Mandated Territories.
(See under Mandates (1) (b), (3) and (4)).
(3) Attitude as regards position of Dominions in relation to Commercial Treaties.
(See under Mandates (3)).

United States.

(1) Pacific Halibut Fishery Treaty, 1923. (Treaty Series 1925, No. 18.)... ... 255
(2) Treaties with Canada regarding the Suppression of Smuggling on the International Boundary and Extradition for Narcotic Offences. (Treaty Series 1925, Nos. 39 and 40.) 256
(3) Treaties with Canada relating to the International Boundary and the Lake of the Woods. (Treaty Series 1925, Nos. 37 and 38.) 260
(4) Liquor Treaty, 1924. (Treaty Series 1924, No. 22.) 271
(5) Real and Personal Property Convention, 1899. Position of the Irish Free State 277
(6) Negotiations relating to Mandated Territories.
(See under Mandates).
(7) Suggested Disarmament Conference.
(See under Armaments, Limitation of).

Venereal Diseases among Seamen.

International Agreement. (Treaty Series 1926, No. 20.) 277

Weihaiwei.

Proposed Convention for retrocession of 280

PART I.

TABLE OF CONTENTS.

AERIAL NAVIGATION CONVENTION, 1919.

(1) Amendment of Articles 5 and 34.

Applications for Derogations by His Majesty's Government, Canada, France and Belgium.

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
1 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Dominions Treaty, 13, Newfoundland, 23, Southern Rhodesia, 91 ... March 17	Transmits copy of note from the Bolivian Legation in Paris regarding the denunciation by the Bolivian Government of the International Air Navigation Convention of 1919, together with copies of letters from the International Commission for Air Navigation with regard to the applications made by His Majesty's Government and the Governments of Canada, France and Belgium for derogations from Art. 5 of the Convention, and letters transmitting a statement showing position with regard to the coming into operation of the Protocol concerning amendments to Articles 5 and 34, and notifying the adhesion of the Czechoslovak Republic to these Protocols 1

(2) Application for Derogation by Italy.

1925	
2 To the Governors-General Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Telegram ... ... January 5	States that Italian Government have applied for derogation from Article 5 of the Convention and inquires whether Ministers accept the derogation ... 5
3 To the Governor-General Irish Free State, 12 January 10	Transmits copy of letter from the International Commission for Air Navigation regarding an application by the Italian Government for a derogation from Article 5 of the Convention and inquires whether Ministers accept the derogation 5
4 The Governor-General Union of South Africa, Telegram ... January 12 (Rec. Jan. 12)	States, with reference to No. 2, that Ministers have no objection to application of Italian Government for derogation from Article 5 of the Convention in favour of the same countries as in the case of the French Government's application, with the addition of Turkey 6
5 The Governor-General New Zealand, Telegram ... ... January 15 (Rec. Jan. 15)	States that the New Zealand Government accepts the derogation of Italy from Article 5 as proposed in No. 2 6
6 The Governor-General Canada, Telegram January 15 (Rec. Jan. 16)	States that Canadian Government has no objection to the granting of derogation from Article 5 to the Italian Government 6
7 The Governor-General Irish Free State, 34 January 26 (Rec. Jan. 27)	States that Ministers accept the derogation proposed in No. 3 6
8 The Governor-General Commonwealth of Australia, Telegram February 5 (Rec. Feb. 5)	States that Commonwealth Government accepts the derogation from Article 5 proposed in No. 2 ... 7

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
(3) Application for Derogation by Poland.	
1925	
9 To the Governors-General Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Telegram ... ... May 20	States that Government of Poland have applied for derogation from Article 5 in favour of the countries indicated and inquires whether Ministers accept derogation 7
10 To the Governor-General Irish Free State, 212 May 28	Transmits copy of a letter from the General Secretary of the International Commission for Air Navigation submitting an application made by the Polish Government for a derogation from Article 5 in favour of the countries indicated and inquires whether Ministers accept derogation 7
11 The Governor-General New Zealand, Telegram ... ... June 2 (Rec. June 2)	States that New Zealand Government accepts Polish derogation from Article 5 8
12 The Governor-General Commonwealth of Australia, Telegram June 2 (Rec. June 2)	States that Commonwealth Government accepts Polish derogation from Article 5 requested by Government of Poland 8
13 The Governor-General Union of South Africa, Telegram ... ... June 2 (Rec. June 2)	States that Ministers have no objection to Polish derogation from Article 5 9
14 The Governor-General Canada, Telegram ... June 9 (Rec. June 9)	States that Canadian Government has no objection to Polish derogation from Article 5 9
15 The Governor-General Irish Free State, 221 July 24 (Rec. July 25)	Ministers accept derogation of Polish Government from Article 5 of the Convention 9
ALBANIA. **Commercial Agreement, 1925.**	
1925	
16 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 479, Southern Rhodesia, 442 ... ... November 21	Transmits copies of Cmd. 2522 containing Notes exchanged between His Majesty's Representative at Durazzo and the Albanian Minister for Foreign Affairs, respecting commercial relations with Albania 9
ANGOLA BOUNDARY. **Negotiations between Union Government and Portuguese Government.**	
1925	
17 The Governor-General Union of South Africa, Telegram, Confidential February 17 (Rec. Feb. 17)	Reports that, at the instance of his Ministers, he is requesting High Commissioner, Angola, that should his Government be not now prepared to accept the draft agreement drawn up in 1920, they should nominate fully accredited representative to meet representative of Union to re-open negotiations for the delimitation of the boundary. States that Ministers intend that any agreement that may result shall be signed by Union Government as mandatory 10

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
18 The Governor-General Union of South Africa, 85 ... ...March 10 (Rec. Mar. 30)	Transmits copy of Ministers' Minute regarding the desirability of re-opening of the negotiations for the delimitation of the Angola-South West Africa boundary, and forwarding a memorandum giving details of the present position 10
ANTARCTIC. **Territorial Claims.**	
1925	
19 Foreign Office (Secret) ... ... January 6	States that in the absence of precise information of the extent of French claims in the Antarctic it is difficult to offer useful observations on the attitude to be adopted towards them. Proposes to instruct His Majesty's Ambassador at Paris to obtain discreet information of the extent of any boundaries the French Government may have fixed 13
20 Admiralty (Secret) ... January 23	Transmits memorandum on the question of French claims to territories in the Antarctic prepared by the Hydrographic Department, and points out that it does not seem practicable to arrive at any decision on the attitude to be adopted, until more definite information is available as to the extent of the French claims 14
21 The Governor-General Commonwealth of Australia, Telegram, (Secret) ... February 16 (Rec. Feb. 16)	Refers to Press reports that the French Government promulgated a Decree on 27th November, 1924, annexing Adélie Land. Inquires as to the present position and limits, if any, the French Government has assigned to the territory over which it has asserted rights 15
22 Foreign Office ... February 17	Transmits copy of an extract from the "Journal Official" of 27th November, 1924, containing a Report by the Minister of the Colonies and a Decree of 21st November, placing the St. Paul and Amsterdam Islands, the Kerguelen and Crozet Archipelagoes and Adélie Land under the authority of the Governor-General of Madagascar 15
23 To the Governor-General Commonwealth of Australia, Telegram, most Secret ... February 18	In reply to No. 21 states that matter presents considerable difficulty in respect of the framing of a criterion of validity which would restrict the French claim while not affecting British claim, but steps will be taken to ascertain limits of region to which France considers herself entitled 16
24 To Foreign Office (Secret) ... February 23	Transmits copies of Nos. 21 and 23, and suggests that His Majesty's Ambassador at Paris be requested to ascertain the precise coastal limits to which the claim, on which the French Decree of 21st November is based, extends 17
25 Foreign Office ... March 4	Considers, with reference to No. 24, that it would be preferable for His Majesty's Government to define their claim on the assumption that the claim thus defined does not include Adélie Land, and to negotiate with the French Government if and when the latter protest 17
26 To the Governors-General Commonwealth of Australia, 97, New Zealand, 52 ... March 21	Transmits copy of Note from Norwegian Minister stating that his Government are not clear what the Order in Council of 30th July, 1923, implies, and that while it is not their intention at present to claim territory immediately circumjacent to the South Pole or the territories on both sides of Captain Amundsen's route, they consider they have a claim of priority to acquire such territory. States that matter will be carefully considered and a further despatch sent in due course 18

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
27 To Admiralty (Secret) ... ... May 29	Transmits copy of No. 25, states that Mr. Amery concurs in views expressed therein and requests that a memorandum be prepared defining the geographical limits of the maximum area, not already annexed to the British Dominions, in the whole Antarctic region exclusive of "Adélie Land," which can now be reasonably claimed 19
28 The Governor-General New Zealand, 94 ... May 7 (Rec. June 12)	States that a letter from the Admiralty has been received by the Navy Board, Wellington, relative to the French claim to Adélie Land. For reasons given Ministers assume that a profitable whaling industry may exist westward of the western boundary of the Ross Dependency indicating the desirability of extending westward the western boundary of the Dependency 19
29 Admiralty (Secret) ... ... July 15	Forwards observations of Lords Commissioners in reply to No. 27 as to the areas in the Antarctic outside Adélie Land, which can reasonably be claimed as British territory on the ground of discovery by British Explorers 20
30 To Admiralty (Secret) ... ... July 18	Transmits copy of No. 28, and points out that the subject of the Admiralty letter to the Navy Board referred to therein is one which should only be dealt with by correspondence through the ordinary official channels. States that no reply will be sent to No. 28 pending the further consideration of the matter in the light of the memorandum requested in No. 27 21
31 To Foreign Office (Secret) ... ... August 29	Enumerates the points on which observations are requested for the elucidation of points arising out of No. 20, and to enable His Majesty's Government to reach decisions as to the amount of land which can be claimed 21
32 Dominions Office ... August	Memorandum on the history of the question of British control over the Antarctic 22
33 To the Governors-General Commonwealth of Australia, New Zealand, Telegram ... October 16	Quotes reply which it is proposed to send to note from Norwegian Legation of 24th February (see No. 26), and inquires whether Ministers concur 24
34 The Governor-General Commonwealth of Australia, 233 September 16 (Rec. Oct. 19)	Transmits copy of memorandum prepared by the National Research Council urging British claims to the Australian Quadrant and challenging the claims of France to Adélie Land, states that it is considered that all claims should be based on exploration work done by the nationals of the country claiming control and that such control should be exercised by country nearest the Arctic or Antarctic Territories 25
35 The Governor-General New Zealand, Telegram, Confidential October 20 (Rec. Oct. 20)	New Zealand Government concurs in the terms of the proposed reply to the note from the Norwegian Delegation as set forth in No. 33 29
36 The Governor-General Commonwealth of Australia, Telegram October 23 (Rec. Oct. 23)	Commonwealth Government concurs in the reply to the Norwegian Government proposed in No. 33 29
37 Admiralty ... ... October	Memorandum on the validity of French claims to territories in the Antarctic, prepared by the Hydrographic Department 30
38 Foreign Office ... November 4	Replies to several points raised in No. 31 33
39 To the Governors-General Commonwealth of Australia, New Zealand, Confidential December 11	Transmits copy of reply returned to Norwegian Note of 24th February 35

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
40 To the Governor-General Commonwealth of Australia, Secret December 24	States that No. 34 and memorandum enclosed are receiving earnest attention of His Majesty's Government and transmits copies of Dominions No. 99 and Nos. 32 and 37 35
41 To the Governor-General New Zealand, Secret December 24	Transmits copies of Dominions No. 99, and Nos. 32 and 37 36

ARBITRATION AGREEMENTS.

(1) Denmark and Iceland.

1925	
42 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 562 December 31	Inquires whether Ministers agree to renewal of Arbitration Conventions with Denmark and Iceland with the substitution of the Permanent Court of International Justice for the Permanent Court of Arbitration as the Court to which reference shall be made 36

(2) Netherlands.

1925	
43 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 195 May 11	Inquires whether Ministers agree to the renewal of the Arbitration Convention with the Netherlands and to the substitution of the Permanent Court of International Justice for the Permanent Court of Arbitration in the proposed renewal 37
44 The Governor-General Union of South Africa, Telegram ... June 26 (Rec. June 26)	States with reference to No. 43 that Ministers concur 38
45 The Governor-General Canada, 255 ... June 17 (Rec. June 27)	States that the Canadian Government have no objection to the renewal of the Convention with the amendments proposed 38
46 The Governor-General Irish Free State, 193 June 30 (Rec. July 1)	States that Ministers concur in the renewal of the Convention, and in the amendments proposed 38
47 The Governor-General Commonwealth of Australia, Telegram July 6 (Rec. July 6)	States that Ministers concur in the renewal of the Convention, and in the amendments proposed 38
48 The Governor Newfoundland, Telegram ... ... July 7 (Rec. July 7)	States that Ministers concur in the renewal of the Convention 39
49 The Governor-General New Zealand, Telegram ... ... July 11 (Rec. July 11)	Inquires, with reference to No. 43, whether His Majesty's Government is satisfied that exception of vital interests in the first Article of Treaty of February, 1905, covers questions arising out of exercise by His Majesty of rights at sea during war as such questions cannot safely be submitted to the Hague Court. Considers that Netherlands Government should be distinctly informed that vital interests do cover that class of question which His Majesty's Government will not submit to the Hague Court 39

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
50 To the Governor-General New Zealand, Telegram ... ... July 25	Requests, in view of explanation given, that Ministers do not press suggestion made at end of No. 49 ... 39
51 The Governor-General New Zealand, Telegram ... ... July 29 (Rec. July 29)	States, with reference to No. 50, that New Zealand Government does not press suggestion regarding exception of vital interests and maritime belligerent rights and is prepared to accept proposed Convention in terms approved by His Majesty's Government ... 40
52 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 370 August 24	Transmits copies of notes exchanged with the Netherlands Minister renewing for a further period of five years the Arbitration Convention of 1905, reference being to the Permanent Court of International Justice instead of to the Permanent Court of Arbitration as hitherto 40
53 To the Governor Southern Rhodesia, 329 ... ... August 24	Transmits copies of enclosures in No. 52 41
(3) Norway. (4) Portugal. (5) Sweden.	
1925	
54 To the Governor-General Canada, Telegram February 24	Urges early reply to telegram of 27th November, 1924, regarding the renewal of the Arbitration Agreements with Norway, Sweden and Portugal subject to certain amendment 42
55 The Governor-General Canada, Telegram March 3 (Rec. Mar. 3)	States that Ministers have no objection to proposed renewal of Agreements 42
56 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 230, Southern Rhodesia, 184 ... ... May 30	Transmits copies of notes exchanged with the Swedish Minister renewing the Arbitration Convention of 1904 for a further period of five years with the amendment indicated 42
57 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 244 Southern Rhodesia, 497 ... ... June 9	Transmits copies of notes exchanged with the Norwegian Minister renewing for a further period of five years the Arbitration Convention of 1904, with amendment indicated 43
58 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 285, Southern Rhodesia, 233 ... ... July 10	Transmits copies of Cmd. 2426 containing notes exchanged with Sweden further renewing the Arbitration Convention of 1904 45

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
59 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 208, Southern Rhodesia, 247 ... ... July 18	Transmits copies of Cmd. 2452 containing notes exchanged with the Norwegian Minister further renewing Arbitration Convention of 1904 45
60 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram July 27	States that, as Portuguese Government are unable to concur in renewal of Agreement in form proposed without prior consent of their Parliament, existing Agreement is being renewed without alteration for two years only 45
61 To the Governor-General Irish Free State, 298 July 28	Transmits copy of No. 60 46
62 To the Governor Southern Rhodesia, 310 ... ... August 12	States that, as Portuguese Government are unable to concur in renewal of Agreement in form proposed without prior consent of their Parliament, steps are being taken to renew existing Agreement without alteration for two years only 46
63 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 446, Southern Rhodesia, 391 ... ... October 9	Transmits copies of Cmd. 2516, containing the text of notes exchanged with Portugal extending until 16th November, 1926, the operation of the Agreement ... 46
(6) Siam.	
1925	
64 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram August 17	Quotes text of operative clauses of draft Arbitration Convention with Siam, and inquires whether Ministers have any observations to offer 47
65 To the Governor Southern Rhodesia, Telegram ... August 17	States that draft Arbitration Convention with Siam has been prepared on usual lines, but stipulating for reference of differences to Permanent Court of International Justice instead of Permanent Court of Arbitration. Inquires whether Ministers have any observations to offer 48
66 To the Governor-General Irish Free State, 325 August 19	Transmits copy of No. 64, and inquires whether Ministers have any observations to offer thereon ... 48
67 The Governor-General Union of South Africa, Telegram ... August 25 (Rec. Aug. 25)	States, with reference to No. 64, that Ministers have no observations to offer 48
68 The Governor Newfoundland, Telegram ... ... August 28 (Rec. Aug. 29)	In reply to No. 64, states that Ministers have no observations to offer 48

Serial No., From or to whom, Despatch No., &c., and Date.			Subject and Page No.
		1925	
69	The Governor Southern Rhodesia, Telegram ...	September 7 (Rec. Sept. 7)	States, with reference to No. 65, that Ministers have no observations to offer 49
70	The Governor-General New Zealand, Telegram	September 10 (Rec. Sept. 10)	States that Government have no objections to, or comments to make upon the terms of the proposed Treaty with Siam 49
71	The Governor-General Irish Free State, 277	September 18 (Rec. Sept. 19)	States, with reference to No. 66, that Ministers have no observations to offer 49
72	The Governor-General Canada, Telegram	October 2 (Rec. Oct. 2)	States that Department of Justice considers that there is no objection to insertion in proposed Convention of Clause referred to in No. 64 49
73	The Governor-General Commonwealth of Australia, Telegram	October 26 (Rec. Oct. 26)	States that Commonwealth Government has no objection to proposed Convention with Siam 49

ARCTIC REGIONS, CANADIAN CLAIMS IN THE

		1925	
74	Foreign Office ...	June 23	States that it has been reported that Canadian Government have addressed note to United States Government claiming sovereignty over lands between Canada and the North Pole. Inquires as to the authenticity of report and asks for particulars of correspondence between Governments concerned and encloses copy of despatch from Washington regarding comments in United States Press, regarding this claim and statement by Canadian Minister of the Interior in the Canadian House of Commons 50
75	To Foreign Office ...	July 9	States, in reply to No. 74, that no communication has been received from Canadian Government in the matter, but from recent debates in the Canadian House of Commons, it will be seen that the extent of Canada's territorial claims in the Arctic regions has been under discussion 51
76	Foreign Office ...	July 16	Transmits copy of despatch from Washington forwarding copy of note to United States Government conveying information relating to the posts and duties of Royal Canadian Police in Baffin and Ellesmere Islands and other sections of Canadian Northern Territories 51
77	Foreign Office ...	July 20	Transmits copy of despatches from Washington enclosing correspondence with Canadian Government giving details of grounds for Canadian claim. States that it is considered that any future conflict of views *re* territorial rights will turn on facts of discovery, etc., more than on diplomatic correspondence, and suggests that Canadian Government be asked to collect all available evidence tending to substantiate claim 53
78	Foreign Office ...	August 7	Transmits copy of despatch from Washington enclosing copy of note from United States Government stating that the communication respecting laws of the Arctic Ocean and posts of Royal Canadian Mounted Police is receiving consideration 63

Serial No., From or to whom, Despatch No., &c., and Date.			Subject and Page No.
		1925	
79	Foreign Office (Confidential) ...	August 20	Transmits copy of despatch from Washington enclosing copy of despatch to Canada stating that Norwegian Government would be interested in any discussions between Canada and United States on the question of Canadian sovereignty over the Islands of Axel Heiburg and Ellesmere 64
80	To the Governor-General Canada, Secret ...	August 31	Considers that evidence of discovery, occupation, etc., should be collected and placed on record. States that the Admiralty have been asked to prepare a memorandum regarding Canadian claims in the Arctic, supplementary to Dr. W. F. King's memorandum compiled in 1904 in connection with the status of Hudson Bay, and requests a copy of any memorandum prepared in Canada for communication to the Admiralty 65
81	To Foreign Office ...	August 31	Transmits, with comments, copies of Nos. 80 and 82. States that there is much material of a diplomatic character which the Canadian Government could use effectively to defend its claim against any pretensions of the United States and sets out certain relevant facts in this connexion 66
82	To Admiralty ...	August 31	Transmits copies of Nos. 74-81, and inquires whether a memorandum could be furnished by the Hydrographic Department containing any information supplementary to 1904 bearing on the subject that may be on record in that Department 67
83	Foreign Office ...	September 7	Transmits copy of despatch from Washington stating that it is reported in the Press that the Macmillan Expedition will make no further attempts to explore by air the area of sea and land west of their base at Etah, Greenland, and that it is expected that the expedition will leave for United States early in September, exploring on the way Baffin Land and Labrador 57
84	Admiralty (Confidential) ...	October 2	Transmits notes on Dr. King's memorandum of 1904 and on Governor-General's despatch No. 104 of 4th June, 1925 (see No. 77). The former contains information bringing memorandum up to date as far as is possible with information available. States that opinions in memorandum and despatch appear open to criticism, but it has not been thought necessary to discuss these except as relating to geographical facts 68
85	To the Governor-General Canada, Secret (2)	October 20	Transmits copies of notes on Dr. King's memorandum compiled by Admiralty (Enclosures in No. 84) ... 71
86	The Deputy Governor-General Canada, Secret	October 9 (Rec. Oct. 21)	Conveys thanks of Canadian Government for memorandum to be compiled by Admiralty. States that a more comprehensive statement regarding Canadian claims in the Arctic regions will be forwarded in due course and encloses copies of United States Review, *Foreign Affairs*, containing an Article on the subject 72
87	Foreign Office ...	December 24	Transmits copy of despatch from Washington forwarding copy of despatch from Consul at Detroit, reporting a projected flight from Alaska to Spitzbergen, with the observations of the British Air Attaché thereon 72

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.

ARMAMENTS, LIMITATION OF

(1) Proposed Naval Disarmament Conference at Washington.

1925

88	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... ...February 23	Transmits message from Prime Minister for Prime Minister regarding the possibility of holding a further Disarmament Conference at Washington and summarizes a proposed despatch to His Majesty's Ambassador at Washington, giving assurance of support. Requests observations and views of Ministers 74
89	To the Governor-General Irish Free State, Secret ... February 24	Transmits copy of No. 88 and requests views of Ministers 75
90	The Governor Newfoundland, Telegram, Secret ... March 2 (Rec. Mar. 2)	States, with reference to No. 88, that Prime Minister concurs 75
91	The Governor-General Commonwealth of Australia, Telegram, Secret ... ... March 4 (Rec. Mar. 4)	Transmits message from Prime Minister for Prime Minister concurring in proposal contained in No. 88, inquiring as to date of proposed conference and suggesting that before final acceptance is given Agenda should be submitted to powers interested ... 75
92	The Governor-General Union of South Africa, Telegram, Secret ... March 4 (Rec. Mar. 4)	Transmits message from Prime Minister for Prime Minister concurring in the general attitude of His Majesty's Government, as indicated in No. 88, and expressing an opinion regarding the direct invitation of the Dominion representatives to the proposed Conference 76
93	The Governor-General Canada, Telegram ... March 7 (Rec. Mar. 8)	Transmits message from Prime Minister for Prime Minister concurring in proposal contained in No. 88, and urging desirability, if Conference is held, of issue of separate invitations to the Dominion Governments 77
94	The Governor-General New Zealand, Telegram, Secret ... March 16 (Rec. Mar. 16)	Concurs in terms of proposed despatch in No. 88 ... 77
95	The Governor-General Irish Free State, Secret ... March 16 (Rec. Mar. 17)	Concurs in the general attitude described in No. 88, and has no observations to offer on the terms of the despatch summarized therein 77
96	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... ... April 4	Transmits message for Prime Minister from Prime Minister stating that, while all Dominions and India have expressed concurrence in attitude towards proposed Conference, it is thought undesirable at present to take initiative and send despatch indicated in No. 88 78
97	To the Governors-General Canada, Union of South Africa, Telegram, Secret ... April 4	Transmits message from Prime Minister for Prime Minister stating that Sir Esmé Howard is being privately consulted regarding the issue of invitations to the Dominions 78
98	To the Governor-General Commonwealth of Australia, Telegram, Secret ... ... April 4	Requests that Prime Minister be informed that reply to points raised in No. 91 is being deferred 78

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.

1925

99	To the Governor-General Irish Free State, Secret ... ... April 6	Transmits copy of No. 96 79
100	Foreign Office ... June 11	Transmits copy of despatch from Washington putting forward suggestions regarding the issue of invitations to Dominions Governments to any eventual Conference on naval disarmament at Washington ... 79
101	Mr. E. J. Harding to Mr. R. L. Craigie (Foreign Office) ... August 10	Points out certain difficulties that would possibly arise in the operation of procedure suggested in No. 100, and suggests that matter should be personally discussed with Sir E. Howard before a definite conclusion is arrived at 80
102	Dominions Office October 10	Note on Discussion held at the Dominions Office regarding the manner in which invitations to any Disarmament Conference might best be addressed to the Dominions 81
103	Foreign Office to Sir E. Howard (Washington), Telegram ... November 25 (Rec. in Dominions Office Dec. 7)	Indicates method of issuing invitations to Dominions and India considered most desirable in the event of a Conference being called 82

(2) Discussions at the Sixth Assembly of the League of Nations.

1925

104	League of Nations September 25	Resolution adopted by the Sixth Assembly regarding Arbitration, Security and Reduction of Armaments 83
105	To the Governors-General Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Telegram, Confidential and Secret November 18	Transmits message from Prime Minister for Prime Minister stating that Inter-Departmental Committee is being formed to determine course to be adopted by British representative at meeting which Council of the League of Nations is arranging in connection with Disarmament proposals, states that Committee will include representatives of Service Departments and inquires whether he desires to nominate a representative 83
106	The Governor-General Union of South Africa, Telegram, Secret November 23 (Rec. Nov. 23)	Transmits message from Prime Minister for Prime Minister nominating High Commissioner in London, as representative on the Interdepartmental Committee 84
107	The Governor-General Canada, Telegram, Confidential November 23 (Rec. Nov. 23)	Transmits message from Prime Minister for Prime Minister stating, with reference to No. 105, that it is not considered advisable to appoint representative on Committee, but if later development shows that there is a probability of a practical proposal being submitted to the members of the League, Canadian Government would probably appoint similar Interdepartmental Committee and would appreciate any reports, or recommendations, when available ... 85
108	The Governor-General New Zealand, Telegram, Confidential November 23 (Rec. Nov. 24)	States, in reply to No. 105, on behalf of Prime Minister that it is not desired to nominate representative on Committee 85
109	To the Governors-General Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Telegram, Confidential ... December 2	Embodies list of questions regarding Air and Land Disarmaments drawn up by the Interdepartmental Committee, as to which preparatory study might be conducted with advantage, considers discussion of programme of naval disarmament quite useless unless United States is willing to participate, such conference being best held at Washington 85

Serial No., From or to whom, Despatch No., &c., and Date.		Subject and Page No.
	1925	
110	The Governor-General Commonwealth of Australia, Telegram December 9 (Rec. Dec. 9)	Does not desire to appoint representative on Inter-departmental Committee, but Prime Minister would be obliged if reports and recommendations could be communicated to him 86
111	To the Governors-General Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Telegram, Secret ... December 9	Reports approval by Cabinet of recommendations of Interdepartmental Committee. Indicates points included in draft programme adopted by Committee of League of Nations, and personnel and work of preparatory Committee to be set up by Council to undertake study of questions involved. Points out difficulty that may arise unless United States agree to participate in discussion on military, naval, and air questions 87
112	To the Governors-General Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Telegram, Secret ... December 10	States that the proposals regarding the title, composition and procedure of the preparatory Committee referred to in No. 111, were approved by the Council on 9th December. Indicates other formal invitations which it was decided to issue and the statements made by the British and French representatives regarding the discussion of naval disarmament ... 88
113	To the Governors Newfoundland, 137, Southern Rhodesia, 193 ... ... December 18	Transmits copies of Resolutions adopted by the Sixth Assembly of the League of Nations regarding (*a*) Arbitration, Security and Reduction of Armaments, and (*b*) the Pacific Settlement of International Disputes 89

ARMS TRAFFIC CONVENTION, 1925.

(1) Position of Colonies, etc., under Convention, and Question of its Inter-Imperial Applicability.

	1925		
114	Foreign Office ... April 24	Memorandum by Mr. H. W. Malkin on the question of inter-Imperial applicability of Conventions ... 90
115	Lord Onslow (Geneva) to Foreign Office, Telegram ... ... May 17	Details, with comments, discussion on the British draft of Article 24, regarding shipments between territories forming part of the same sovereign state, and inquires as to the line which future British policy should take 92
116	Mr. Austen Chamberlain (Foreign Office) to Lord Onslow (Geneva), Telegram May 21	Defines attitude of His Majesty's Government as to inclusion of inter-Imperial shipments by private firms or governments in the Convention, and outlines arguments in support of the British claim for Imperial Preference against American opposition ... 93
117	Memorandum by Mr. E. J. Harding (Colonial Office) and Mr. W. E. Beckett (Foreign Office) ... May 27	Memorandum regarding the attitude of the Parties towards the Netherlands Amendment of Article 24, and proceedings thereon; also regarding the alternative proposals as to Article 25 94
118	League of Nations ... June 1	Extract from the General Report of the Arms Traffic Conference 97
119	Colonial Office ... —	Extracts from Arms Traffic Convention signed at Geneva, 17th June, 1925 98
120	Mr. W. E. Beckett (Foreign Office) to Mr. E. J. Harding (Dominions Office) August 1	States the developments which took place at Geneva subsequent to No. 117 as regards the British proposals and British Imperial questions generally 99

Serial No., From or to whom, Despatch No., &c., and Date.		Subject and Page No.
(2) Exclusion of South West Africa from "Special Zone" under the Convention.		
	1925	
121	His Majesty's Consul (Geneva) to Foreign Office, Telegram ... May 25	Reports the area of zones as suggested by the drafting sub-committee for consideration by the Geographical Committee 101
122	Foreign Office to Mr. London (Geneva), Telegram ... ... May 27	Emphasizes the undesirability of the inclusion of South West Africa in the Special Zone, and trusts that the Geographical Committee will not press the matter further 102
123	His Majesty's Consul (Geneva), to Foreign Office, Telegram ... May 28	States that Portuguese delegate is disturbed about the question of South West Africa and that it was explained to him that the Union Government would use every effort to prevent illicit trade 102
124	His Majesty's Consul (Geneva) to Foreign Office, Telegram ... June 1	Requests information of available arguments to meet objections of Portugal to matters referred to in No. 123 102
125	Lord Onslow (Geneva) to Foreign Office, Telegram ... ... June 2	States that Portuguese delegate has precise instructions to oppose the exclusion of South West Africa strongly, and suggests action at Lisbon 102
126	Foreign Office to Mr. London (Geneva), Telegram ... ... June 2	States that action has been taken at Lisbon as suggested in No. 125 103
127	Foreign Office to Mr. London (Geneva), Telegram ... June 3	Explains why there is no greater probability that arms will be smuggled from South West Africa into Angola than from Angola into South West Africa; the fears of the Portuguese delegate on this question being based on misapprehension 103
128	His Majesty's Consul (Geneva) to Foreign Office, Telegram ... June 4	Reports the adoption by the Geographical Committee of Articles 13 T.M.C., 10 and 11 T.M.C.; with amendments stated, and that South West Africa was excluded from special zone 103
129	Mr. London (Geneva) to Foreign Office, Telegram ... ... June 8	States that the Portuguese delegate will maintain his opposition regarding South West Africa in General Committee 104
130	Sir L. Carnegie (Lisbon) to Foreign Office, Telegram ... June 9	Explains why the Portuguese Government are unwilling to withdraw their opposition to the exclusion of South West Africa, from the special zone 104
131	Foreign Office to Mr. London (Geneva), Telegram ... June 11	Communicates comments upon No. 130 for Lord Onslow's use in case the Portuguese delegate should use the arguments contained therein 104
132	His Majesty's Consul (Geneva) to Foreign Office, Telegram ... June 11	Reports that South West Africa was excluded by unanimous vote, including that of the Portuguese delegate 105
133	Mr. London (Geneva) to Foreign Office, Telegram ... ... June 13	Reports the continued disturbance of the Portuguese delegate about South West Africa and asks for a message of reassurance to give to the Portuguese Government 105
134	Foreign Office to Mr. London (Geneva), Telegram ... ... June 15	Considers that any statement of formal assurance should be avoided in plenary session for reasons given, and suggests the line which should be taken if a public statement is found necessary 105
(3) Signature of Convention on behalf of Canada.		
	1925	
135	The Governor-General Canada, Telegram September 5 (Rec. Sept. 5)	States that senior Canadian Delegate to Sixth Assembly of League of Nations has been authorised to sign Arms Traffic Instruments 106

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
AUSTRIA.	
(1) Commercial Treaty, 1924.	
1925	
136 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 210, Southern Rhodesia, 174 ... ... May 25	Transmits copies of Treaty Series paper No. 21 of 1925 [Cmd 2411], containing the Treaty of Commerce and Navigation with Austria and accompanying Declaration, signed at London on 22nd May, 1924 106
137 To the Governor Southern Rhodesia, 257 ... ... July 21	Transmits copies of notes exchanged between His Majesty's Minister at Vienna and the Austrian Government notifying the accession of Southern Rhodesia to the Treaty 106
(2) Agreement relating to Commercial Travellers' Samples.	
1925	
138 The Governor-General Commonwealth of Australia, 338 ... December 4, 1924 (Rec. Jan. 12, 1925)	States that Commonwealth Government does not desire to enter into any formal agreement with Austria. Gives the present practice in Australia with regard to Customs clearance of commercial travellers' samples 108
139 To the Governors-General and Governors New Zealand, 85, Union of South Africa, 91, Irish Free State, 197, Newfoundland, 50, Southern Rhodesia, 158 ... May 16	Transmits copies of correspondence with the Austrian Minister respecting the accession of New Zealand, Union of South Africa, Irish Free State, Southern Rhodesia and Malta to the Agreement of the 28th March, 1923 108
BELGIUM.	
(1) Abrogation of the Treaties of 1839 establishing the Status of Belgium.	
1925	
140 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Confidential ... April 1	States that Governments of Belgium and the Netherlands have now agreed upon a Treaty to replace that between those countries of 1839, and that His Majesty's Government and the French Government have been asked to agree to formal abrogation of the multilateral Treaties of 1839. Indicates reply which His Majesty's Government propose to make if the provisions of the new Treaty are considered satisfactory 110
141 To the Governor-General Irish Free State, Confidential ... ... April 2	Transmits copy of No. 140 111
142 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Telegram, Confidential ... ... May 23	Details action proposed for the abrogation of the Treaties of 1839, and states that it is proposed that His Majesty's representative at the Hague should sign the new Treaty on behalf of the British Empire. Inquires whether Ministers have any observations to offer 111

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
143 The Governor-General New Zealand, Telegram, Confidential ... May 25 (Rec. May 25)	States, with reference to No. 142, that New Zealand Government has no observations to offer, and is content to leave matter entirely to the discretion of His Majesty's Government 112
144 The Governor-General Union of South Africa, Telegram, Confidential May 26 (Rec. May 26)	Ministers concur with action proposed in Nos. 140 and 142 112
145 The Governor Newfoundland, Telegram ... ... May 26 (Rec. May 26)	Ministers have no objections to action proposed in No. 142 112
146 The Governor-General Canada, Telegram ... May 26 (Rec. May 27)	States that advisers desire to avoid raising any question as to the procedure suggested in No. 142. Communicates observations on the use of the term "British Empire" as indicating party to the new instrument 113
147 The Governor-General Commonwealth of Australia, Telegram... May 27 (Rec. May 27)	Ministers concur in procedure proposed in No. 142 and have no observations to offer 113
148 The Governor-General Irish Free State, Telegram, Confidential ... May 27 (Rec. May 27)	States, in reply to No. 142, that on the assumption that "British Empire" in paragraph 4 is not intended to include the Dominions, Ministers have no observations to offer except that they presume that paragraph (a) of the Imperial Conference Resolution regarding signature of treaties will be followed ... 113
149 To the Governor-General Irish Free State, Confidential ... ... June 26	Replies to the points raised in No. 148 and adds that the other Dominions have agreed to the procedure proposed 113
150 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 277, Confidential ... July 4	States that His Majesty's Government and the French Government have arrived at agreement as to form of the Instrument and encloses copies of French and English texts. States that on deciding on the language in which it is to be drawn up, it is proposed to communicate the text to the Belgian and Netherlands Governments, prior to its signature by ex-enemy Governments 114
151 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 375, Confidential ... August 28	Transmits copy of despatch to His Majesty's representatives at Brussels and the Hague forwarding text of draft Treaty, and copy of despatch to His Majesty's representative at Paris suggesting the terms of a Note to the Belgian and Netherlands Governments in reply to their intimation on non-agreement with the British draft of the new Treaty 115
(2) Convention relating to Legal Proceedings in Civil and Commercial Matters.	
1925	
152 The Governor Newfoundland, 4 January 7 (Rec. Jan. 26)	States that Ministers are prepared to accept reservations suggested in Belgian Ambassador's note of 26th September, 1924, and desire that he shall be informed in reply that it is agreed that the arrangement shall take effect one month from the date of such notification 117

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
153 To the Governor Newfoundland, 15 February 19	Transmits copy of note to the Belgian Ambassador informing him in the sense desired in No. 152 ... 117
154 The Governor-General Canada, 70 ... February 17 (Rec. Mar. 2)	Intimates the desire of some of the Provinces for consideration of the question by the Board of Commissioners for the Promotion of Uniformity of Legislation in Canada and requests thirty additional copies of the Convention for the purpose 118
155 To the Governor Southern Rhodesia, 77 March 4	Transmits copy of correspondence with Belgian Ambassador regarding the extension to Southern Rhodesia of the provisions of the Convention ... 118
156 To the Governor Newfoundland, 22 March 13	Transmits copy of extract from the *Moniteur Belge* notifying the extension of the Convention to Newfoundland 119
157 To the Governor Southern Rhodesia, 107 ... ... March 26	Transmits copy of note from Belgian Ambassador agreeing to the extension of the Convention to Southern Rhodesia with effect from 25th March ... 120
158 To the Governor Southern Rhodesia, 123 ... ... April 14	Transmits copy of an extract from the *Moniteur Belge*, notifying the extension of the Convention to Southern Rhodesia with effect from 25th March 120
(3) Commercial Convention with Canada.	
1925	
159 The Governor-General Canada, 5 ... January 13 (Rec. Jan. 24)	States that Canadian Government are of opinion that Canada should herself hereafter undertake the registration of any treaties negotiated, signed and ratified by, or at the instance of, the Canadian Government and that, accordingly, steps for the registration of the Belgo-Canadian Treaty will be taken by them 121
(4) Proposed Agreement relating to Legalization of Documents.	
1925	
160 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 401, Southern Rhodesia, 356 ... ... September 9	Transmits copy of note with enclosure from the Belgian Minister for Foreign Affairs to His Majesty's Ambassador at Brussels, proposing an Anglo-Belgian Agreement for dispensing with the legalization of certain official documents and powers of attorney, together with a draft form of agreement which has been prepared and sent to His Majesty's Ambassador at Brussels for communication to the Belgian Government 121
BRITISH SUBJECTS.	
Position of, under Commercial Treaties.	
1925	
161 Foreign Office ... November 23	Transmits copy of memorandum regarding the best manner of introducing into the text of a commercial treaty or convention between this country and a foreign power, such a modification as will exclude from its operation British subjects who are connected with those parts of the Empire which are not bound by it, and suggests that an Inter-departmental Conference should be held to discuss the matter ... 124

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
162 To Foreign Office December 2	States, in reply to No. 161, that discussion of proposed question involves the most important issue of Imperial policy. Suggests postponement of Inter-departmental Conference until memorandum has been prepared and considered by various Departments concerned 126
BULGARIA.	
Commercial Agreement, 1925.	
1925	
163 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 410, Southern Rhodesia, 360 ... ... September 11	Transmits draft of notes to be exchanged between His Majesty's Government and the Bulgarian Government with a view to regularizing the commercial relations between Great Britain and Bulgaria. States that presentation of notes will be deferred until the ratifications of the Anglo-German Commercial Treaty are exchanged, and that inquiries will also be made as to when the Bulgarian Government would be prepared to commence negotiations for a full Treaty of commerce and navigation 125
164 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 522, Southern Rhodesia, 470 ... ... December 11	Transmits copies of notes exchanged between His Majesty's Minister at Sofia and the Bulgarian Minister for Foreign Affairs providing for the provisional regulation of commercial relations with Bulgaria 128
165 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 541, Southern Rhodesia, 489 ... ... December 22	Transmits copies of Cmd 2556 containing text of notes referred to in No. 164 128
CHINA.	
(1) Ratification of Washington Treaties.	
1925	
166 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram August 13	States that Ratifications of two treaties relating to China were deposited by representatives of nine Powers concerned at State Department, Washington on 5th August, 1925 120
167 To the Governor-General Irish Free State, 317 August 14	States that ratifications of two Treaties relating to China negotiated at the Washington Disarmament Conference were deposited by the representatives of the nine Powers concerned on the 5th August ... 129

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
168 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 412, September 14	Transmits copies of the *procès-verbaux* recording the deposit of the ratifications by the signatory Powers of Treaty relating to Principles and Policies concerning China and Treaty relating to Chinese Customs Tariff concluded at Washington on 6th February, 1922 130
169 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 443, Southern Rhodesia, 388 ... ... October 9	Transmits copies of Treaty Series papers containing the text of the two Treaties 132
(2) Customs Tariff Conference, 1925-26.	
1925	
170 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram. Secret ... September 1	Notifies acceptance by His Majesty's Government of invitation of Chinese Government to be represented at Tariff Conference to be opened on 26th October. Gives provisional names of British Delegation and sets out main objects of Conference. Inquires whether Dominion Governments desire to send representatives 132
171 To the Governor-General Irish Free State, Secret ... September 2	Transmits copy of No. 170 and inquires whether the Irish Free State desires to be represented at the Conference 133
172 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 406 September 11	Transmits copy of note from the Chinese Chargé d'Affaires conveying invitation to His Majesty's Government to participate in Conference at Peking on October 26th, 1925, and copy of reply accepting the invitation 133
173 To the Governor-General Canada, 383 September 11	Asks that necessary facilities be given in Canada to members of the Delegation who are proceeding to China via Canada to take part in the forthcoming Conference at Peking 134
174 The Governor-General Canada, Telegram September 15 (Rec. Sept. 15)	States, in reply to No. 170, that Canadian Government is interested in Conference and will name representative if suitable man is available. Inquires whether Sir Robert Macleay is passing through Ottawa ... 135
175 To the Governor-General Canada, Telegram September 18	Fears, in view of the facts stated, that Sir Robert Macleay will have no time to break his journey at Ottawa, but suggests that he could be consulted *en route* 135
176 The Governor-General New Zealand, Telegram ... September 26 (Rec. Sept. 26)	States, in reply to No. 170, that New Zealand Government does not desire to be separately represented at the Conference 135
177 The Governor-General Irish Free State, Secret ... ... October 8 (Rec. Oct. 9)	States, in reply to No. 171, that Ministers do not propose to send a representative to the Conference ... 136

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
178 The Governor-General Commonwealth of Australia, Telegram October 9 (Rec. Oct. 9)	States that the Commonwealth Government will not send a representative to the Conference, but requests to be informed as to proceedings in due course ... 136
179 To the Governor-General Canada, Telegram October 13	Inquires, with reference to Nos. 174 and 175, whether it was found possible to discuss matter with Sir Robert Macleay and what decision has been reached as regards nomination of Canadian representative ... 136
180 The Governor-General Canada, Telegram October 20 (Rec. Oct. 20)	States, in reply to No. 179, that no interview took place with Sir Robert Macleay. Requests to be informed whether Dominions have been specifically invited to participate in the Conference, on what basis representation for the Dominion has been contemplated and position of the other Dominions 136
181 To the Governor-General Canada, Telegram October 23	Replies to points raised in No. 180 regarding the representation of the Dominions at the Conference ... 137
182 The Governor-General Canada, Telegram October 26 (Rec. Oct. 26)	States that in all the circumstances, Ministers do not desire to name a representative at the Conference ... 137
183 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram; Secret ... October 27	Describes proceedings at opening meeting of Conference on 26th October 137
184 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... ... October 29	Details the provisional agenda submitted, prior to meeting of Tariff Conference, by Chinese Government to Legations concerned in Peking, but it was not accepted by them. Reports on the unsatisfactory attitude adopted by Wang, at the meeting of Chief Delegates on 27th October, and on the future outlook 138
185 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... ... November 4	Indicates proposals submitted to the Conference by the United States delegation on 3rd November. States that British delegates concurred generally but thought it desirable, at a subsequent meeting, in order to make attitude of His Majesty's Government clear, to make the declaration quoted 139
186 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... November 24	Quotes Resolution regarding Chinese Tariff Autonomy adopted by the Conference on 19th November, and gives description of situation thus created by British Minister in Peking 140
187 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... ...December 3	States that it seems probable that China will secure tariff autonomy on 1st January, 1929, giving little or nothing in return. Quotes suggestions that have been put to British Delegation which would help to safeguard British interests 141

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
188 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... December 19	States that the British Delegation consider the conclusion of a *bilateral* commercial treaty to be the logical consequence of tariff autonomy and ask for an indication of the lines on which such a treaty should be framed. Gives record of proceedings of Conference up to date 141
189 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Confidential ... December 24	States that material is being collected for preparation of list of goods to be considered for special tariff treatment in China in the event of a bilateral commercial treaty being negotiated, and requests particulars of any special articles which it is considered should be borne in mind 142
190 To the Governor-General Irish Free State, Confidential ... December 29	Transmits copy of No. 189 143

(3) Commission on Extra-Territorial Jurisdiction.

1925	
191 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Confidential ... September 9	States that His Majesty's Government are taking preparatory steps for setting up Commission on Extra-territorial Jurisdiction in China, and Secretary of State for Foreign Affairs proposes appointment of legal adviser, Mr. Malkin, and association with him of some Consular Officer with thorough knowledge and experience of Chinese judicial matters 143
192 To the Governor-General Irish Free State, Confidential ... September 9	Transmits copy of No. 191 143
193 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Confidential ... November 26	States that Sir Skinner Turner has been appointed on Commission instead of Mr. Malkin, and quotes abstract of instructions which are being issued to him 144
194 To the Governor-General Irish Free State, Confidential ... November 26	Transmits copy of No. 193 144

CUSTOMS TARIFFS.

International Convention for the Publication of

1925	
195 The Governor-General New Zealand, Telegram ... February 23 (Rec. Feb. 23)	States that Ministers regret they cannot alter decision to withdraw from the Convention, the Dominion will, however, advise the Bureau of all tariff changes and is willing to purchase, as a regular subscriber, one copy of each tariff published 145
196 To the Governor-General New Zealand, 46 March 12	Transmits copy of note to Belgian Ambassador in the sense of No. 195 145

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
197 To Office of the High Commissioner Commonwealth of Australia ... ... June 18	Transmits copy of note from Belgian Ambassador regarding the withdrawal of the Commonwealth from the International Union for the Publication of Customs Tariffs 146
198 To the Governor-General and Governor New Zealand, 112, Newfoundland, 62 ... June 19	Transmits copy of note from Belgian Ambassador regarding the withdrawal of [New Zealand] [Newfoundland] from the International Union for the Publication of Customs Tariffs 147
199 Office of the High Commissioner for Commonwealth of Australia ... September 25	States, with reference to No. 197, that the Commonwealth Government has decided to adhere to their decision to withdraw from the Union 147
200 The Governor-General New Zealand, 193 September 4 (Rec. Oct. 14)	States that Ministers regret that they cannot depart from previous decision to withdraw from Union ... 147
201 To the Governor-General New Zealand, 195 October 28	Transmits copy of note to Belgian Ambassador conveying substance of No. 200 148

CZECHOSLOVAKIA.

(1) Commercial Treaty, 1923.

1925	
202 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 227, Southern Rhodesia, 181 ... ... May 29	Transmits copy of memorandum from the Commercial Secretary to the British Legation at Prague regarding the attitude of the Dominions to the Commercial Treaty with Czechoslovakia, and states that it is being explained to the Czechoslovak Government that they are seemingly under certain misapprehension as regards the tariff on goods from the Dominions and Colonies 148
203 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 402, Southern Rhodesia, 357 ... ... September 11	Transmits copy of despatch from His Majesty's Minister at Prague forwarding copy of note from Czechoslovak Ministry for Foreign Affairs regarding the position of the Dominions in relation to the Treaty and inquires as to reply to be returned to Czechoslovak Government 149
204 The Governor Newfoundland, 103 November 9 (Rec. Nov. 28)	States that the Treaty between Newfoundland and Spain was a special arrangement with respect to the duty on fish, but that a similar arrangement could not be made with Czechoslovakia owing to the lack of particular products desired by each party ... 152

(2) Convention respecting Legal Procedure in Civil and Commercial Matters.

1925	
205 The Governor-General Canada, 97 ... February 28 (Rec. Mar. 17)	Asks for thirty additional copies of the Conventions with Czechoslovakia and France for the purpose of submitting the question of extension of the Convention to Canada to the Board for the Promotion of Uniformity of Legislation in Canada 152

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.

DOMINICAN REPUBLIC.

Proposed Commercial Treaty.

	1925	
206	To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 313, Southern Rhodesia, 261 ... ... July 24	Transmits copy of draft Treaty of Commerce with Dominica which His Majesty's Representative at San Domingo has been instructed to present to the Dominican Government for consideration 153

ESTHONIA.

Commercial Treaty, 1926. Position of British Subjects under Commercial Treaties.

	1925	
207	To Foreign Office January 2	Comments on the ambiguity of the wording of the draft of the proposed Treaty with Esthonia, and suggests certain alterations 153
208	Foreign Office ... April 3	States that it is proposed to proceed with the conclusion of the Treaty as between the King and the Esthonian Republic and that a final draft will be submitted in due course for observations. Also proposes that the question of the extent to which all British subjects should benefit under commercial treaties concluded with foreign states on behalf of Great Britain and Northern Ireland, should form the subject of discussion between representatives of departments concerned 154
209	To Foreign Office ... April 7	In reply to second point raised in No. 208 invites reference to correspondence relating to Commercial Treaties with Latvia and Finland ending with Foreign Office letter of 25th April, 1922 (No. 166 in Dominions No. 87) 155
210	To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 305, Southern Rhodesia, 324 ... ... August 19	Transmits copy of the draft Treaty as between His Majesty the King and the Esthonian Republic which His Majesty's Representative at Riga has been instructed to present to the Esthonian Government for observations or approval 155

EXPLORATION OF THE SEA, INTERNATIONAL COUNCIL FOR THE

Admission of the Irish Free State.

	1925	
211	The Governor-General Irish Free State, 61 February 20 (Rec. Feb. 21)	States that the Free State Government is willing to enter the Council as from 21st July, 1925, on the basis of the payment of an annual contribution of 10,000 kroner 155

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
212 To the Governor-General Irish Free State, 91 March 16	Transmits copy of note to Danish Minister stating that His Majesty's Government assent to the admission of the Irish Free State to the Council on payment of an annual contribution of 10,000 kroner 156
213 To the Governor-General Irish Free State, 226 June 13	Transmits copy of note from Danish Minister notifying the admission of the Irish Free State to the Council 156

EXTRADITION TREATIES.

(1) Albania.

	1925	
214	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 448, October 10	Transmits copy of despatch to His Majesty's Chargé d'Affaires at Durazzo requesting that in view of the question of capitulatory rights involved negotiations for the conclusion of an extradition treaty may be dropped for the present 157

(2) Belgium.

	1925	
215	The Governor-General Union of South Africa, 43 ... ... February 9 (Rec. Mar. 2)	Transmits copy of Ministers' minute stating that on further consideration they do not think it necessary to pursue their proposal that the Government seeking extradition would pay the whole cost of conveyance of the extradited person to his destination 157

(3) Brazil.

	1925	
216	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 361, Confidential ... August 18	Transmits copy of correspondence with His Majesty's Representative at Rio de Janeiro communicating the Brazilian Government's reply to the British counter-draft, with observations, and a memorandum for submission to the Brazilian Government for their assent, showing variations of British law with the text of the draft treaty 158
217	The Governor-General Canada, Telegram, Confidential ... September 8 (Rec. Sept. 8)	States that question of Extradition Treaty with Brazil is still under consideration, and that it is unlikely that an early decision will be reached 161

(4) Czechoslovakia.

	1925	
218	To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 506, Southern Rhodesia, 454 ... ... November 28	Transmits copies of correspondence with the Czechoslovak Legation regarding the proposed amendment of Article 12 of the 1924 Treaty, regarding the authority for signature of warrants, etc. 162

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
(5) Esthonia and Lithuania.	
1925	
219 The Deputy Governor-General Canada, 346 ... August 27 (Rec. Sept. 10)	Inquires whether extradition treaties with Esthonia and Lithuania have been negotiated and if not whether these States are still affected by such treaties applicable to Russia before they ceased to be territory of that Power 163
220 To the Governor-General Canada, Confidential October 21	States that extradition treaty on the lines of the model draft extradition treaty has been negotiated with Esthonia and is awaiting signature, and that a similar treaty is at present under the consideration of the Lithuanian Government. Observes that in the case of a new State being formed out of part of an old State, there is no succession by the new State to the Treaties of the old one 163
221 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 533, Southern Rhodesia, 499 ... ... December 28	Transmits copies of an Extradition Convention with Esthonia, signed on 18th November, 1925 164
222 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Confidential ... .. December 28	With reference to No. 221 draws attention of Ministers to No. 59 in Dominions No. 87, and in the case of Canada only, to Nos. 219 and 220 164
(6) Finland.	
1925	
223 The Governor Newfoundland, 6... January 9 (Rec. Jan. 26)	Requests that notice of accession be given under Article 17 of the Extradition Treaty with Finland in respect of Newfoundland 164
224 The Governor-General Union of South Africa, 9, ... January 7 (Rec. Jan. 27)	Transmits copy of Ministers' minute requesting that Government of Finland may be given notice that the stipulations of the Treaty shall be applicable to the Union 165
225 The Governor-General Union of South Africa, 45 ... ... February 10 (Rec. Mar. 2)	Transmits copy of Ministers' minute stating that they are unable to make the request for the extension of the Treaty to mandated South West Africa 165
226 The Governor-General New Zealand, 37 February 26 (Rec. April 1)	Requests that notice of accession be given under Article 17 of the Treaty in respect to New Zealand 166
227 The Governor-General New Zealand, 38 February 26 (Rec. April 1)	Requests extension of Treaty under second paragraph of Article 19 to Western Samoa 166
228 The Governor-General Commonwealth of Australia, 74 ... April 1 (Rec. May 4)	Requests notice of accession in respect of Australia, including Papua and Norfolk Island be given under Article 17 of the Treaty, and that arrangements be made in accordance with the second paragraph of Article 19 for the extension of the Treaty to New Guinea 166
1925	
229 To the Governor Southern Rhodesia, Telegram ... ... May 13	States that Order in Council applying Extradition Acts in case of Finland under, and in accordance with, Treaty of 30th May, 1924, was issued 2nd May and published in *London Gazette* 12th May 167
230 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 211, Southern Rhodesia, 107 ... ... May 20	Transmits extract from *London Gazette* of 12th May, containing the "Finland (Extradition) Order in Council, 1925," dated 2nd May 167
231 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 239, Southern Rhodesia, 192 ... ... June 5	Transmits copy of Treaty series paper No. 22 of 1925 (Cmd. 2417), containing the Treaty 167
232 The Governor-General Irish Free State, 178 June 8 (Rec. June 9)	Requests that notice of accession be given under Article 17 of the Treaty in respect of the Irish Free State 168
233 To the Governors-General Commonwealth of Australia, New Zealand, Telegram August 13	States that note is being prepared with a view to effecting extension of Treaty to [New Guinea] [Western Samoa]. Inquires who is to be regarded as chief authority of territory; who is appropriate Finnish Consular Officer and whether extension should date from day on which notes are exchanged. [*To Commonwealth*: Inquires whether Ministers desire that Treaty should be extended to Nauru] 168
234 The Governor-General New Zealand, Telegram ... ... August 29 (Rec. Aug. 29)	States, in reply to No. 233, that Administrator of Western Samoa should be designated as chief authority for that territory for the purpose of Article XVIII of Treaty, that Finnish Consul at Sydney should be designated as appropriate Finnish Consular Officer, and that extension should take effect from date on which notes are exchanged 168
235 To the Governors-General and Governor Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram ... September 10	States that notice of accession of specified countries given to Finnish Government on 14th September, and that notification referred to in second proviso in Order in Council, 2nd May, is to be made in *London Gazette*, 22nd September 169
236 To the Governor-General Irish Free State, 367 September 21	States that notice of accession of Irish Free State to the Treaty was given to the Finnish Government on 14th September, and that notification referred to in second proviso in Order in Council, 2nd May, is to be made in *London Gazette*, 22nd September 169
237 The Governor-General Commonwealth of Australia, Telegram September 26 (Rec. Sept. 26)	States, in reply to No. 233, that date on which notes are exchanged would be convenient one from which extension should take effect, the Administrator is to be regarded as chief authority of the Territory, and the Consul-General for Finland, Sydney, would appear to be appropriate Finnish Consular Officer. Proposes to adopt by ordinance, terms of British Extradition Act in respect of New Guinea and has no objection to extension of Treaty to Nauru 169

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
238 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 436 September 29	Transmits copy of extract from *London Gazette* containing notification that the Treaty has been made applicable to Commonwealth of Australia (including Papua and Norfolk Island), New Zealand, Union of South Africa, Irish Free State, Newfoundland and India, as from 14th September, 1925 170
239 To the Governors-General Commonwealth of Australia, New Zealand, Telegram December 17	States that notes extending provisions of Treaty to New Guinea, Nauru and Western Samoa, were exchanged with Finnish Government on 14th December from which date extension takes effect ... 171
	(7) Latvia.
1925	
210 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 326 July 31	Reports exchange of ratifications of Treaty and inquires as to Ministers' wishes in the matter of giving notice of accession 171
211 To the Governor-General Union of South Africa, Confidential ... July 31	Explains that although the Treaty was signed prior to the arrangements for the alteration in the wording of the Clause in Extradition Treaties relating to Mandated Territories, it would be made clear to the Latvian Government, should Ministers think it desirable that Treaty should be extended to South-West Africa, that the decision for extension rested with the Union Government 172
212 To the Governor Southern Rhodesia, 292 ... ... July 31	Notifies exchange of ratifications of Treaty, and states that an Order in Council applying Extradition Acts, 1870-1906, to Latvia is being prepared and the date will be communicated in due course 172
213 The Governor-General Irish Free State, 278 September 22 (Rec. Sept. 23)	Requests that notice of accession under Article 17 of the Treaty may be given on behalf of the Irish Free State 172
214 The Governor Newfoundland, 91 September 24 (Rec. Oct. 7)	Desires that notice of accession under Article 17 of the Treaty should be given in respect of Newfoundland ... 172
215 The Governor-General Union of South Africa, Confidential ... September 7 (Rec. Oct. 14)	Transmits copy of minute from Ministers requesting that provisions of Treaty be extended to the Union as from 1st January, 1926, and that notes for the purpose of effecting extension to South-West Africa should be exchanged by His Majesty's Representative at Riga, acting on behalf of the Union Government, with the Latvian Government 173
216 To the Governor Southern Rhodesia, Telegram ... October 21	States, with reference to No. 242, that Order in Council was approved 12th October and comes into force 30th October 173

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
247 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 472, Southern Rhodesia, 417 ... ... October 30	Transmits copies of Treaty series paper No. 44 of 1925 (Cmd. 2519), containing the Treaty 174
248 The Governor-General New Zealand, 216 October 9 (Rec. Nov. 10)	Requests that notice of accession under Article 17 of the Treaty may be given in respect of New Zealand and that arrangements may be made for extension of Treaty to Western Samoa 174
249 To the Governor-General New Zealand, Telegram ... December 10	Inquires who is to be regarded as chief authority of Western Samoa for purposes of Article 18 of Treaty, also who is appropriate Latvian Consular Officer ... 174
250 To the Governor-General Union of South Africa, Telegram, Confidential December 10	Inquires who is to be regarded as chief authority of South-West Africa for purposes of Article 18 of Treaty, and also who is appropiate Latvian Consular Officer 175
251 To the Governor-General Commonwealth of Australia, Telegram December 10	Inquires, in the event of Treaty being extended to New Guinea and Nauru, who should be regarded as chief authority in each of these territories for the purposes of Article 18 of the Treaty, and also who is appropriate Latvian Consular Officer 175
252 The Governor-General Commonwealth of Australia, 279 ... October 28 (Rec. Dec. 14)	Requests that notice of accession to the Treaty may be given in respect of Australia and that arrangements may be made for its extension to New Guinea and Nauru 175
253 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 529, Southern Rhodesia, 479 ... ... December 16	Transmits copies of the "Latvia (Extradition) Order in Council, 1925," applying as from 30th October, 1925, the Extradition Acts, 1870-1906, to Latvia in accordance with Treaty 176
254 The Governor-General Union of South Africa, Telegram, Confidential December 23 (Rec. Dec. 23)	States, in reply to No. 250, that Ministers advise that chief authority for purposes of Article XVIII of Treaty is the Administrator of South-West Africa, and that no appointment of any Consular Officer of the Latvian Republic has as yet been made 176
255 The Governor-General New Zealand, Telegram ... December 28 (Rec. Dec. 28)	States, in reply to No. 249, that chief authority for purposes of Article XVIII of Treaty is the Governor-General and that appropriate Consular Officer is the Consul for Latvia in New Zealand ... 176
	(8) Poland.
1925	
256 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 476, Confidential ... October 31	States that the observations of the Polish Government on the draft extradition treaty having been received, the draft has been modified in certain particulars. Transmits copies of the revised draft which His Majesty's Minister at Warsaw has been instructed to communicate to the Polish Government 177

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
(9) Russia.	
1925	
257 The Governor-General Canada, Confidential December 11 (Rec. Dec. 23)	Inquires whether His Majesty's Government consider as being in force, the Treaty for surrender of Fugitive Criminals referred to in Article 3 of proposed General Treaty of 5th August, 1924, whether instances of extradition have occurred before or since the recognition of the Soviet Government and as to the procedure followed 177
(10) United States: Proposed New Extradition Treaty.	
1925	
258 The Governor Newfoundland, Confidential ... January 20 (Rec. Feb. 3)	States that Ministers concur in the terms of the draft extradition treaty with the United States which it is proposed should replace existing treaty arrangements providing for extradition 178
259 The Governor-General Union of South Africa, Confidential (2) January 27 (Rec. Feb. 17)	Transmits copy of Ministers' minute concurring in procedure suggested with regard to proposed treaty subject to certain suggestions and remarks 178
260 The Governor-General Commonwealth of Australia, Confidential February 18 (Rec. Mar. 23)	Concurs in the proposed new treaty and desires that, if no alterations are made in the terms of the draft, upon the Treaty coming into force, notice be given of its application to the Commonwealth, Papua, Norfolk Island and New Guinea 179
261 The Governor-General New Zealand, Confidential ... February 26 (Rec. April 1)	Concurs in the suggested procedure relative to the proposed treaty 180
262 The Governor-General Irish Free State, Confidential ... ... May 29 (Rec. June 1)	States that Ministers concur in procedure suggested, have no observations to make on the draft submitted to the United States Government and would be glad to learn how far negotiations have progressed ... 180
263 To the Governor-General Irish Free State, Confidential ... ... June 29	States that no communication is being made to the United States until replies have been received from all the Dominion Governments and that therefore no progress has been made in the negotiations 180
264 To the Governor-General Union of South Africa, Confidential ... August 18	Replies to points raised in No. 259 181
265 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 420, Confidential September 16	Inquires whether Ministers approve the insertion of two further paragraphs in the draft Treaty regarding offences in connexion with traffic in dangerous drugs and bribery 181
266 The Governor-General Irish Free State, Confidential ... October 20 (Rec. Oct. 21)	States that Ministers agree with views of His Majesty's Government with regard to inclusion of Clause in proposed Treaty covering offences in connexion with traffic in dangerous drugs, and that the inclusion of bribery amongst extraditable offences seems open to no objection 182

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
267 The Governor-General Union of South Africa, Confidential September 21 (Rec. Oct. 27)	Transmits copy of minute from Ministers stating that it is not desired to press the point regarding surrender of nationals by Union Government, but reserving possibility of pressing this point in cases of future Treaties, accepting interpretation of His Majesty's Government regarding expenses mentioned in Article 15 and stating concurrence in form of words to be used in Article 18 183
268 The Governor-General Union of South Africa, Confidential ... October 20 (Rec. Nov. 12)	Transmits copy of minute from Ministers stating, with reference to proposal to make offences against drug traffic legislation extraditable, the penalty in the Union for such offences and suggesting an amendment to Article 2 of the draft convention accordingly ... 183
269 The Governor Newfoundland, Confidential ... November 9 (Rec. Nov. 24)	Reports agreement to terms of proposed Convention as relating to questions of narcotics and bribery 184
FINLAND.	
Commercial Treaty, 1923.	
1925	
270 The Governor-General Commonwealth of Australia, Confidential December 22, 1924 (Rec. Jan. 26, 1925)	States that the Finnish objection that Kraft Paper from Finland is being accorded on importation into Australia treatment less favourable than that accorded similar goods from other foreign countries, has now been removed, and hopes that the preferential treatment previously granted by Finland to Australian goods, will be restored 184
271 To the Governor-General Commonwealth of Australia, Telegram February 6	Inquires whether Finnish Government may also be informed that Finnish goods are accorded most-favoured-nation treatment on importation into Nauru 185
272 The Governor-General Commonwealth of Australia, Telegram February 13 (Rec. Feb. 13)	States, in reply to No. 271, that country of origin does not affect the tariff which is the same for all countries 185
273 To the Governor-General New Zealand, Telegram ... ... May 26	Inquires on behalf of the Finnish Government whether New Zealand Government have abolished all depreciated currency duties. Inquires exact position as regards most-favoured-nation treatment to New Zealand goods both in New Zealand and Western Samoa 186
274 To the Governor-General Commonwealth of Australia, Confidential May 29	Transmits copy of note to Finnish Minister hoping that the preferential treatment previously accorded in Finland to Australian goods will be restored as no discriminatory duty is now being applied by the Commonwealth Government to Kraft paper originating in or exported from Finland 186
275 The Governor-General New Zealand, Telegram ... ... June 12 (Rec. June 12)	States, in reply to No. 273, that depreciated currency duties are not now being charged in New Zealand or Western Samoa on imported goods; both countries accord most-favoured-nation treatment to Finnish goods 187
276 The Governor-General Canada, 260 ... June 22 (Rec. July 1)	Submits certified copies of Act authorising extension of favoured-nation treatment to goods produced and manufactured in Finland and asks to be informed whether 1st August would be agreeable to Finnish Government as date from which the Treaty benefits shall be made effective 187

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
277 To the Governor-General Canada, Telegram ... July 25	States that Finnish Government agree to 1st August as date from which benefits of Treaty, as provided in Article 23, shall be extended in Finland to Canadian goods 187
278 To the Governor-General Canada, 334 ... July 29	Transmits copy of correspondence with the Finnish Minister fixing 1st August as the date from which benefits of Treaty, as provided in Article 23, shall be extended in Finland to Canadian goods 188
279 The Governor-General Canada, Telegram ... July 30 (Rec. July 31)	Reports that necessary steps have been taken for issue of proclamation in Canadian *Gazette* of 1st August, fixing that date as the one from which most-favoured-nation treatment will be extended to Finnish goods ... 189
280 To the Governor-General Canada, 349 ... August 15	States that the contents of No. 279 have been communicated to the Finnish Minister 189

FOREIGN AFFAIRS.

System of Consultation with Dominions as to

1925	
281 The Governor-General Union of South Africa, Confidential ... January 27 (Rec. Feb. 17)	Transmits copy of Ministers' minute submitting their view that the international recognition of the status of the Dominions as distinct nations entitled to separate representation in the case of international negotiations, constitutes a condition precedent to the success of any attempt at a satisfactory method of consultation on foreign policy 189

FRANCE.

Denunciation of Agreement of 1899 for Free Delivery and Attestation of Certificates of Origin.

1925	
282 The Governor-General Union of South Africa, 29 ... ... January 24 (Rec. Feb. 16)	Transmits copy of Ministers' minute stating that they are willing to make reciprocal arrangements to forgo fees for attestation 190
283 The Governor Southern Rhodesia, 20 January 23 (Rec. Feb. 16)	States that Southern Rhodesian Government desires to conclude an agreement with France regarding the attestation of certificates of origin and invoices in respect of goods exported to France, but does not at present require the attestation by a British Consul of certificates of origin and invoices of goods exported from France to Southern Rhodesia 191
284 The Governor-General New Zealand, 17 February 5 (Rec. Mar. 23)	States that New Zealand Government would be glad if an arrangement, as proposed, could be made on its behalf with the French Government concerning the delivery or attestation of certificates of origin and the attestation of invoices; and that British Consular certificates are not normally required 192
285 The Governor-General Commonwealth of Australia, 75 ... April 1 (Rec. May 4)	States that Commonwealth Government will be glad if the necessary steps can be taken to arrange with the French Government for the agreement to be extended to Australia, Papua, Norfolk Island and New Guinea 192
286 The Governor Newfoundland, 60 ... May 22 (Rec. June 6)	Concurs in desirability of suggesting to French Government the conclusion of an arrangement as proposed 192

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.

FREEDOM OF TRANSIT.

Conventions Adopted by the Second General Conference on the Freedom of Communications and Transit held at Geneva, 1923.

1925	
287 The Governor Southern Rhodesia, 371 December 13 1924 (Rec. Jan. 5, 1925)	Desires that League of Nations be notified of the adherence of Southern Rhodesia to the Conventions relating to Railways, Electric Power and Hydraulic Power 193
288 Foreign Office ... April 27	Transmits copy of letter from League of Nations notifying ratification of Railways and Maritime Ports Conventions on behalf of New Zealand, including Western Samoa, and India 193
289 To the Governors Newfoundland, 52, Southern Rhodesia, 169 ... ... May 20	Transmits copy of letter from Secretary-General, League of Nations, recording deposit of ratifications of Conventions relating to Transmission in Transit of Electric Power and to the Development of Hydraulic Power (with Protocols of Signature) on 1st April, together with copy of correspondence with the Secretary-General regarding the accession of [Newfoundland] [Southern Rhodesia] thereto and to the Conventions relating to Maritime Ports and to Railways. States that the latter Conventions (with Protocols of Signature) have been ratified on behalf of New Zealand (including Western Samoa) and India by instruments deposited with the League on 1st April 194
290 The Governor-General Commonwealth of Australia, Telegram May 22 (Rec. May 22)	Reports passage of Order in Council moving His Majesty to accede, on behalf of Commonwealth, to Convention, Statute and Protocol of signature, the accession not to apply to Papua, Norfolk Island and New Guinea. Discusses desirability of applying Convention to Nauru 196
291 To the Governors Newfoundland, 66 Southern Rhodesia, 211 ... ... June 23	Transmits copy of letter from the Secretary-General, League of Nations, notifying the date upon which the Convention relating to the Development of Hydraulic Power and its Protocol will come into force 197
292 To the Governor-General Commonwealth of Australia, 230 ... August 19	Transmits letter from Director of Legal Section of League of Nations, regarding the *procès-verbal* of deposit of the accession of the Commonwealth to Convention and statute of International Regime of Maritime Ports and Protocol of Signature thereto ... 197

GERMANY.

Commercial Treaty, 1924.

1925	
293 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Southern Rhodesia, Telegram January 13	Reports the German attitude in the matter of granting most-favoured-nation treatment to goods from the Dominions 198
294 To the Governor-General Canada, Telegram January 13	Explains exclusion of Canada by Germany from most-favoured-nation treatment and states that German Government suggest that Canada should notify His Majesty's Government of inability to adhere to Commercial Treaty and then negotiate a separate tariff agreement with Germany 199

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
295 To the Governors-General Commonwealth of Australia, New Zealand, Telegram January 13	Explains exclusion of Australia and New Zealand by Germany from most-favoured-nation treatment ... 199
296 To the Governor-General Union of South Africa, Telegram ... January 13	Quotes from telegram from His Majesty's Ambassador, Berlin, regarding German Government's proposal to South Africa to adhere to Commercial Treaty ... 199
297 To the Governor-General Irish Free State, 17 January 14	Transmits copy of No. 293 200
298 The Governor-General New Zealand, Telegram ... January 30 (Rec. Jan. 30)	States that Ministers see no reason to object to any grounds upon which Germany excludes New Zealand from most-favoured-nation treatment; and that they do not desire the point mentioned in No. 295 to be raised 200
299 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 87, Southern Rhodesia, 72 February 28	Transmits copies of Cmd 2345 containing the Commercial Treaty with Germany and additional Protocol and the minutes of a meeting between the British and German Representatives at the Foreign Office, on 2nd December, 1924 200
300 The Governor Southern Rhodesia, 39 February 10 (Rec. Mar. 9)	Desires that notice be given to Germany that the stipulations of the Treaty should apply to Southern Rhodesia 201
301 The Governor-General Irish Free State, 109 April 2 (Rec. Apr. 3)	States that the Department of Commerce has been in communication with the German Consul-General at Dublin, with a view to initiating negotiations for a Treaty on the lines of the Anglo-German Commercial Treaty and that draft treaty will be transmitted later 201
302 To the Governor Southern Rhodesia, 122 ... ... April 7	States, with reference to No. 300, that the accession of Southern Rhodesia will be notified to the German Government when the Treaty comes into force by exchange of ratifications 201
303 Foreign Office ... August 21	Transmits copy of despatch from Berlin reporting progress of negotiations for the conclusion of commercial treaties between Germany and the British Dominions 202
304 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Southern Rhodesia, Telegram September 0	Reports exchange of ratifications of Anglo-German Commercial Treaty and Protocol 202
305 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 478, Southern Rhodesia, 424 ... ... November 4	Transmits copies of Treaty series paper No. 45 of 1925, Cmd 2520, containing Treaty of Commerce and Navigation with Germany and additional Protocol thereto 203

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
GREECE.	
Proposed Commercial Treaty.	
1925	
306 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 60, Southern Rhodesia, 50 February 16	Transmits copies of notes exchanged with the Greek Legation agreeing to prolong the validity of the Commercial Agreements with Greece until 1st March, 1925 204
307 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Confidential ... March 4	States that validity of Commercial Agreements has been prolonged until 1st June, 1925. New General Commercial Treaty has been prepared and submitted to Greek Government and in addition, special commercial arrangement between United Kingdom and Greece will be negotiated and embodied either in Treaty itself or separate instrument 205
308 To the Governor Newfoundland, Telegram, Confidential March 4	Inquires, with reference to No. 307, whether Ministers desire attempt should be made to secure continuance of special arrangement as to tariff matters as between Newfoundland and Greece, and if so suggests most suitable method would be to negotiate separate agreement on similar lines to those of special arrangement as between United Kingdom and Greece referred to in No. 307 205
309 The Governor Newfoundland, Telegram, Confidential March 11 (Rec. Mar 11)	Desires that a separate Treaty be negotiated applying as between Newfoundland and Greece on the lines indicated 206
310 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 108, Confidential, Southern Rhodesia, Confidential March 12	Transmits copies of a draft Commercial Treaty which is being submitted to the Greek Government. Draws attention to the wording of Article 7 as to "the United Kingdom," and intimates the desirability of the inclusion of the provisions of Articles 7 and 28 in a separate instrument. Also transmits a copy of a note from the Greek Chargé d'Affaires regarding the prolongation of the validity of the existing Commercial Agreements 206
311 To the Governor-General Irish Free State, Confidential ... March 12	Transmits copy of No. 307 207
312 The Governor-General Commonwealth of Australia, Telegram March 20 (Rec. Mar. 20)	States that Prime Minister advises that intimation of proposal to continue admission of currants at 2s. per cwt. viewed with regret by Government, and trusts that means may be found to avoid disappointment of expectation founded on His Majesty's Government's undertaking at the Economic Conference that, subject to adequate production, Government was ready to consider larger duty necessary to give more effective preference 207
313 The Governor Newfoundland, Confidential ... March 11 (Rec. Mar. 24)	Confirms No. 309 207
314 To the Governor Newfoundland, Confidential ... ...March 31	States that His Majesty's Government will be glad to afford assistance in the negotiation of a Treaty on the lines indicated in No. 313, but suggest that it would be best to defer action until the negotiations for the Anglo-Greek Treaty are completed 208

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
315 To the Governor-General Commonwealth of Australia, Telegram... May 8	Replies to point raised in No. 312 208

GREENLAND.

Treatment of British Subjects, Companies and Vessels.

1925	
316 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 332, Southern Rhodesia, 295 ... ...August 5	Transmits copies of correspondence with the Danish Minister for Foreign Affairs concerning the Danish Government's assurance that British subjects, companies and vessels shall be treated no less favourable than those of any third State 208

HAGUE CONVENTION VI OF 1907. DENUNCIATION OF

1925	
317 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 53, Secret ... February 11	Transmits copy of Foreign Office Memorandum regarding the treatment of enemy merchant vessels on the outbreak of war together with a draft denunciation of Hague Convention VI of 1907. Inquires whether Ministers have any observations to offer on the proposal to denounce the Convention or on the wording of the draft denunciation 209
318 The Governor Newfoundland, Secret March 10 (Rec. Mar. 24)	States that Ministers concur in the proposal to denounce the Convention, but have no observations to offer in relation thereto, or on the wording of the draft denunciation 211
319 The Governor-General Canada, Secret March 17 (Rec. Mar. 30)	Concurs in proposal to denounce Convention 212
320 The Governor-General Union of South Africa, Secret ... ... April 29 (Rec. May 20)	Transmits copy of Ministers' minute stating that the Union Government concurs in the proposal to denounce the Convention and has no observations to offer on the wording of the draft denunciation ... 212
321 The Governor-General New Zealand, Secret May 1 (Rec. June 17)	States that Ministers have no observations to offer on the proposal to denounce the Convention and they concur in draft denunciation 212
322 The Governor-General Irish Free State, Secret ... ... August 14 (Rec. Aug. 22)	States that Ministers have no observations to offer on the proposal to denounce the Convention or on the wording of the draft denunciation 213
323 The Governor-General Commonwealth of Australia, Secret ... July 10 (Rec. Aug. 24)	States that the Commonwealth Government concurs in the denunciation of the Convention and has no observations on the wording of the draft denunciation 213

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
324 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 534, Secret ... ... December 18	States that on 14th November His Majesty's Minister at The Hague gave notice of denunciation, on behalf of His Majesty's Government, of the Hague Convention VI of 1907, the denunciation to take effect on the expiration of a year from that date 213

INDUSTRIAL PROPERTY CONVENTION.

(1) Industrial Property Conventions, 1883 and 1911.

Position of Dominions as Separate Contracting Countries.

Representation of Dominions at Industrial Property Conference at The Hague, 1925.

1925	
325 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 14 January 10	Submits, for observations, copy of printed document received from International Bureau of the Industrial Property Union at Berne containing proposals for the amendment of Industrial Property Convention of 1911, for consideration at Conference for revision of the Convention to be held at The Hague in October. States that time fixed for sending in observations is six months before Conference. [*To Irish Free State:* Inquires whether Ministers desire to accept invitation to Conference, and, if so, as to names of representatives] 214
326 The Governor-General Irish Free State, 47 February 4 (Rec. Feb. 5)	States that the proposals regarding the Industrial Property Convention are being considered; accepts the Netherlands invitation to be represented at The Hague Conference and states that names of representatives will be forwarded later 215
327 The Governor Newfoundland, 18 February 3 (Rec. Feb. 21)	States that Ministers have no observations to offer with respect to the proposals for the amendment of the Convention 215
328 To the Governors-General Canada, Commonwealth of Australia, New Zealand, Telegram ... ... March 5	States that invitation to Hague Conference has been received by His Majesty's Government and Irish Free State. Inquires whether Government desire that it be suggested to Netherlands Government that separate invitation to be represented, should be sent to them. [*To Canada and New Zealand:* and whether previous notification should be made to Swiss Government of desire to become contracting countries under Article XVI of the Convention] ... 215
329 The Governor-General Canada, Telegram March 19 (Rec. Mar. 19)	States, in reply to No. 328, that Ministers desire that suggestion regarding separate invitation to Conference should be made to Netherlands Government and also that notification should be made to Swiss Government as suggested 216
330 The Governor-General New Zealand, Telegram ... ... March 20 (Rec. Mar. 20)	States that separate representation of New Zealand at Conference is not at present desired and that intimation of change of status if desired will be sent later 216
331 To the Governor-General Irish Free State, 109 March 24	Transmits copy of note to Netherlands Minister informing him that the Irish Free State have accepted the invitation to be represented at the Conference, and that names of delegates will be forwarded later 217

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
332 The Governor-General Union of South Africa, Telegram ... March 25 (Rec. Mar. 25)	States that Ministers have no observations to offer on proposals for the amendment of the Convention ... 217
333 The Governor-General Canada, 115 ... March 24 (Rec. Apr. 6)	States that all the proposals set out in the printed document which accompanied No. 325 are being considered, but that it is not thought expedient to offer any observations on the same at the present time 217
334 The Governor-General Commonwealth of Australia, Telegram April 7 (Rec. Apr. 7)	States that Commonwealth Government would be glad if endeavour could be made to secure extension for two months of the time fixed for lodging observations, etc., upon the proposals. Reply regarding separate invitation to Conference will be sent shortly ... 218
335 The Governor-General Union of South Africa, 110 ... ... March 26 (Rec. Apr. 14)	Transmits copy of minute from Ministers stating that they do not feel in a position to offer any observations on the proposals for amendment of Convention in as much as the Union is not a party thereto 218
336 The Governor-General New Zealand, 49 ... March 13 (Rec. Apr. 20)	States, in reply to No. 325, that time fixed does not permit of the matter being fully gone into and of a reply being sent but in so far as it has been possible to consider the matter, Ministers are at one with His Majesty's Government in concurring in the various proposals 219
337 To the Governor-General Commonwealth of Australia, Telegram April 20	Is doubtful whether formal action is necessary to secure extension of time for submitting observations, but will communicate with the Berne Bureau with a view to any proposals received within the extended period referred to being accepted and communicated to other Governments concerned 219
338 To the Governor-General Canada, 202 ... April 25	States that the Swiss Government is being notified that Canada should be regarded as a contracting Party under Article XVI of the Convention and should be placed for purposes of contribution to expenses under Article XIII in the second class. Transmits copy of note to Netherlands Minister informing him that Canada is desirous of receiving an invitation to the Conference 219
339 To the Governor-General Canada, 208 ... June 12	States that the notification in No. 338 has been communicated to the other parties to the Convention, and requests that Canadian Government will communicate with the International Bureau regarding the question of contributions. Transmits copy of a note from the Netherlands Minister concerning the representation of Canada at the forthcoming Conference 220
340 The Governor-General Commonwealth of Australia, Telegram ... July 9 (Rec. July 9)	Desires to contribute separately to the expenses of the International Bureau in the third class and to receive a separate invitation to The Hague Conference. Hopes to forward early decision regarding accession to revision of Convention of 1911 221
341 To the Governor-General New Zealand, Telegram ... ... July 30	States that Governments of Canada and Commonwealth of Australia desire to be separately represented at The Hague Conference and have decided to make separate contributions to the expenses of the International Bureau 221
342 The Governor-General Commonwealth of Australia, Telegram September 7 (Rec. Sept. 7)	States that Lieutenant-Colonel C. V. Watson will represent the Commonwealth at The Hague Conference 221
343 The Governor-General Irish Free State, 262 September 8 (Rec. Sept. 9)	States that Mr. E. J. Riordan and Mr. H. Whitton will represent the Irish Free State at The Hague Conference 222
344 The Governor-General New Zealand, Telegram ... September 16 (Rec. Sept. 16)	Acknowledges information furnished in No. 341 but does not desire separate representation at Conference, and will accept any action or decision of delegates of His Majesty's Government 222
345 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 423, September 18	Transmits copy of circular issued by Swiss Government on 12th May relative to the position of Canada with regard to the Convention. [*To Canada:* Together with copy of note from the Swiss Federal Political Department on the matter] 222

(2) Industrial Property Convention, 1911.

Accession of Australia and Irish Free State,

1925	
346 The Governor-General Commonwealth of Australia, Telegram July 24 (Rec. July 24)	Requests that accession be effected on behalf of the Commonwealth to the Industrial Property Convention as revised at Washington, 2nd June, 1911, such accession to be deemed to apply to Papua and New Guinea 223
347 To the Governor-General Commonwealth of Australia, Telegram August 18	States that steps are being taken to effect accession of Commonwealth to the Convention as revised in 1911, and for Commonwealth to be placed in third class for contribution to expenses of Bureau under Article XIII of Convention, but considers it preferable that separate declaration of accession be made in respect of Papua and New Guinea under Article XVI *bis* of Convention 224
348 To the Governor-General Commonwealth of Australia, 220 ... August 19	Transmits copies of despatches addressed to His Majesty's Minister at Berne regarding the position of the Commonwealth in relation to the Convention together with copy of correspondence with the Netherlands Minister in London regarding the representation of the Commonwealth at the forthcoming Hague Conference. 224
349 To the Governor-General Commonwealth of Australia, 248 September 7	Transmits copy of note from His Majesty's Legation at Berne to the Swiss Federal Political Department, notifying the desire of the Commonwealth to accede to the Industrial Property Convention as revised in 1911, as a contracting party under Article 16 225
350 The Governor-General Irish Free State, 292 October 12 (Rec. Oct. 13)	Desires notification be made to Swiss Government of adhesion of Irish Free State to Convention of 1883, as revised in 1900 and 1911, and that Irish Free State be placed in third class as regards contribution to expenses of Bureau 226
351 To the Governor-General Commonwealth of Australia, 289 ... October 14	Transmits copy of despatch from His Majesty's Minister at Berne stating that Federal Political Department agree that Commonwealth should date its contribution as proposed and inquiring as to the exact title and address of Australian authority with whom Bureau should correspond direct in accordance with Article 12 of Convention 226

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
352 To the Governor-General Irish Free State, 416 November 3	Transmits copy of note to the Swiss Government notifying the desire of the Irish Free State to accede to the Convention of 1883 as revised in 1900 and 1911 227
353 The Governor-General Commonwealth of Australia, Telegram December 4 (Rec. Dec. 4)	Inquires why a separate declaration of accession in respect of New Guinea and Papua is considered preferable to a single accession for Commonwealth and these Territories 228
354 To the Governor-General Commonwealth of Australia, Telegram December 18	Explains point raised in No. 353, and inquires whether in the circumstances Ministers wish action to be taken as proposed in No. 347. States that revised Convention was signed for Commonwealth by Colonel Watson, but will not come into force until date indicated 228
(3) Industrial Property Convention, 1925. Procedure for Signature.	
1925	
355 To the Governors-General Canada, Commonwealth of Australia, Telegram ... October 1	States that Full Powers are being issued to representatives of His Majesty's Government enabling them to sign any revised Convention resulting from Conference. Inquires Ministers' wishes as to the issue of Full Powers to their representative if considered necessary 228
356 To the Governor-General Irish Free State, 382 October 2	States that Full Powers are being issued to representatives of His Majesty's Government to sign any Convention resulting from the Conference. Draws attention to the Imperial Conference Resolution regarding Negotiation, etc., of Treaties, and inquires Ministers' wishes regarding the issue of Full Powers to their representatives 229
357 The Governor-General Canada, Telegram October 7 (Rec. Oct. 7)	Requests that Full Powers be issued to Mr. F. H. Palmer, Canadian representative at the Conference 230
358 The Governor-General Commonwealth of Australia, Telegram October 10 (Rec. Oct. 10)	Reports that Order in Council was passed and commissions issued to Colonel Watson before his departure, appointing him Commonwealth Representative; inquires if these credentials are considered sufficient, and if not requests that Full Powers be issued 230
359 The Governor-General Irish Free State, 298 October 17 (Rec. Oct. 19)	States that as Irish Free State is not yet a member of the International Union, Ministers do not consider issue of Full Powers necessary at present. Presumes that any revision of Convention will be embodied in a Final Protocol and in the event of Free State deciding to sign, Full Powers will then be requested 230
359A To the Governor-General Commonwealth of Australia, Telegram October 27	States that Full Powers will be issued to Colonel Watson 231
360 To the Governor-General Irish Free State, 411 October 28	Transmits copy of despatch to His Majesty's Representative at Berne requesting that Swiss Government be informed in the sense of No. 350. Notes that Ministers to not wish Full Powers to be prepared at present 231
361 H. Llewellyn-Smith A. J. Martin ... November 27	Supplementary Report of official delegates at Hague Conference on certain points affecting Inter-Imperial relations and position of Dominions as affected by the revised Convention 232

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
362 Office of High Commissioner Irish Free State December 8	Requests that Full Powers may be prepared and forwarded to Dublin for transmission to Irish Free State Trade Representative in Belgium and that Netherlands Government be asked to have Convention held open until signature of Free State Representative can be affixed thereto 238
363 Mr. J. McNeill to the Earl of Clarendon December 9	Explains further why it is requested that Netherlands Government be requested to hold Convention open for signature after 1st December 239
INTERNATIONAL LABOUR CONFERENCE. (1) Ratification of International Labour Conventions by Australia and Irish Free State.	
1925	
364 The Governor-General Commonwealth of Australia, 330 November 21, 1924 (Rec. Jan. 5, 1925)	Requests that necessary action be taken to effect ratification of the three draft Conventions noted which were adopted at the second session of the International Labour Conference, 1920, on behalf of Commonwealth with the exception of Papua, Norfolk Island, New Guinea and Nauru 239
365 To the Governor-General Commonwealth of Australia, 35 ... February 3	Explains the practice which is adopted by His Majesty's Government in regard to the ratification of draft Labour Conventions 240
366 League of Nations to Foreign Office ... June 16 (Rec. in Colonial Office July 2)	Reports ratification of Convention *re* admission of children to employment in agriculture by Irish Free State 240
367 The Governor-General Commonwealth of Australia, 195 ... August 5 (Rec. Sept. 7)	States that procedure suggested in No. 365 has been adopted by the Commonwealth Government, and that League of Nations has been advised regarding ratification of Convention for establishing facilities for finding employment for seamen 241
368 League of Nations to Foreign Office ... October 6 (Rec. in Dominions Office Oct. 19)	Reports ratification of the four Conventions indicated by Irish Free State 241
369 League of Nations to Foreign Office ... October 6 (Rec. in Dominions Office Oct. 19)	Reports ratification of Convention fixing minimum age for admission of children to employment at sea, by Irish Free State 242
(2) Amendment of Article 393, Treaty of Versailles.	
1925	
370 The Governor-General Irish Free State, 145 May 9 (Rec. May 11)	Agrees, on the understanding that prior sanction will be sought in all such matters henceforth, to notify the League that the Free State is included in the list of States members of the International Labour Office which have accepted the Protocol of Amendment 242
371 League of Nations to Foreign Office ... July 21 (Rec. in Dominions Office Aug. 6	Reports ratification by Irish Free State of amendment to Article 393 and corresponding Articles of the other Treaties of Peace 243
INTERNATIONAL OFFICE OF PUBLIC HEALTH. Agreement of 1907 establishing	
1925	
372 The Governor-General Irish Free State, 201 July 6 (Rec. July 7)	States that Ministers have decided not to adhere to the International Agreement signed at Rome in December, 1907, for the establishment in Paris of an International Office of Public Hygiene 243

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.

INTERNATIONAL RADIO-TELEGRAPH CONVENTION, 1912.

Proposed Conference at Washington for Revision of

1925

373	To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 419, Southern Rhodesia, 369 ... ... September 16	Transmits copy of note from United States Ambassador conveying invitation to His Majesty's Government and certain Dominion and Colonial Governments to participate in Radio-telegraph Conference, to be held in Washington in the spring of 1926, together with copy of note in reply accepting invitation on behalf of His Majesty's Government and the Government of India. Inquires as to Ministers' wishes in the matter 244
374	The Deputy Governor-General Canada, 412 ... October 9 (Rec. Oct. 20)	Accepts invitation to Conference and states that names of delegates will be forwarded later 246
375	The Governor-General Union of South Africa, 592 ... ... October 22 (Rec. Nov. 17)	Transmits copy of Ministers' minute accepting invitation to Conference 246
376	The Governor-General Irish Free State, 322 November 18 (Rec. Nov. 19)	States that Minister Plenipotentiary at Washington has been instructed to convey acceptance of invitation to Conference to United States Government 246
377	The Deputy Governor Southern Rhodesia, 311 ... ... November 4 (Rec. Dec. 1)	Appreciates invitation to participate in Conference but considers interests will be fully protected by delegate nominated by His Majesty's Government 247
378	Lord Athlone to Mr. Amery Private and Personal, Extract ... November 11 (Rec. Dec. 1)	Explains circumstances in which Ministers conveyed their acceptance of invitation to Conference direct to United States Government instead of through the Governor-General 247
379	The Governor-General Union of South Africa, 613 ... ... November 9 (Rec. Dec. 1)	Transmits copy of minute from Ministers stating that invitation to Conference has been accepted and enclosing copy of letter of acceptance as sent to United States Government 248

INTERNATIONAL SANITARY CONVENTION, 1912.

Conference for Revision of

1925

380	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 96 March 6	Transmits copy of note from the French Ambassador inviting participation of the Dominions and Colonies in a Conference to revise the 1912 Convention and enclosing, for examination, a print giving the modifications suggested by the Permanent Committee of the International Office of Public Health 249
381	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 214 May 20	Transmits copy of note to French Ambassador accepting, on behalf of His Majesty's Government and the Government of India, the invitation to participate in proposed Conference, promising to communicate the views of the Dominions and Colonies when received, and requesting fifty additional copies of the draft revision of the Convention 250

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.

1925

382	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 229 May 29	States that an Inter-departmental Committee has been appointed to advise on instructions to be given to British Delegates to Paris Conference, and considers it would be materially assisted by an expression of the views of the Dominion Governments on main points of policy involved. Transmits copies of relative memoranda 251
383	The Governor-General Union of South Africa, Telegram ... ... June 18 (Rec. June 18)	States that Ministers have received telegram from High Commissioner in London to the effect that meeting of Conference will probably be postponed until May, 1926. Inquires as to present position and proposals 251
384	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram June 23	Reports that date of opening of Conference has been definitely fixed for 10th May, 1926 252
385	To the Governor-General Union of South Africa, Telegram ... ... June 23	In reply to No. 383 invites reference to No. 384 ... 252
386	To the Governor-General Irish Free State, 257 June 26	Reports that date of opening of Conference has been definitely fixed for 10th May, 1926 252
387	The Governor-General Commonwealth of Australia, 128 ... May 21 (Rec. June 29)	States that Commonwealth Government have decided to send delegate to Conference, the date of which is acceptable 252
389	The Governor-General Union of South Africa, 318 ... ... July 2 (Rec. July 21)	Transmits copy of minute from Ministers stating that Dr. J. A. Mitchell is proceeding to London and will discuss with Minister of Health points raised in Memoranda and draft Convention enclosed in No. 382, of special interest to the Union 253
389	The Governor-General New Zealand, 158 ... July 18 (Rec. Aug. 19)	Hopes to be able to arrange for New Zealand to be represented at the Conference 253
390	The Governor-General New Zealand, 184 August 17 (Rec. Sept 16)	States that Dr. Valintine, Director-General of Health, has been in personal touch with Sir G. Buchanan, and that the views of the New Zealand Government will be communicated after his return to the Dominion in September 254
391	The Governor-General Commonwealth of Australia, 216 ... August 24 (Rec. Oct. 5)	Transmits Memorandum prepared by Director-General of Public Health on matters likely to arise at the Conference and states that Dr. C. L. Park has been instructed to communicate with the Ministry of Health on his arrival in England in September ... 254
392	The Governor-General Irish Free State, 311 November 4 (Rec. Nov. 5)	Conveys observations of Ministers on main questions at issue as summarized in memoranda by Sir George Buchanan, forwarded in No. 382 254

INTERNATIONAL TELEGRAPH CONVENTION.

Accession of Southern Rhodesia.

1925

393	The Governor Southern Rhodesia, 90 March 25 (Rec. Apr. 20)	Requests that notification may be given of adhesion of Southern Rhodesia to the Convention 255

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
394 To the Governor Southern Rhodesia, Telegram ... ... June 17	Inquires (*a*) in what class Southern Rhodesia wishes to be placed for purposes of contribution to expenses of Bureau, (*b*) as to terminal and transit rates charged on international telegrams, (*c*) as to equivalent of gold franc in local currency, also whether Ministers contemplate separate representation at Congress of Telegraph Union 256
395 The Governor Southern Rhodesia, Telegram ... ... June 30 (Rec. June 30)	Replies to points raised in No. 394 256
396 The Governor Southern Rhodesia, Confidential ... August 19 (Rec. Sept. 29)	Considers separate representation of Southern Rhodesia at the Paris Conference unnecessary 256

INTERNATIONAL VETERINARY BUREAU.

Convention for Creation of

1925	
397 The Governor-General Commonwealth of Australia, 354 December 19, 1924 (Rec. Jan. 26, 1925)	Desires that adherence to the Convention with inclusion in the fourth category for subscriptions, may be notified on behalf of the Commonwealth with a declaration reserving its right to withdraw from participation in the Bureau at any time if it is not placed under the direction of the League of Nations ... 257
398 To the Governor-General Union of South Africa, Telegram ... January 28	Summarizes No. 397 257
399 The Governor-General Union of South Africa, 172 ... ... April 17 (Rec. May 4)	Transmits Ministers' minute expressing regret that they are unable to adhere to the Bureau for the present, but may do so at a later date 257
400 To the Governor-General Irish Free State, 187 May 7	States that French Government have notified the accession of the Irish Free State to the Convention to the States signatory thereto, and encloses copy of note to French Government notifying His Majesty's ratification of the Convention and inquiring as to the date of formation of the Bureau 258
401 To the Governors-General and Governor Canada, 267, Commonwealth of Australia, 151, New Zealand, 102, Union of South Africa, 113, Newfoundland, 60 ... June 10	Transmits copy of a note to French Government notifying His Majesty's ratification of the Convention ... 259
402 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 367 August 22	Transmits copy of note from French Foreign Minister regarding the date of formation of the Bureau, and states that His Majesty's Chargé d'Affaires at Paris reports that the *procès-verbal* of the deposit of His Majesty's ratification of the Convention has been dated 11th July, which will apparently be taken as that of the deposit of the ratification 259

INTERNATIONAL ARRANGEMENTS AND TREATY RELATIONS.

POSITION OF THE SELF-GOVERNING DOMINIONS AND SOUTHERN RHODESIA.

CORRESPONDENCE, 1925.

(In Two Parts).

PART I.

AERIAL NAVIGATION CONVENTION, 1919.

(*Treaty Series* 1922, *Nos.* 2 *and* 11.)

(1) Amendment of Articles 5 and 34.

(*Treaty Series* 1925, *Nos.* 12 *and* 13.)

Applications for derogations by His Majesty's Government, Canada France and Belgium.

10492

No. 1.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada. / Commonwealth of Australia. / New Zealand. / Union of South Africa. / Irish Free State. / Newfoundland. No. 23.) / (Southern Rhodesia. No. 91.) — Dominions Treaty No. 13.)

[MY LORD,] [SIR,] Downing Street, 17th March, 1925.

WITH reference to my despatch [*To all except Newfoundland and Southern Rhodesia:* Dominions Treaty No. 11,*] [*To Newfoundland:* No. 20,*] [*To Southern Rhodesia:* No. 79,*] of the 4th March, I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying [certified copy] [copy] of a note from the Bolivian Legation in Paris regarding the denunciation by the Bolivian Government of the International Air Navigation Convention of 1919, together with copies of letters from the International Commission for Air Navigation with regard to the applications made by His Majesty's Government and the Governments of Canada, France and Belgium for derogations from Article 5 of the above Convention.

2. I also enclose copies of letters from the International Commission for Air Navigation transmitting a statement showing the position with regard to the coming into operation of the Protocols concerning amendments to Articles 5 and 34 of the Air Convention, and notifying the adhesion of the Czechoslovak Republic to these Protocols.

I have, &c.,
L. S. AMERY.

* 8992/25: not printed; it dealt with a Declaration by Poland postponing the application of Article 5 of the Convention.

[7870]

Enclosure 1 in No. 1.

(No. 161.)

Legation de Bolivie, Paris,
le 10 janvier, 1925.

MONSIEUR LE PRÉSIDENT DU CONSEIL,

EN date du 30 août, 1923, j'ai eu l'honneur de communiquer à M. le Secrétaire-Général de la Commission Internationale de Navigation aérienne que des circonstances imprévues obligeaient le Gouvernement bolivien à ne plus faire partie de ladite Commission.

Cette communication, conformément à l'article 43 de la Convention portant réglementation de la Navigation aérienne, aurait dû être transmise, en même temps, au Gouvernement de la République francaise.

Ceci n'ayant pas été fait, mon Gouvernement, d'accord avec l'avis exprimé par la C.I.N.A. dans sa résolution No. 179, adoptée au cours de sa septième session, tenue à Paris en octobre, 1924, à savoir: que la communication du 30 août, 1923, du Ministre de Bolivie à Paris au Secrétaire-Général de la Commission doit être considérée comme une dénonciation de la Convention, faite à cette date, me charge de Vous prier de bien vouloir considérer cette communication comme la dénonciation définitive faite par le Gouvernement de la République de Bolivie de la Convention portant réglementation de la Navigation aérienne signée à Paris le 13 octobre, 1919; dénonciation ayant effet, conformément à l'article 43 de la Convention à la date du 30 août, 1924.

Je vous prie d'agréer, etc.,
F. A. ARAMAYO.

Copie certifiée conforme: Le Ministre plenipotentiaire,
Chef du Service du Protocole,
P. DE FOUQUIERES.

Son Excellence Monsieur Edouard Herriot,
Président du Conseil,
Ministre des Affaires Etrangères,
Paris.

[8774]

Enclosure 2 in No. 1.

(No. 121.)

Commission Internationale de Navigation Aerienne, Secretariat General.
Paris, 20, Avenue Kleber,
6th February, 1925.

I HAVE the honour to inform you that in consequence of the denunciation by Bolivia of the Air Convention of the 13th of October, 1919, the applications made by Belgium, France and Canada for derogations from Article 5 of the said Convention, are in the position of having been accepted by all the Governments of the States that were parties to the Convention at the time the said applications were approved by the International Commission for Air Navigation.

These derogations will, therefore, take effect, in accordance with the terms of the additional Protocol of the 1st of May, 1920, and of Resolution No. 139 of the Commission (Official Bulletin No. 6, page 23), as from the 30th of August, 1924, the date of the denunciation of the Convention by the Bolivian Government.

I have, &c.,
ALBERT ROPER,
General Secretary.

The Secretary,
Air Ministry,
London, W.C.2.

[10492]

Enclosure 3 in No. 1.

(No. 215.)

Commission Internationale de Navigation Aerienne, Secretariat General.
Paris, 20, Avenue Kleber,
25th February, 1925.

I HAVE the honour to inform you that the Government of the Kingdom of the Serbs, Croats and Slovenes notified me on the 24th of February, 1925, of its acceptance of the application for a derogation from Article 5 of the Air Convention made by the British Government on behalf of Great Britain and Northern Ireland.

In consequence of this application and of the denunciation of the Convention by Bolivia, this application for a derogation has been accepted by all the Governments of the States which were parties to the Convention at the time of the approval of this application by the International Commission for Air Navigation.

This derogation will, therefore, take effect in accordance with the terms of the Additional Protocol of the 1st of May, 1920, and of Resolution No. 139 of the Commission (Official Bulletin No. 6, page 23) as from the 24th of February, 1925.

I have, &c.,
ALBERT ROPER,
General Secretary.

The Secretary,
Air Ministry,
London, W.C.2.

[9173]

Enclosure 4 in No. 1.

(No. 118.)

Commission Internationale de Navigation Aerienne, Secretariat General.
Paris, 20, Avenue Kleber,
3rd February, 1925.

I HAVE the honour to inform you that in consequence of the denunciation by Bolivia of the Air Convention of the 13th of October, 1919, the present position with regard to the coming into operation of the Protocols concerning amendments to Articles 5 and 34 of the said Convention is as shown by the attached.

I have, &c.,
ALBERT ROPER,
General Secretary.

The Secretary,
Air Ministry,
London, W.C.2.

5th February, 1925.

PROTOCOL CONCERNING AN AMENDMENT TO ARTICLE 5 OF THE AIR CONVENTION.

Signatures.

THIS Protocol, adopted by the International Commission for Air Navigation at its Second Session and reproduced in Official Bulletin No. 6, pages 99 and 100, has been signed by all the States parties to the Convention at the time of its adoption by the Commission.

Ratifications.

Five States have so far deposited their ratifications:—
Belgium (19th April, 1923).
British Empire (19th December, 1923).
France (26th December, 1924).
Portugal (30th July, 1924).
Siam (20th February, 1924).

Entry into Force.

This Protocol will come into force, in accordance with its final clauses, when the other States parties to the Convention at the time of the adoption of the said Protocol by the I.C.A.N. shall have deposited their ratifications.

These States are the following :—

Greece.
Japan.
Persia.
Kingdom of the Serbs, Croats and Slovenes.

Adhesions.

Two States which were not parties to the Convention at the time of the adoption of this Protocol have already notified their adhesion :—

Italy (21st January, 1924).
Bulgaria (9th May, 1924).

5th February, 1925.

PROTOCOL CONCERNING AN AMENDMENT TO ARTICLE 34 OF THE AIR CONVENTION.

Signatures.

THIS Protocol, adopted by the International Commission for Air Navigation at its Fourth Session and reproduced in Official Bulletin No. 6, pages 101 and 104, has been signed by all the States parties to the Convention at the time of its adoption by the Commission.

Ratifications.

Four States have so far deposited their ratifications :—

Belgium (19th October, 1923).
British Empire (20th November, 1924).
France (26th December, 1924).
Italy (13th June, 1924).

Entry into Force.

This Protocol will come into force, in accordance with its final clauses, when the other States parties to the Convention at the time of the adoption of the said Protocol by the I.C.A.N. shall have deposited their ratifications.

These States are the following :—

Greece.
Japan.
Persia.
Portugal.
Kingdom of the Serbs, Croats and Slovenes.
Siam.

Adhesions.

One State which was not a party to the Convention at the time of the adoption of this Protocol has already notified its adhesion :—

Bulgaria (9th May, 1924).

[9172]

Enclosure 5 in No. 1.

(No. 200.)

Commission Internationale de Navigation Aerienne, Secretariat General.
Paris, 20, Avenue Kleber,
20th February, 1925.

I HAVE the honour to inform you that the Czechoslovak Republic adhered on the 17th of February, 1925, to the Protocols dated the 27th October, 1922, and the 30th of June, 1923, concerning amendments to Articles 5 and 34 of the Air Convention of the 13th of October, 1919.

I have, &c.,
ALBERT ROPER,
General Secretary.

The Secretary,
Air Ministry,
London, W.C.2.

Note.—The amendments to Articles 5 and 34 had not come into force at the end of 1925 as the ratifications of certain States were still outstanding.

190

No. 2.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 3.5 p.m., 5th January, 1925.)

TELEGRAM.

[*Answered by Nos.* 4, 5, 6, *and* 8.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)

5TH JANUARY. My telegram 14th April, 1923.* Government of Italy have applied for derogation from Article 5 Air Convention in favour of same countries as in case of French application with addition of Turkey. International Commission has approved request, duration of derogation to be six months, but it will not take effect until accepted by contracting States. Do your Ministers accept derogation?—AMERY.

190

No. 3.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 7.]

(No. 12.)

SIR, Downing Street, 10th January, 1925.

WITH reference to my predecessor's despatch No. 55 of the 29th of January, 1924,† I have the honour to transmit to Your Excellency, to be laid before your Ministers, the accompanying copy of a letter from the General Secretary of the International Commission for Air Navigation regarding an application made by the Italian Government for a derogation from Article 5 of the Convention for the Regulation of Aerial Navigation, in favour of the States signatory to the Convention which have not yet ratified it as well as Spain, Switzerland, Norway, Sweden, Denmark, Holland, Finland, Esthonia, Latvia, Monaco and Turkey.

2. I shall be glad to learn whether your Ministers accept the derogation.

3. Inquiry is being made by telegram of the other Dominions concerned.

I have, &c.,
L. S. AMERY.

Enclosure in No. 3.

(1.201.)

Commission Internationale de Navigation Aerienne,
SIR, 20, Avenue Kleber, Paris, 26th December, 1924.

IN accordance with the provisions of the Additional Protocol, dated in Paris the 1st of May, 1920, to the Air Convention of the 13th of October, 1919, the Italian Government has applied for a derogation from Article 5 of the said Convention in respect of the States signatory to the Convention which have not yet ratified it as well as Spain, Switzerland, Norway, Sweden, Denmark, Holland, Finland, Esthonia, Latvia, Monaco and Turkey.

This application for a derogation was examined in October last by the International Commission for Air Navigation which approved it, the duration of the derogation being fixed at six months, but the derogation granted will not take effect until after having been expressly accepted by the contracting States.

---

* No. 21 in Dominions No. 88. † No. 4 in Dominions No. 93.

I have the honour, in consequence thereof and in accordance with the said Additional Protocol, to propose this application for the acceptance of your Government and to request that you will be so good as to notify me of its decision in this respect as soon as possible.

I have, &c.,
ALBERT ROPER,
General Secretary.

The Secretary,
Air Ministry,
London.

1634

No. 4.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1.35 p.m., 12th January, 1925.)

TELEGRAM.

12TH JANUARY. Your telegram of 5th January.* Ministers have no objection to offer to application of Italian Government for derogation from Article 5 of Air Convention in favour of same countries as in the case of the French Government's application with the addition of Turkey.—ATHLONE.

2161

No. 5.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5.30 a.m., 15th January, 1925.)

TELEGRAM.

15TH JANUARY. Your telegram of 5th January.* Application by the Government of Italy for derogation from Article 5 of International Air Convention. New Zealand Government accepts derogation.—FERGUSSON.

2316

No. 6.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2.10 a.m., 16th January, 1925.)

TELEGRAM.

15TH JANUARY. Your telegram 5th January.* Canadian Government has no objection to the granting of derogation from Article 5, International Convention for Air Navigation, to the Italian Government.—BYNG.

3914

No. 7.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 27th January, 1925.)

(No. 34.)

SIR, Vice Regal Lodge, Dublin, 26th January, 1925.

I HAVE the honour to acknowledge the receipt of your despatch No. 12 of the 10th instant,† transmitting a copy of a letter from the General Secretary of the

* No. 2. † No. 3.

International Commission for Air Navigation regarding an application made by the Italian Government for a derogation from Article 5 of the Convention for the Regulation of Aerial Navigation in favour of the States signatory to the Convention which have not yet ratified it as well as Spain, Switzerland, Norway, Sweden, Denmark, Holland, Finland, Esthonia, Latvia, Monaco and Turkey.

2. My Ministers desire me to express their acceptance of the derogation.

I have, &c.,
T. M. HEALY.

5608

No. 8.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 12.48 p.m., 5th February, 1925.)

TELEGRAM.

5TH FEBRUARY. Your telegram of 5th January.* Commonwealth Government accept derogation from Article 5 of Air Convention requested by the Italian Government.—FORSTER.

---

(3) Application for derogation by Poland.

23518

No. 9.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 12.20 p.m., 26th May, 1925.)

TELEGRAM.

[*Answered by Nos.* 11, 12, 13 *and* 14.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)

26TH MAY. My telegram 5th January.* Government of Poland have applied for derogation from Article 5 Air Convention in favour of same countries as in case of Italian application with substitution of Austria for Turkey. Request approved by International Commission, duration of derogation to be six months, but it will not take effect until accepted by contracting States. Do your Ministers accept derogation?—AMERY.

23518

No. 10.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 15.]

(No. 212.)

SIR, Downing Street, 28th May, 1925.

WITH reference to my despatch No. 12 of the 10th of January,† I have the honour to transmit to Your Excellency, to be laid before your Ministers, the accompanying copy of a letter from the General Secretary of the International Commission for Air Navigation submitting an application made by the Polish Government for a derogation from Article 5 of the Convention for the Regulation of Aerial Navigation in respect of the States signatory to the Convention which have not yet ratified it, as well as Spain, Switzerland, Norway, Sweden, Holland, Denmark, Finland, Esthonia, Latvia, Monaco and Austria.

* No. 2. † No. 3.

2. I shall be glad to learn whether your Ministers accept the derogation.
3. Inquiry is being made by telegram of the other Dominions concerned.

I have, &c.,
L. S. AMERY.

Enclosure in No. 10.

(No. 466.)

Commission Internationale de Navigation Aerienne, Secretariat General.
Paris, 20, Avenue Kleber,
14th May, 1925.

In accordance with the provisions of the Additional Protocol dated in Paris the 1st of May, 1920, to the Air Convention of the 13th of October, 1919, the Polish Government has applied for a derogation from Article 5 of the said Convention in respect of the States signatory to the Convention which have not yet ratified it, as well as Spain, Switzerland, Norway, Sweden, Holland, Denmark, Finland, Esthonia, Latvia, Monaco and Austria.

This application for a derogation was examined, in April last, by the International Commission for Air Navigation, which approved it, the duration of the derogation being fixed at six months, but the derogation granted will not take effect until after having been expressly accepted by the contracting States.

I have the honour, in consequence thereof, and in accordance with the said Additional Protocol, to propose this application for the acceptance of your Government, and to request that you will be so good as to notify me of its decision in this regard as soon as possible.

I have, &c.,
Albert Roper,
General Secretary.

The Secretary,
Air Ministry,
London, W.C.2.

25057

No. 11.

NEW ZEALAND.

The GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 7.50 a.m., 2nd June, 1925.)

Telegram.

2nd June. Your telegram of 26th May,* Article 5 of the Air Convention. My Government accepts derogation.—Fergusson.

25055

No. 12.

COMMONWEALTH OF AUSTRALIA.

The GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 11.6 a.m., 2nd June, 1925.)

Telegram.

2nd June. Your telegram of 26th May.* Commonwealth Government accepts derogation from Article 5 of the Air Convention requested by the Government of Poland.—Forster.

---

* No. 9.

25130

350

No. 13.

UNION OF SOUTH AFRICA.

The GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 1.35 p.m., 2nd June, 1925.)

Telegram.

2nd June. Your telegram of 26th May.* Ministers have no objection to offer to the application of the Polish Government for derogation from Article 5 of the Air Convention in favour of the same countries as in the case of the Italian Government's application with the substitution of Austria for Turkey.—Athlone.

26323

No. 14.

CANADA.

The GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 6.40 p.m., 9th June, 1925.)

Telegram.

9th June. Your telegram of 26th May.* Canadian Government has no objection to granting of derogation from Article 5 of International Convention for Air Navigation requested by the Polish Government.—Byng.

33883

No. 15.

IRISH FREE STATE.

The GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 25th July, 1925.)

(No. 221.)

Sir,
Vice Regal Lodge, Dublin, 24th July, 1925.

I have the honour to refer to your despatch No. 212 of the 28th of May,† transmitting a copy of a letter from the General Secretary of the International Commission for Air Navigation submitting an application made by the Polish Government for a derogation from Article 5 of the Convention for the Regulation of Aerial Navigation, in respect of the States signatory to the Convention which have not yet ratified it as well as Spain, Switzerland, Norway, Sweden, Holland, Denmark, Finland, Esthonia, Latvia, Monaco, and Austria. My Ministers desire me to express their acceptance of the derogation.

I have, &c.,
T. M. HEALY.

ALBANIA.

Commercial Agreement, 1925.

(*Treaty Series* 1925, *No.* 47.)

51039

No. 16.

The SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 442.) } Dominions No. 497.)

[My Lord,] [Sir,]
Downing Street, 21st November, 1925.

I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of Treaty Series paper No. 47 of 1925 (Cmd. 2522).

---

* No. 9. † No. 10.

containing Notes exchanged between His Majesty's Representative at Durazzo and the Albanian Minister for Foreign Affairs on the 19th of June respecting Commercial Relations with Albania.

[*Not to New Zealand and Irish Free State:* 2. Further copies are being sent in Library despatch.]

I have, etc.,
L. S. AMERY.

ANGOLA BOUNDARY.

Negotiations between Union Government and Portuguese Government.

7814

No. 17.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5.45 p.m., 17th February, 1925.)

TELEGRAM.

17TH FEBRUARY. Confidential. In pursuance of their policy of themselves conducting any negotiations with foreign powers regarding South-West Africa, my Ministers have asked me to approach the High Commissioner for Angola with a view to re-opening negotiations for the delimitation of the boundary, which have remained in abeyance since my predecessor's telegram of 8th June, 1923.* I am accordingly addressing High Commissioner as desired with a request that should his Government be not prepared now to accept the draft agreement drawn up in 1920 by the mixed Boundary Commission they should nominate fully accredited representative(s) to meet representative(s) of Union Government preferably at Cape Town to discuss the matter. Ministers intend that any agreement or convention that may result shall be signed by the Union Government as mandatory. Will keep you informed of progress of negotiations. As stated above Ministers action is based upon their position as holders of a mandate directly from the League of Nations, but as the matter appears to be of purely local interest it seems to come within the scope of Resolution IX, Part 2, of the Imperial Conference, 1923, providing for independent conduct by Dominions of negotiations of this nature.—ATHLONE.

14528

No. 18.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 30th March, 1925.)

(No. 85.)

SIR, Governor-General's Office, Cape Town, 10th March, 1925.

WITH reference to my despatch No. 66 of the 24th February† regarding the re-opening of the negotiations for the delimitation of the Angola-South West Africa boundary, I have the honour to transmit herewith a copy of the Minute from my Ministers which formed the basis of my despatch to the High Commissioner of Angola.

I have, &c.,
ATHLONE,
Governor-General.

---

*28909/23: not printed; it contained the views of the Union Government as to the lines of an agreement with the Portuguese Government. †12117/25: not printed; it enclosed a copy of the despatch to the High Commissioner of Angola referred to in No. 17.

Enclosure in No. 18.

MINUTE No. 120.

Prime Minister's Office, 13th February, 1925.

MINISTERS have the honour to address His Excellency the Governor-General in reference to Minute No. 66/20 addressed to their predecessors for their information by His Royal Highness the late Governor-General on the 22nd October, 1923. With that Minute was enclosed a copy of a Note from the Portuguese Minister in London relative to the draft Agreement of 5th July, 1920, in regard to the frontier between South-West Africa and Portuguese West Africa (Angola) and the use of the waters of a certain river—the Kunene. The Portuguese Minister's Note reached His Royal Highness, and was transmitted to Ministers' predecessors, under cover of despatch No. 238 of 22nd September, 1923, from the then Secretary of State for the Colonies. As, however, the Note was for information only, it required no reply. It would appear from correspondence which is before Ministers that it was then intended that the subject of the Note should be discussed in London between General Smuts as Prime Minister of the Union and a specially accredited representative of the Portuguese Government. Owing to accidental circumstances no such discussion took place and no further action in regard to the draft Agreement of 1920 was taken.

2. Since October, 1923, certain incidents have taken place near the Portuguese frontier of South-West Africa which have been brought to the attention of Ministers. Short reference is made to these incidents in the Memorandum attached to this Minute.

3. Ministers have arrived at the conclusion that a discussion is desirable on the matters outstanding between the Union Government as mandatory of South-West Africa and the Portuguese Government, and if possible a re-opening of negotiations with a view to the signature of the draft Agreement of 5th July, 1920, with or without modifications.

4. Ministers, therefore, would be grateful if His Excellency would address to the High Commissioner for the Portuguese Government in Angola a communication inquiring whether he or his Government is now in a position either to approve of the proposals of the Union Government conveyed to His Royal Highness Prince Arthur of Connaught on the 6th June, 1923, or to authorize a fully accredited representative of the Portuguese Government to discuss the details of the proposal or any modification thereof with a representative of the Union Government at some place to be arranged—preferably in Cape Town.

5. Ministers annex to this Minute for His Excellency's information, a Memorandum setting out shortly what appear to them to be the essential or salient facts of the present position in regard to the whole matter. Ministers will, of course, submit any further information which His Excellency may desire to have.

6. Ministers feel sure that His Excellency appreciates that the Union Government, as mandatory of the League of Nations for South-West Africa, can alone on behalf of the territory enter into negotiations in regard to this matter and sign any agreement or convention with the Portuguese Government which may result therefrom.

J. B. M. HERTZOG.

MEMORANDUM.

IN the Agreement signed at Ruacana on the 5th July, 1920 (subject to the approval of the respective Governments), between the British Commission, composed of Messrs. F. E. Kanthack, C.M.G., Director of Irrigation of the Union, H. E. Schoch, Surveyor-General of the Union, and Major C. N. Manning, Resident Commissioner of Ovamboland, and the Portuguese Commission, Part I refers to the delimitation of the boundary between Angola and South-West Africa; Part II relates to the division and diversion of the waters of the Kunene River above the Great Ruacana Falls for the purpose of generating hydraulic power; Part III refers to the utilization and regulation, for irrigation or inundation, of the water of the Kunene River into the territory of South-West Africa towards the south and south-east.

The Portuguese delegates had at the time only instructions regarding Parts I and II; and the following was decided as regards these parts:—

Part I.—That the Anglo-Portuguese frontier of the South of Angola shall follow the *middle* of the main channel of the Kunene River from its mouth to the centre of the crest or lip of the Great Ruacana Cataract (or Falls); thence the frontier will follow the parallel of latitude to the Kubango or Okavango River near Kwangar.

Part II.—The Great Ruacana Cataract, being on both sides of the international boundary, and, according to international law, one half of the water flowing at any time in the river and the hydraulic power obtainable therefrom belongs to each of the territories abutting on the river at all times of the year; the dam, weir or barrage for the joint use of the two contracting parties to be built up-stream of the great Fall at a distance not exceeding three kilometres from the beacon in the middle of the crest of the great Fall; the Government of South-West Africa to have the right to impound its half share of the water and divert it into its canals on the left bank of the river; the power canal on the left bank of the river, where it traverses Portuguese territory to be located on an alignment, most economical and practical to the Government of South-West Africa; the limits within which construction operations to take place within Portuguese territory to be bounded by the Kunene River, on the right side of the canal, and by a line 300 metres parallel to and on the left side of the canal, and for a distance of 300 metres measured along the Kunene River up-stream of the weir, dam or barrage. Over this triangular piece of ground Portuguese to retain dominium. The Government of South-West Africa to have right to send engineers, etc., and labourers to prepare power project and construct works for diverting its half share of water, but *not* to use right bank of Kunene River for that purpose; cost of construction of dam, etc., which will be used jointly by the two contracting parties, to be borne by the party which first undertakes the construction of the work, but when the party which has not in first instance constructed dam, etc., wishes to construct works for development of water power on its own side of the river, such party shall not construct the necessary regulator at the dam, weir or barrage, or divert water until it has paid the party which first constructed the dam, etc., half of the cost thereof. The Portuguese Government to grant the Government of South-West Africa all facilities of access for survey operations and the construction of the works.

Part III.—(In regard to which the Portuguese Delegates had no instructions.)

The following is a brief extract from the statement made by the British Delegates, and received by the Portuguese Delegates without prejudice, for submission to the Portuguese Government:—

The British Delegates claim the following servitudinal Rights:—

That the South-West African Government shall have right:

(*a*) To one-half of flow of Kunene River at all seasons of the year below Humbe for irrigation and power purposes:

(*b*) To divert whole or part of such water *at one or more points along the Kunene River between Humbe and a point one kilometre above the rapids below Erickson's Drift (commonly known as the Kavale or Okavare Falls)* for irrigation or inundation purposes by means of dams, weirs or other diversion works.

(*c*) To construct such dams or weirs across Kunene River abutting on to both banks of river.

(*d*) To construct and maintain head regulators at diversion works and canals, channels or other aqueducts *across Portuguese territory* to South-West Africa.

(*e*) To occupy zone of 250 metres on each side of centre line of such canals, channels or aqueducts.

(*f*) To send engineers, etc., and employ workmen to make surveys, trial pits and borings, anywhere within an area bounded on west by Kunene River, on north by a line running from Humbe to Ondjiva, on east by a line running from Ondjiva along the Oshana or Omuramba, which passes close to Namakunde and on the south by the International boundary.

The Portuguese Government accepted Parts I and II of the Agreement (which, of course, conceded all their claims as regards the boundary line), but could not accept Part III, contending that that would involve a diminution of their Sovereign Rights, and no solution has up to now been found.

The Union Government on 6th June, 1923, advised the Secretary of State that it could not see its way clear to agreeing to Parts I and II only of the draft Agreement, unless the Portuguese Government approved also of Part III in reference

to the diversion and use of half the waters of the Kunene (to which South-West Africa is entitled according to International Law), as it regarded the acceptance of Part III as an essential condition of the Union's acceptance of the other two parts. If the Portuguese Government were in principle prepared to approve Part III the Union Government was prepared to reconsider a modification of its details with a view to contracting the area within which its share of the water can be taken from the river, it having been informed that the area within which it is feasible to divert water is from the rapids or smaller falls of Kavale to a point a little above Erickson's Drift, and that it will not be necessary to go as far north as Humbe.

The Portuguese Government, while admitting that the taking of the half share of the water at Erickson's Drift would greatly facilitate matters, maintains that this point is still well within Portuguese territory, and that it cannot undertake negotiations on such a matter (which it regards as an entirely new question) until the question of the recognition of the frontier, which it claims, has been settled, and that therefore Parts I and II of the draft Agreement should first be accepted.

The Portuguese have become very active of late in the so-called "Neutral Zone," i.e., that between the line claimed by the late German Government and the line claimed by the Portuguese Government. The Portuguese have shown an increasing tendency to establish themselves at Namakunde, in the neutral zone, by the construction of special motor roads and mention of their intention to erect a further telephone line. They at one time went so far as to collect tax or tribute from the natives living in the zone. They have also erected a new building, which is a large structure of imported material resting on a concrete foundation. Brick outhouses have been built alongside, an orchard planted and other work has been done. It is also reported that the Portuguese Government has informed the natives that the South-West Africa Administration will have to evacuate the zone.

A considerable time has elapsed since any progress has been made in the negotiations regarding the boundary question and the presence of the disputed zone separating the territory of South-West Africa from Angola is a source of danger to the order, security and economic prosperity of the northern part of South-West Africa.

The time has, therefore, arrived for a settlement of this outstanding matter, and the conclusion of an agreement with the Portuguese Government, and it is unlikely that the first move will be made by the Portuguese, owing to their having virtually taken possession of the disputed neutral zone.

Note.—The matter was referred to in the Report by the Permanent Mandates Commission on its Sixth Session and at the 12th Meeting of the 35th Session of the Council of the League of Nations, on the 15th September, 1925. It was eventually arranged that the questions arising should be discussed between the Union Government and a Portuguese mission in the Union.

ANTARCTIC.

Territorial Claims.

1037/S

No. 19.

FOREIGN OFFICE to COLONIAL OFFICE.

[*Answered by No.* 24.]

(Secret.)

SIR,

Foreign Office, S.W.1, 6th January, 1925.

WITH reference to your letter of the 24th ultimo* regarding the proposal of the Secretary of State for the Colonies that early steps should be taken to assert British rights over the Antarctic regions, I am directed by Mr. Secretary Chamberlain to state that, in the absence of definite information as to the precise extent of the territory claimed by the French Government, it is somewhat difficult for him to offer any useful observations on the attitude to be adopted towards those claims.

---

* No. 19 in Dominions No. 93.

2. It will be seen that the enclosed further copy of the French Presidential Decree of 26th March, 1924, issued by the Ministry of Marine, which has been communicated privately by the French Embassy, differs from that forwarded with the letter from this Department of 16th August last* by the addition of a footnote to the effect that the longitude constituting the boundaries of "Adélie or Wilkes Land" would be indicated in the decree to be issued by the Ministry of Colonies. As Mr. Amery is aware, when the latter was issued on 27th March it made no reference to boundaries.

3. Mr. Chamberlain is, of course, anxious to avoid giving any impression that His Majesty's Government are endeavouring to oust the French Government from territory already admitted to be theirs; at the same time he realizes that it would not be advisable to refrain from taking any action at all to give effect to the policy laid down in 1920, as the result of such inaction might be the annexation of further territory by the French Government. In these circumstances he proposes, subject to Mr. Amery's concurrence, to instruct His Majesty's Ambassador at Paris to endeavour to ascertain discreetly whether any boundaries have ever been fixed by the French Government, and, if so, what they are. If no such boundaries have been defined, His Majesty's Government will not lay themselves open to the accusation of asserting their sovereignty over territory which does not belong to them.

4. A copy of this letter is being sent to the Admiralty.

I am, &c.,
G. H. VILLIERS.

Enclosure in No. 19.

Paris, le 26 mars, 1924.

Par décision du Ministre de la Marine en date du :—

(1°) Les Iles Crozet, Kerguelen, Saint-Paul et Amsterdam ont été placées dans la zone de surveillance des bâtiments faisant partie des forces navales de l'Océan Indien.

(2°) La terre Adelie ou Wilkes (de la longitude† . . . à la longitude . . .† a été placée dans la zone de surveillance des bâtiments faisant partie des forces navales de l'Océan Pacifique.

† Ces longitudes seront celles indiquées dans le Décret préparé par le Département des Colonies.

3642/S

No. 20.

ADMIRALTY to COLONIAL OFFICE.

[*Answered by No.* 27.]

(Secret.)

Admiralty, S.W.1, 23rd January, 1925.

Sir,

In reply to your letter of the 24th December‡ and with reference to Foreign Office letter of the 7th instant,§ I am commanded by My Lords Commissioners of the Admiralty to forward, for the information of the Secretary of State for the Colonies, a memorandum‖ on the question of French claims to territories in the Antarctic, which has been prepared by the Hydrographic Department of the Admiralty.

2. Their Lordships desire to point out that, as stated in Admiralty letter of the 10th October, 1924.¶ it does not seem practicable to arrive at any decision on the attitude to be adopted by this country until some more definite information is available as to the extent of the French claims.

3. A copy of this letter and the enclosed memorandum (without chart) has been forwarded to the Foreign Office.

I am, &c.,
P. E. MARRACK,
for Secretary.

---

* 39937/24: not printed; it enclosed a copy of the Decree in question. ‡ No. 19 in Dominions No. 93. § See No. 19. ‖ 3642/S: not printed; see revised text in No. 37. ¶ 48411/24: not printed.

7377/S

No. 21.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.55 a.m., 16th February, 1925.)

TELEGRAM.

[*Answered by No.* 23.]

16TH FEBRUARY. Secret. My telegram of 4th December, 1924.* Antarctic Regions. According to Press reports the French Government promulgated Decree 27th November last annexing Adélie Land. This appears to be step additional to Decree of 27th March, 1924.

My Ministers would be glad to learn the present position and limit(s), if any, the French Government has assigned to the territory over which it has asserted rights. Ministers point out that Australia's interest in this part of the Antarctic is very great owing to exploration work undertaken by Australians and to whaling resources of the adjacent waters, and they feel that British discovery and exploration confer definite rights on the Empire over this territory which should be of sufficient weight to be serious counter claims to the French claim.—FORSTER.

7790

No. 22.

FOREIGN OFFICE to COLONIAL OFFICE.

The Under-Secretary of State for Foreign Affairs presents his compliments to the Under-Secretary of State for the Colonies and, by direction of the Secretary of State, transmits herewith copy of an extract from *Journal Officiel* of 27th November, 1924, regarding French possessions in the Antarctic.

Foreign Office,
17th February, 1925.

Enclosure in No. 22.

EXTRACT FROM THE "JOURNAL OFFICIEL DE LA RÉPUBLIQUE FRANÇAISE" OF 27TH NOVEMBER, 1924.

MINISTÈRE DES COLONIES.

Rapport au Président de la République Française.

Monsieur le Président, Paris, le 21 novembre, 1924.

J'ai l'honneur de soumettre à votre haute sanction un projet de décret rattachant administrativement les iles Saint-Paul et Amsterdam, les archipels Kerguelen et Crozet et la terre Adélie au gouvernement général de Madagascar.

Ces lointaines parties de notre domaine colonial n'avaient fait jusqu'ici l'objet d'aucune organisation administrative permanente. Dans l'ignorance où l'on fut longtemps de la valeur économique de ces terres inhabitées, situées à l'écart des grandes routes maritimes, il n'avait point paru indispensable, en effet, de confirmer, par l'établissement d'une autorité effective, les droits de souveraineté que, de longue date, la France s'était acquis sur les archipels et sur les parties du continent antarctique reconnues par nos navigateurs.

Les missions scientifiques effectuées au début de ce siècle dans les mers australes ont établi que ces dépendances longtemps négligées de notre domaine d'outremer pouvaient offrir à l'industrie des grandes pêches des ressources extrêmement précieuses: les baleines, les phoques et les éléphants de mer sont en effet très abondants dans ces parages et la grande valeur industrielle des produits fournis par ces espèces animales n'a pas tardé à provoquer la création d'entreprises de pêche et de chasse dont les premières campagnes se sont révélés des plus fructueuses.

---

* No. 18 in Dominions No. 93.

En vue d'exercer sur l'exploitation de ces richesses nationales le contrôle effectif et suivi qui s'impose, il a paru nécessaire de pourvoir à l'organisation administrative de ces îles et terres australes et d'envisager à cet effet, leur rattachement à un gouvernement colonial déjà constitué ; celui de Madagascar m'a semblé naturellement désigné, par la situation géographique de cette colonie et par les moyens d'action dont il peut disposer, pour assurer l'autorité souveraine de la France sur cette partie de notre domaine colonial. Consulté sur le principe de ce rattachement, M. le gouverneur général de Madagascar s'est déclaré favorable à cette mesure et vient de faire connaître à mon département qu'il décidait l'inscription au budget de la colonie d'un premier crédit représentant la participation de Madagascar aux dépenses d'organisation de ces nouvelles dépendances de la Grande Ile.

Dans ces conditions, j'ai l'honneur de vous prier, monsieur le Président, de vouloir bien revêtir de votre signature le projet de décret ci-joint qui place les îles Saint-Paul et Amsterdam, les archipels Kerguelen et Crozet et la terre Adélie sous l'autorité du gouverneur général de Madagascar et confie à ce haut fonctionnaire le soin d'organiser, sous le contrôle de mon département, l'administration effective de ces territoires.

Je vous prie d'agréer, etc.,
Le ministre des colonies,
DALADIER.

Le Président de la République française,

Vu le sénatus-consulte du 3 mai, 1854;

Sur le rapport du ministre des colonies,
Décrète :

Art. 1er.—Les îles Saint-Paul et Amsterdam, les archipels Kerguelen et Crozet et la terre Adélie sont rattachés au gouvernement général de Madagascar et constituent l'une des dépendances administratives de cette colonie.

Art. 2.—Des arrêtés du gouverneur général de Madagascar soumis à l'approbation du ministre des colonies fixeront les conditions d'application du présent décret.

Art. 3.—Le ministre des colonies est chargé de l'exécution du présent décret qui sera publié aux *Journaux Officiels de la République française* et de la colonie de Madagascar et inséré au Bulletin des lois et au Bulletin official du ministère des colonies.

Fait a Paris, le 21 novembre, 1924.

GASTON DOUMERGUE.
Par le Président de la République.
Le ministre des colonies,
DALADIER.

7377/S

No. 23.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 7.0 p.m., 18th February, 1925.)

TELEGRAM.

18TH FEBRUARY. Most Secret. Your telegram of 4th December.* Your telegram of 16th February.† Antarctic Regions. Questions raised have been most carefully investigated but matter presents considerable difficulty. French claim to Adélie Land *per se* (by which is meant coastline actually sighted and charted by D'Urville in 1840) is indisputable. Objection on ground of total absence of occupation might equally be raised against almost any territorial claim in any part of Antarctic. Impossible, therefore, to assert British Sovereignty over whole

* No. 18 in Dominions No. 93. † No. 21.

sector 90-160 E. Question what action should be taken as regards any French claim extending beyond Adélie Land as above defined, depends, of course, upon area claimed, and steps will be taken to ascertain limits of region to which France considers herself entitled. It has, however, to be borne in mind that it would be very hard to frame any criterion of validity which should restrict French claim while not affecting those of this country, and that, if we should seek to restrict territorial claims to actual extent of coastline sighted by each particular discoverer, we should weaken our claim to Graham Land where majority of coastline has been discovered by explorers of other nations.

Further telegram will be sent as soon as extent of territory claimed by France is known.—AMERY.

7377/S

No. 24.

COLONIAL OFFICE to FOREIGN OFFICE.

[*Answered by No.* 25.]

(Secret.)

SIR, Downing Street, 23rd February, 1925.

WITH reference to your Secret letter of the 6th of January,* regarding the question of the assertion of British rights over the Antarctic regions, I am directed by Mr. Secretary Amery to transmit to you, to be laid before Mr. Secretary Chamberlain, a copy of a further telegram† on this subject from the Governor-General of the Commonwealth of Australia, together with a copy of a telegram‡ which has been sent to him in reply to this telegram and to his previous telegram of the 4th of December.§

2. The concurrence of Mr. Chamberlain and of the Lords Commissioners of the Admiralty in the terms of this reply was obtained semi-officially prior to its despatch.

3. Since that telegram was despatched Mr. Amery has seen the French Decree and the explanatory memorandum of the 21st of November last.‖ The Decree differs from the previous Decree of the 27th of March¶ in referring to "la terre Adélie" instead of "la terre Adélie ou Wilkes," and the memorandum refers to "les parties du continent antarctique reconnues par nos navigateurs." It seems possible therefore that the French claim does not in fact extend beyond the sector sighted and charted by D'Urville in 1840. Mr. Amery would, however, be glad if His Majesty's Ambassador at Paris could be requested to ascertain, in such manner as Mr. Chamberlain may think most appropriate, the precise coastal limits to which the claim on which the decree is based extends. This form of inquiry will have the advantage of conveying that it is the assumption of His Majesty's Government that the French Government claim only Adélie Land in the narrowest sense, and as a coastal strip, and that no claim is being advanced to any great depth of "hinterland."

4. A copy of this letter is being sent to the Admiralty.

I am, &c.,
H. F. BATTERBEE.

10301/S

No. 25.

FOREIGN OFFICE to COLONIAL OFFICE.

SIR, Foreign Office, S.W.1, 4th March, 1925.

WITH reference to your letter of the 23rd ultimo** relative to British and French territorial claims in the Antarctic regions, I am directed by Mr. Secretary Chamberlain to observe that upon reconsideration of the matter he is disposed to doubt whether the best method of procedure will be to approach the French Government and inquire the precise coastal limits of the territory which they claim. It would be necessary to approach the French Government with an official inquiry in writing, since nothing but a reply in the same form would be a valid statement, which could be quoted in future; and such action on the part of His Majesty's

* No. 19. † No. 21. ‡ No. 23. § No. 18 in Dominions No. 93. ‖ Enclosure in No. 22.
¶ 53824/24: not printed. ** No. 24.

Government might well lead the French Government to increase the limits of their claim, if only as a precautionary measure.

2. It seems to Mr. Chamberlain that in many respects it would be preferable for His Majesty's Government themselves to define their claim on the assumption that the claim thus defined does not include Adélie Land, and to negotiate with the French Government if and when the latter protest. It would, of course, be necessary to consult the Australian Government fully and frankly and to warn them that such definition would be provisional only and that the claim might have subsequently to be adjusted with the French Government.

3. If Mr. Secretary Amery concurs, I am to request that the telegram to the Australian Government, which will necessarily be of a highly confidential nature, may be communicated to Mr. Chamberlain before despatch.

I am, &c.,
G. H. VILLIERS.

11258

No. 26.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

[*Answered by No.* 34.]

(Commonwealth of Australia. No. 97.)
(New Zealand. No. 52.)

[MY LORD,] [SIR,] Downing Street, 21st March, 1925.

I HAVE the honour to transmit to Your Excellency, to be laid before Your Ministers, the accompanying copy of a note from the Norwegian Minister relating to territorial interests in the Antarctic.

2. The matters raised by this note are being carefully examined in consultation with the Secretary of State for Foreign Affairs and the Lords Commissioners of the Admiralty, and a further despatch will be addressed to you as soon as the examination of the case has been completed.

I have, &c.,
(for the Secretary of State),
W. G. ORMSBY-GORE.

Enclosure in No. 26.

(No. 30/1925.)

Norwegian Legation, London.
24th February, 1925.

SIR,

IT has come to the notice of the Norwegian Government that the British Government by "Order in Council" of July 30, 1923, has declared all islands and territories between the 160th degree of East Longitude and the 150th degree of West Longitude, which are situated south of the 60th degree of South Latitude, to be a British settlement under the name of the Ross Dependency, and that the administrative authority as regards the said settlement has been vested in the Governor of New Zealand, who is to be also the Governor of the new Dependency.

In view of the said Order in Council I have the honour, acting under instructions from my Government, to call your attention to the fact that although, as regards certain provisions, it does not at the present moment appear quite clear to my Government what the Order implies, my Government cannot overlook the fact that the annexation in question may have the effect of jeopardizing present or future Norwegian interests and rights.

In this connexion my Government have requested me to point out to you that they take it for granted:—

(1) That, apart from such islands which may be situated within territorial waters of Victoria Land and Edward VII's Land, the annexation is meant to comprise such islands only the existence of which is at present known and which have been discovered by British citizens or by expeditions under the British flag.

(2) That the southern boundaries of the Dependency—of which nothing is said in the Order in Council referred to—and its eastern boundaries south of Edward VII's Land, are meant to be drawn in such a way as not to make the

annexation comprise any part of the territory immediately circumjacent to the South Pole, which, as will be known, was taken possession of in the name of the King of Norway by Captain Ronald Amundsen in December, 1911, under the name of Haakon VII's Plateau, nor to comprise the territories on both sides of Captain Amundsen's route to the South Pole south of the said Edward VII's Land and including i.a., Queen Maud's Range.

My Government have instructed me to add that while it is not their intention at the present time to claim sovereignty to the territories referred to under (2) above, they consider that the said discovery and annexation constitute a valid basis for a claim of priority to acquire such territories whenever the requirements of International law as to effective occupation of a new territory shall have been fulfilled.

I have, &c.,
B. VOGT.

The Right Honourable
Austen Chamberlain, P.C., M.P.,
&c., &c., &c.

10301/S

No. 27.

COLONIAL OFFICE to ADMIRALTY.

[*Answered by No.* 29.]

(Secret.)

SIR, Downing Street, 29th May, 1925.

WITH reference to your Secret letter of the 23rd January* regarding British and French territorial claims in the Antarctic regions, I am directed by Mr. Secretary Amery to transmit to you, to be laid before the Lords Commissioners of the Admiralty, the enclosed copy of a letter† from the Foreign Office, from which it will be seen that upon reconsideration of the matter Mr. Chamberlain is disposed to doubt whether the best method of procedure will be to approach the French Government and inquire the precise coastal limits of the territory which they claim, and that it seems to him that in many respects it will be preferable for His Majesty's Government themselves to define their claim on the assumption that the claim thus defined does not include "Adélie Land" and to negotiate with the French Government if and when the latter protest.

2. Upon further careful consideration of all the circumstances, Mr. Amery is inclined to concur in Mr. Chamberlain's view, and as a preliminary to further discussion he would be glad if Their Lordships would cause, at their early convenience, a memorandum to be prepared defining the geographical limits of the maximum area, not already annexed to the British Dominions, in the whole Antarctic region exclusive of "Adélie Land" which can now be reasonably annexed. The question of the form of annexation and of the part, or parts, of the British Empire by which the area to be annexed would best be administered are matters which will require further consideration in consultation with the Commonwealth and probably the New Zealand Government. But the first step would appear to be for His Majesty's Government to decide what is the maximum extent of area which can reasonably be claimed.

I am, &c.,
H. F. BATTERBEE.

26684

No. 28.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 12th June, 1925.)

[*Answered by No.* 41.]

(No. 94.)

SIR, Government House, Wellington, 7th May, 1925.

I HAVE the honour to inform you that my Ministers advise me that they have perused a letter, dated 10th October, 1924, from the Admiralty to the Secretary of the Navy Board, Wellington, relative to the French claim to Adélie Land.

---

* No. 20. † No. 25.

2. With regard to the French Decree of the 27th March, 1924,* relative to the Crozet and other Islands in the Southern Ocean, Ministers state that during the 1923-24 whaling season in the Ross Sea Dependency it was established that numbers of commercially profitable whales entered the territorial waters of the Ross Dependency at its western longitudinal boundary and that during the present season (1924-25) operations were commenced off shore in the vicinity of Cape Cotter, South Victoria Land, and were successful in intercepting whales which had approached from that boundary.

3. From the foregoing, Ministers think it may be assumed that a profitable whaling industry may exist westward of the Meridian of 160° East Longitude, which is the western boundary of the Ross Dependency. They therefore ask me to bring the information under your notice as indicating the desirability of extending the western boundary of the Ross Dependency westward beyond the Meridian of 150° East Longitude, if occasion should arise to enable this extension to be achieved.

I have, &c.,
CHARLES FERGUSSON,
Governor-General.

32690/S

No. 29.

ADMIRALTY to COLONIAL OFFICE.

(Secret.)

SIR, Admiralty, S.W. 1, 15th July, 1925.

WITH reference to your letter of the 29th May last,† and to previous correspondence regarding British and French territorial claims in the Antarctic regions and requesting particulars of the geographical limits of the maximum area, not already annexed to the British Dominions, in the whole Antarctic region exclusive of "Adélie Land" which can now be reasonably annexed, I am commanded by My Lords Commissioners of the Admiralty to forward the following observations for the information of the Secretary of State for the Colonies.

My Lords are of opinion that, in defining their claim, His Majesty's Government should base it on the fact that the land has been discovered by British explorers, without taking into consideration the continuity or otherwise of such land with other land not claimed.

The areas outside the Falkland Island Dependency and the Ross Sea Dependency, which My Lords suggest can reasonably be claimed on the above basis are the Caird Coast, Coats Land, Enderby Land, Kemp Land, Queen Mary Land, Wilkes Land, King George V. Land and Oates Land. These areas could be described as follows:—

Coats Land, lying between longitudes 20°W. and 17°W., i.e., a continuation to the Eastward of that Portion now included in the area constituted a dependency of the Falkland Islands.

Enderby and Kemp Land, lying between longitudes 49°E. and 60°E.

Queen Mary Land, lying between longitudes 88°E. and 101°E.

Wilkes Land, lying between longitudes 131°E. and 137°E. (i.e., up to the West Limit of the Coastline of Adélie Land discovered by D'Urville in 1840).

King George V. and Oates Land from 142°E. (i.e., the East Limit of the Coastline of Adélie Land discovered by D'Urville in 1840) to 160°E., or the western boundary of the Ross Sea Dependency.

The French claim to Adélie or Wilkes Land if it is confined to that part which was discovered and charted by D'Urville in 1840 lies between approximately 142°E. and 137°E.

A clear view of these lands and their limits is shown on Chart "A" attached to the monograph,‡ entitled "Territorial Claims in the Antarctic Regions," forwarded to the Colonial Office with Admiralty letter M. 25456 of 10th October, 1919.§

A copy of this letter has been sent to the Foreign Office.

I am, &c.,
CHARLES WALKER.

---

* 55824/24: not printed. † No. 27. ‡ Dominions No. 99. § Not printed; it enclosed a copy of the Monograph in question.

356

26684

No. 30.

DOMINIONS OFFICE to ADMIRALTY.

(Secret.)

SIR, Downing Street, 18th July, 1925.

WITH reference to the letter from this Department of the 29th of May* and previous correspondence regarding British and French claims in the Antarctic regions, I am directed by Mr. Secretary Amery to transmit to you a copy of a despatch† which has been received from the Governor-General of New Zealand. A copy of the letter from the Admiralty to the Secretary of the Navy Board, Wellington, to which reference is made in this despatch, has been obtained semi-officially from the Admiralty.

2. The Admiralty letter to the Navy Board (which, it is observed, is in similar terms to the Admiralty letter to the Colonial Office of the 10th of October‡), deals with a large question of policy which is at the present time receiving the careful consideration of His Majesty's Government and with regard to which it will be necessary to address the New Zealand and Commonwealth Governments officially as soon as the examination of the question by His Majesty's Government is concluded. The subject is clearly one which, in accordance with the rules of procedure laid down in the Admiralty memorandum, § a copy of which was enclosed in Admiralty letter of the 2nd December, 1919,‖ should only be dealt with by correspondence through the ordinary official channels, and Mr. Amery feels compelled to add that he thinks it particularly undesirable that the nature of inter-departmental correspondence such as that referred to in paragraph 11 of the letter to the New Zealand Navy Board should be communicated to Dominion Governments. The Secretary of State appreciates the desire of the Lords Commissioners to furnish the Commonwealth and New Zealand Navy Boards with any item of naval intelligence which it would be of interest or advantage to them to know from the naval point of view, but he feels sure that, on consideration, Their Lordships will agree with him that it is important that this direct communication of intelligence should be confined to matters of purely naval interest, and that very serious difficulties are likely to ensue unless the rules laid down in the Admiralty memorandum are strictly adhered to.

3. In this connexion I am to invite reference to the letter from this Department of even date¶ relating to the visit of the United States fleet to Australian and New Zealand waters.

4. Mr. Amery would not propose to send any reply to Sir C. Fergusson's despatch pending further consideration of the general question of policy in the Antarctic in the light of the memorandum which Their Lordships were asked in the letter under reference to cause to be prepared.

I am, &c.,
C. T. DAVIS.

32690/S

No. 31.

DOMINIONS OFFICE to FOREIGN OFFICE.

[*Answered by No.* 38.]

(Secret.)

SIR, Downing Street, S.W.1, 29th August, 1925.

WITH reference to Colonial Office letter of 29th May last,** I am directed by Mr. Secretary Amery to state that he understands that Mr. Secretary Chamberlain has been furnished with a copy of Admiralty letter to the Colonial Office of the 15th July†† forwarding the observations of the Lords Commissioners as to the areas in the Antarctic outside Adélie Land which can reasonably be annexed as British territory.

2. As Mr. Chamberlain is aware, Mr. Amery is very anxious to communicate the views of His Majesty's Government in this matter to the Governments of the Commonwealth and New Zealand with as little delay as possible. In this connexion

---

* No. 27. † No. 28. ‡ 48411/24: not printed; it discussed the bearing of the French Decree of the 27th March, 1924. § No. 161 in Dominions No. 72. ‖ 68804/19: not printed; it enclosed a copy of the memorandum in question. ¶ 30783/25: not printed; it dealt with a similar case of correspondence between the Admiralty and the Navy Board. ** See No. 27. †† No. 29.

I am to enclose an Australian newspaper cutting* which shows that public interest in this question is being evinced in Australia and that the Commonwealth Government are being pressed to assert the Australian claims. I am also to invite reference to Colonial Office letter of 20th July† enclosing a copy of a despatch from the Governor-General of New Zealand‡ which indicates the concern of that Government in the matter. There are, however, certain questions arising out of the Admiralty letter on which it appears necessary for His Majesty's Government to arrive at a decision before any further communication is made to the Commonwealth and New Zealand Governments, and as to these Mr. Amery would be glad to be furnished with Mr. Chamberlain's observations at his early convenience.

(1) Whether it is agreed that the various areas mentioned in the Admiralty letter can now be treated as British Territory.

(2) If so, whether there would be any objection to the action to be taken with the above object extending to the whole coast (with the exception of Adélie Land) between the two extreme points mentioned in the Admiralty letter, viz., between 160° E. and 20° W. (moving westwards).

(3) Whatever the coastal area or areas it be decided to treat as British territory, whether the action to be taken should extend to all land within a sector or sectors stretching down to the South Pole, following the precedent of the Ross Dependency.

(4) If so, whether it would be necessary to treat the French claim to Adélie Land as having the same Southward Extent.

(5) Whether, on the assumption that it is desirable to assert the British claim without reference to any foreign Government, it would be possible and proper to accept for the definition of Adélie Land the limits, 137°-142° E., mentioned in the Admiralty letter.

(6) Whether there is any method of publicly asserting the British claim pending arrangements for the administration of the area or areas in question. It will be remembered that, in the case of the Ross Dependency and the Falkland Islands Dependency, action proceeded by way of instruments placing these areas under the Government of New Zealand and the Government of the Falkland Islands respectively. Instruments of this nature might in the present case take some time to settle, and indeed it might be an advantage for there to be an interval before the actual issue of any formal instrument or instruments providing for administration, in which to see what attitude the French Government adopt in the matter.

3. When His Majesty's Government have arrived at a decision on these points, it will be necessary to consult the Canadian Government as well as the Commonwealth and New Zealand Governments with regard to the conclusions reached and the action proposed, in view of the fact that the Canadian claim to sovereignty of all lands north of the Canadian mainland as far as the North Pole has now become a matter of practical interest.

I am, &c.,
C. T. DAVIS.

40316/S

No. 32.

MEMORANDUM.

BRITISH POLICY IN THE ANTARCTIC.

NOTE.—*This memorandum was prepared merely to serve as a brief historical résumé of the papers relating to this subject and the geographical statements which occur in the correspondence quoted below should not be accepted as authoritative. For detailed geographical information see the monograph on "Territorial claims in the Antarctic Regions" (Dominions No. 99) and Admiralty Memorandum on the validity of French territorial claims in the Antarctic.*§

THE policy of extending and asserting British control in the Antarctic was decided upon in 1920, see Secret despatches of 6th February, 1920,‖ to Commonwealth of Australia and New Zealand, in paragraph 7 of which it was stated:—

* From *Melbourne Argus*, 4th August, 1925: not reprinted. † 26084/25: not printed; it enclosed a copy of No. 28. ‡ No. 28. § No. 37. ‖ No. 99 in Dominions No. 75.

"His Majesty's Government have, therefore, come to the conclusions that it is desirable that the whole of the Antarctic should ultimately be included within the British Empire, and that, while the time has not yet arrived that a claim to all the continental territories should be put forward publicly, a definite and consistent policy should be followed of extending and asserting British control with the object of ultimately making it complete."

As to which of the partners in the Empire should be entrusted with the control of the new territory it was proposed that the matter should be discussed between the Commonwealth and New Zealand Governments.

The action between that date and March 1921 is recorded in the Memorandum Dominions No. 78, from which it will be seen that it was agreed that the Australian and New Zealand Governments should have spheres divided by the meridian 160°E.

In June, 1922, an application for Whaling licences for the Ross Sea was received, and this was seized upon as an opportunity for a definite move in respect of the New Zealand sphere.

After consultation with the New Zealand Government (the Commonwealth Government being kept informed) it was decided to grant a Whaling licence and to issue an Order in Council providing for the Government of the area. The licence was issued on the 21st December, 1922, and the Order in Council on the 30th July, 1923. The area was named the Ross Dependency, and is described in the Order in Council in the following terms:—

"That part of His Majesty's Dominions in the Antarctic Seas, which comprises all the islands and territories between the 160th degree of East Longitude and the 150th degree of West Longitude which are situated south of the 60th degree of South Latitude. . . . . "

It was laid down in the Order in Council that the Governor-General of New Zealand for the time being should be the Governor of the Ross Dependency, and instructions were conveyed by a despatch of the 9th August, 1923,* to the effect that the Governor of the Ross Dependency should be guided by the advice of the New Zealand Executive Council in the execution of the powers and authorities vested in him by the Order.

The Commonwealth Government are desirous that action should now be taken in connexion with what has been regarded as the Australian sphere, and it appears from the telegram† received from the Governor-General that they have been moved to stir in the matter by the recent French action in regard to "Adélie or Wilkes" Land.

The position with regard to the French claims in this region is not very clear, and it may be desirable to give a brief résumé of the papers dealing with the matter. In December, 1911, His Majesty's Ambassador in Paris was instructed to inquire of the French Government whether that Government claimed "Wilkes Land," which was referred to in the Foreign Office note as:—

"the name given generally to that part of the continent lying between Enderby Land in about Longitude 50°E. and the western limits of South Victoria Land situated approximately in Longitude 160°E."

The French reply (16th April, 1912) stated that the lands were taken possession of in the name of France in 1840, and that the Government of the Republic had no intention of renouncing its rights over them, but the note did not define the area claimed by France.

The question of the limits of the territory was further examined in 1913, in connexion with the naming of certain land discovered by Dr. Mawson, and on the 29th March, 1913, His Majesty's Ambassador addressed the French Government in the following terms:—

"I have the honour to acquaint you, under instructions from His Majesty's Principal Secretary of State for Foreign Affairs, that it is intended to give the name of 'King George V. Land' to a tract of land in the Antarctic region recently discovered by Dr. Mawson, and that a formal submission is being made to the King, requesting His Majesty's authority to take the necessary steps to give effect forthwith to this intention. The tract of territory in question lies to the north of Victoria Land, and extends from about 65° to 75° South latitude and about 150° to 160° East longitude. His Majesty's Government are aware from the note from Your Excellency's

* 38574/23; not printed; its effect was as stated in the text. † No. 18 in Dominions No. 93

Department of April 16th last, which I duly brought to their knowledge, of the claims of the French Government in respect of the territories in the Antarctic region known under the names of Wilkes Land and Adélie Land. I am to add that His Majesty's Government understand that the extent of the land named by Commodore Dumont d'Urville, as seen, to have been about 150 miles, lying between 66° and 67° South latitude and 136° and 147° longitude, so that the district now to be named will not touch on such French claims."

No reply was received from the French Government to this note.

Correspondence took place in 1915 in connexion with an application for a Whaling licence for Commonwealth Bay, a bay opening upon the D'Urville Sea, which was discovered and so named by Sir Douglas Mawson during the Expedition of 1911-1914. In a letter from the Foreign Office to the Colonial Office of the 30th April, 1915, the Secretary of State for Foreign Affairs expressed the following view :—

"The limits of the French claims stated in this despatch,* on the authority of a Hobart paper in 1840, may perhaps actually exceed the limits of the French claims, and Sir E. Grey is uncertain whether His Majesty's Government can be considered bound by the terms of this despatch to accept any French claims which may be made within these limits. In any case the limits laid down appear to be geographically unsound, as may be seen from the maps in the Journal of the Royal Geographical Society for July to December, 1914 (Volume XLIV), inasmuch as from about longitude 143.45" to longitude 147E. the tract claimed is ocean, while between longitude 142 and 143E. there is a stretch of coast on Commonwealth Bay lying south of latitude 67, and, therefore, outside the French limits, including the site of Sir D. Mawson's Main Base. Moreover, it seems doubtful whether, on the basis of this map, it was really the intention of His Majesty's Government to annex, under the name of King George V. Land, only the tract east of longitude 150E., while the northern part of the British claim as communicated to the French Government also lies in the ocean."

So far as is known the French Government took no overt action to establish their claims until March, 1924. On the 26th March the French Ministry of Marine issued a decree including the following :—

"La terre Adélie ou Wilkes a été placée dans la zone de surveillance des bâtiments faisant partie des forces navales de l'Océan Pacifique."

And on the following day the French Colonial Office issued a decree of which the following is the first article :—

"Dans l'Archipel des Crozet et sur la terre Adélie ou Wilkes les droits miniers, le droit de chasse et le droit de pêche dans les eaux territoriales sont réservés aux Français."

Dominions Office,
August, 1925.

46500

No. 33.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 1.40 p.m., 16th October, 1925.)

TELEGRAM.

[*Answered by Nos.* 35 *and* 36.]

(Commonwealth of Australia.)
(New Zealand.)

My despatch 21st March.† Territorial interests in the Antarctic. Proposed to reply to Note from Norwegian Legation of 24th February‡ in following terms :—

Begins: His Majesty's Government have given most careful consideration to your Note of 24th February last on the subject of the Ross Dependency, and I have the honour to reply as follows, to the points specifically raised therein by the Norwegian Government :—

* The despatch to His Majesty's Ambassador at Paris on which the note to the French Government of the 29th March, 1913, was founded. † No. 26. ‡ Enclosure in No. 26.

With regard to point (1) in your Note, His Majesty's Government desire to observe that there is no coast or island known to exist within the Dependency which is not, indisputably, a British discovery, and that, except possibly in the region immediately northward of King Edward the Seventh Land, there seems to be no likelihood of any fresh discoveries of islands within the limits of the Dependency.

With regard to (2), no southern boundary of the Ross Dependency was specified in the Order in Council because the western and eastern boundaries mentioned in the Order, viz., the 160th degree of East Longitude and the 150th degree of West Longitude, meet at a point at the South Pole.

His Majesty's Government take note that it is not the intention of the Norwegian Government at the present time to claim sovereignty to the territories referred to under (2) of your Note, but while they most gladly bear their testimony to the value from the geographical and scientific points of view of the work performed by Captain Ronald Amundsen, they cannot admit that the facts referred to constitute a valid basis for a claim of the nature of that indicated in the last paragraph of your Note. The existence of the plateau on which the South Pole is situated had already been determined by the late Sir Ernest Shackleton, who, in January, 1909, reached a point on it less than 100 miles from the Pole itself, and on that occasion took formal possession of the plateau for Great Britain. *Ends.*

Please telegraph as soon as possible whether your Ministers concur.—AMERY.

46996

No. 34.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 19th October, 1925.)

[*Answered by No.* 40.]

(No. 233.)

SIR, Governor-General's Office, Melbourne, 16th September, 1925.

WITH reference to your despatch dated 21st March, 1925, No. 97,* and to previous correspondence relative to the Antarctic, I have the honour to inform you that a deputation of members of the Australian National Research Council recently waited on my Prime Minister for the purpose of urging the British claims to that part of the Antarctic known as the Australian quadrant lying between meridian 90° east and 160° east. For this purpose the National Research Council prepared and printed a memorandum, a copy of which is enclosed herewith, setting forth its views on the whole subject.

It seems to my Ministers to be evident that any present claims to this part of the Antarctic must primarily be based on exploration work done by the nationals of the country claiming control. In this respect it will be observed that the memorandum referred to above lays stress on the fact that d'Urville's discovery of 1840 was restricted to a very small coastline of about 110 miles, of which nothing but a rough survey was made, and that no landing was made on the mainland. From that day till this no French exploration work has been carried out in the Australian sector of the Antarctic, and it is therefore apparent, even in the absence of any prior discovery by British subjects to which allusion is made in the communication from the Admiralty to the Commonwealth Navy Board, Melbourne, on 10th October of last year, that the French claim to-day is no stronger than it first was in 1840. So far as the Commonwealth Government is aware, the only attempts made since that date by France to keep alive her title to Adélie Land was the declaration made by Monsieur Poincaré in his note of 16th April, 1912, to His Majesty's Ambassador in Paris, and the two Decrees of 27th March and 21st November of last year.

The Commonwealth Government holds firmly that any efforts made by France to extend her control over regions to which she cannot adduce a good title by effective discovery, accompanied by exploration work, should be most strongly resisted, and it believes that this view is shared equally by His Majesty's Government.

* No. 26.

A further point that is raised in the memorandum is that the control and administration of Arctic and Antarctic lands should be in the hands of those countries whose territories are situated nearest to them. The Commonwealth Government had already given some consideration to this idea, and, whilst my Ministers believe that it would be desirable to make this a recognized principle in dealing with Antarctic territories and territorial waters, and that it should be urged as strongly as possible, they recognize that difficulties will doubtless be encountered in securing the assent of France to its acceptance in the Antarctic. The Commonwealth Government is not aware in detail of the international position resulting from discovery and exploration of the quadrant adjoining the so-called Australian quadrant, but should the French Government be prepared to consider the application of the above-mentioned principle, it is apparent that France would receive control of a certain portion of this region to the north of which are situated Kerguelen Island, Crozet Island and Madagascar. My Ministers think it may be possible to obtain the surrender of the French claim to Adélie Land on this basis, and they would be favourable to this course.

The Commonwealth Government has given some consideration to the formal steps which it thinks might be taken to safeguard British rights in the Australian quadrant. One course of action which has occurred to it in this respect is that, as soon as the present indeterminate extent of the French claim is known with some degree of exactness, and it is found impossible to dispose of it in any manner, British control could be asserted in the customary manner by the issue of an Order in Council over the rest of the sector, leaving any further negotiations with the French Government to the future. It is recognized, however, that such a procedure is not altogether free from objection, and that it could only be adopted as a last resort. The question of securing the recognition of the Powers to British control of the Australian quadrant, with the exercise of such control by Australia, by conferring on their nationals equal economic and other rights to those enjoyed by British subjects, has also been considered by the Commonwealth Government, which, however, is not favourable to such a policy.

My Ministers desire me to add that in making these representations and suggestions they are, of course, actuated by the one desire of preventing the establishment by any other country of a considerable enclave in the Australian quadrant, and they believe that His Majesty's Government share equally in their anxiety, and will spare no efforts to achieve this purpose.

I have, &c.,
FORSTER.
Governor-General.

Enclosure in No. 34.

THE AUSTRALIAN NATIONAL RESEARCH COUNCIL.

Memorandum in re *the "Australian Sector" of the Antarctic and the recent French claim to administer Adélie Land.*

1. THE news recently published in the daily Press that France is claiming as a French possession Adélie Land, which is a portion of what may be called the Australian sector of the Antarctic Continent, has surprised and alarmed those who have the interests of Australia at heart and have followed the scientific and economic development of the Antarctic regions. The Australian National Research Council is convinced that the position thus created is one which calls for immediate action by the Commonwealth Government; for, failing such action, there is danger that Australia will lose not only Adélie Land, but all that much larger southern region, of which it is a part and which, on geographical and historical grounds, it is thought, should belong to Australia. The Council, therefore, respectfully urges for the consideration of the Commonwealth Government :—

(i) That the French claim to administer Adélie Land should be challenged and the Australian claim to administer it formally established;

(ii) That international sanction be sought for the administration by Australia of the whole of that part of the Antarctic Continent which lies between the meridians of 90 degrees E. and 160 degrees E.

In support of this recommendation, the Australian National Research Council has the honour to submit the following facts and matters for consideration :—

2. The public announcement of France's new claim was made by a Presidential Decree of 24th November, 1924. It specified the Indian Ocean Islands, the Crozets, Amsterdam, St. Paul and Kerguelen, which are outside of the Australian zone, and also Adélie Land, which lies to the south of Australia, on the Antarctic Continent, and proclaimed them as dependencies of Madagascar. This sudden display of interest in the Antarctic calls for special attention; for, though Adélie Land was first sighted and named by a French navigator, Dumont d'Urville, in 1840, it has received, as far as one can learn, no attention whatever from France since then, nor has France contributed to the later exploration of any neighbouring part of the Antarctic Continent in any way whatsoever.

The ostensible reason for the decree is the proposal to frame and administer laws regulating the exploitation of seals, whales and other life in the neighbouring seas. There is, indeed, urgent need for such action; but the more immediate question for consideration is whether France or Australia is the proper authority to take it.

French interest in Adélie Land has, no doubt reawakened owing to the great financial success which has resulted from the whaling and sealing operations in the portions of the Antarctic waters already under British control. A perusal of the "Report of the Interdepartmental Committee on Research and Development in the Dependencies of the Falkland Islands," London, April, 1920, leaves no doubt of the remunerative character of the whaling industry carried out from these Dependencies, which is greater than that of the rest of the world combined. Thirteen companies (two British, eleven Norwegian) caught 6,955 whales in the 1921-22 season, the landed value of the oil being £2,244,390. Indeed, so important have the fisheries become, that the British Government, at a cost of £300,000, has now equipped the ship "Discovery" to be employed under the Falkland Islands' administration in exploring the adjacent seas and coastlines, with a view to maintaining and extending the industry. Moreover, in the Ross Sea area, now a Dependency of New Zealand, a very successful whaling industry is already established and regulated by the New Zealand Government, which receive a substantial royalty on every barrel of oil won. That there is likely enough prospect of similar rewards to the west of Cape Adare is obvious; but, again, the immediate question is whether this is really the concern of France or of Australia.

3. As far as we are aware, international law does not lay down any general rule for deciding the ownership of uninhabited or savage lands. Only actual continuous occupation or exploitation seems to give a generally recognized claim. The raising of a national flag by first discoverers or later visitors does not, it appears, of itself ensure such recognition. Thus Captain Cook discovered New Caledonia and the New Hebrides and hoisted the British flag there long before they became French possessions; and other cases might be cited.

4. But, in 1886, the Canadian Government applied a new principle in the Arctic regions, which does not appear to have been disputed there, and which seems equally applicable also to the Antarctic, where, indeed, it is already partly in operation. It was announced officially in that year that all unoccupied lands already discovered or to be discovered by future exploration, situated northwards of Canada as far as the North Pole and lying within the meridians of longitude bounding Canada itself to east and west, were to be Canadian territory. There has been universal recognition of Canada's claim. The principle obviously commends itself, for in such cases the most closely adjacent civilized Government is likely to be best placed and best informed and also most interested in establishing a good administration. The same principle has been followed elsewhere in the Arctic, as witness the recent assignment of Spitzbergen to Norway and the recognition of Russia's claim to Wrangel Island. And, in the Antarctic, the establishments of the Falkland Island Dependency under British rule and of the Ross Dependency, placed under New Zealand (July 30, 1923), are also entirely in accord with the Canadian principle. These two are, as yet, the only portions of the Antarctic which have been definitely disposed of.

5. The term "Australian Quadrant" has long been applied by geographers to that quarter of the Antarctic region which lies between 90 degrees E. and the 180 degrees meridian. It might more properly have been called the "Australasian Quadrant," for both Australia and New Zealand lie immediately to the north of it. But the recent creation of the Ross Dependency (which extends from 160 degrees E. to 150 degrees W.) under the New Zealand Government has now disposed properly of a part of the "Australian Quadrant," and there remains what we may now call the "Australian Sector" (90 degrees E. to 160 degrees E.), which lies entirely to the south of Australia itself.

6. Adélie Land lies well within this area, with King George V. Land to the east and Wilkes Land to the west. Its extent is not exactly defined, but its coastline measures not more than 150 miles, that of the whole Australian Sector being over 2,000 miles. It is thus only a small, though an important, part of the territory, which, we maintain, should be controlled by Australia. Its control by another Power not only would create an immediate breach of continuity there, but would form a dangerous precedent that might possibly lead later to the loss of the whole.

7. The French claim has no geographical justification whatever, as a glance at the remoteness of Madagascar, her nearest colony, shows, and, historically, it rests on a very inadequate foundation. Geographically, France has better claim to the Crozets, St. Paul, Amsterdam and Kerguelen, which are also specified in the edict, for they lie far to the west and might, by stretching the Canadian principle, be regarded, together with a suitable part of the Antarctic coast, as appertaining to Madagascar and, therefore, to France. But here, of course, South Africa might interpose also an even stronger claim.

It appears that the French claim to Adélie Land can be based only on the fact that its coast was first sighted in 1840 by the Frenchman, Dumont d'Urville, who gave it its name and raised the French flag on a small, adjacent, rocky island, taking possession in the name of his country, as was the fashion of explorers in those days. He did not land on the mainland, nor make any detailed survey of the coast; he merely sighted about 110 miles of it, made a sketch survey, and then headed northwards. From that day to this the French have not visited Adélie Land, nor has any step been taken by France to follow up d'Urville's act until the edict of last November. The French expeditions of 1903 and 1908, under Charcot, operated in the American Quadrant of the Antarctic.

8. The Australian claim, on the other hand, is supported strongly by both geographical and historical considerations.

Geographically, Adélie Land lies due south of Adelaide, and is only 1,467 nautical miles distant from Hobart, nearer, in fact, to Hobart than Hobart is to Perth. It is, indeed, but a short voyage there from Southern Australian ports, and there is no other land between. Macquarie Island, to the north of the eastern border of the sector, is already Australian and would be a valuable half-way house for administrative operations.

Historically, the chief fact is that the Australian Antarctic Expedition (1911-14), under Sir Douglas Mawson, which had for its object the further exploration of the Australian Sector, made its main base in Adélie Land. It added a thousand miles of coastline to the map, and collected physical and biological scientific information over a wide field. The Adélie Land of d'Urville was sledged over and delineated for the first time, and, in the maps compiled by the expedition, new territory, unseen by d'Urville, was charted and still called Adélie Land in his honour. Adélie Land, as it now appears on the map, is, therefore, extended considerably beyond the short coastline that d'Urville saw for a few hours in 1840. Sir Douglas Mawson raised the British and Australian flags and, in the name of his country, took possession of the mainland itself, which d'Urville was never successful in doing. The elaboration and publication of the scientific results of this expedition are still in progress, and the printed volumes continue to issue from the New South Wales Government Printing Office. The whole work of the expedition, which involved some loss of life and much personal sacrifice, and of the publication of results, has cost Australia some £70,000.

No other country has contributed since 1840 to our knowledge of Adélie Land, or, indeed, of any other part of the Australian Sector of the Antarctic. A part of its coast further to the west, however, was sighted by the American navigator, Wilkes, whose voyage was contemporaneous with d'Urville's. Incidentally, it may be pointed out that, if the French claim to the one part be allowed, America could, if it wished, put forward a claim to the other, thus still further cutting into the territory that should be Australia's by right of its geographical position and its exploration work.

It is noteworthy also that, even apart from Mawson's Australian expedition, Australia has taken active part in many of the chief British Antarctic explorations, and has thus done much more to extend the knowledge of the regions than has France. Thus a Melbourne resident, Mr. H. J. Bull, in 1895, visited Cape Adare and the Ross Sea, and to him and his party is due the honour of first setting human foot on any part of the Antarctic mainland. Again, in 1898, Mr. C. E. Borchgrevink sailed

360

from Australia, and wintered at Cape Adare, and his party was the first ever to spend a winter on the Antarctic Continent. Australian men and money contributed largely to the work of both of Scott's and both of Shackleton's expeditions; and it was Australian members of the first Shackleton expedition who first ascended Mount Erebus and first visited and located the South Magnetic Pole.

9. While, for the above reasons, the strength of Australia's claim must be admitted, it is possible that some may doubt the existence of sufficient practical reasons for pressing it. There are such reasons, however, and they are weighty. In the first place, it may be pointed out that the early Dutch explorers condemned Australia as a barren wilderness. It should be remembered also that a similar mistaken doubt prevented the British Government from purchasing Alaska when it was offered by Russia and that the United States, with greater faith in the future, stepped in and afterwards reaped a rich reward from the exploitation of that frozen northern land. No one knows yet what mineral potentialities may lie in Adélie Land and other parts of the Australian Sector of the Antarctic, though it is known that coal exists there. On the other hand, there is very definite prospect of wealth in the neighbouring seas, as the facts already mentioned (in paragraph 2) about the phenomenal success of whaling in other Antarctic waters clearly show. The Falkland Islands administration and New Zealand already profit largely by the industry. France obviously aspires to do so. Why should not Australia?

Another profitable economic development may arise from the establishment of fur farming; for the Antarctic coast, with its natural refrigeration and unlimited supply of food at next to no cost, offers an apparently ideal locality for this very valuable modern industry.

But there are other reasons which should weigh, based partly on faith in the future of science and its economic applications and partly on a very proper national sentiment. As to the former, the progress of meteorological science, of wireless communication and of aviation, foreshadows results that may render the possession of these southern lands specially important. And, as to the latter, it seems not unreasonable to hope that Australia, which already extends its government over such a wide range of latitude and climate, will go still further to the south and thus definitely claim control from the Equator to the Pole.

On behalf of the Australian National Research Council,

D. Orme Masson,
President.

47228

No. 35.

NEW ZEALAND.

The GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 7.50 a.m., 20th October, 1925.)

Telegram.

[*Answered by No.* 39.]

Confidential. 20th October. Territorial interests in the Antarctic. My Government entirely concurs in the terms of the proposed reply to the note from the Norwegian Delegation as set forth in your telegram of 16th October.*—Fergusson.

47820

No. 36.

COMMONWEALTH OF AUSTRALIA.

The GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 11.2 a.m., 23rd October, 1925.)

Telegram.

[*Answered by No.* 39.]

23rd October. Your telegram of 16th October, Confidential,* Antarctic. Commonwealth Government concurs in the proposed reply to the Norwegian Government.—Stonehaven.

---

* No. 33.

Attached 44166

No. 37.

MEMORANDUM.

On the Validity of the French Territorial Claims in the Antarctic.

That land of continental character and large extent exists in the Antarctic is an indisputable fact; but it is still somewhat uncertain whether the various portions of coastline which have been discovered are parts of one huge unbroken land-mass, or of two or more island-continents, comparable in size, say, with Australia. Assuming, however, as a provisional hypothesis, that there is a single continent with, perhaps, detached islands of considerable extent, the following table shows the dates and places at which the principal discoveries of its coastline have been made:—

1. 1820. Bransfield (British): Trinity Land.
2. 1821. Palmer (American): Palmer Land (extension of 1).
3. 1821. Bellingshausen (Russian): Alexander I. Land (extension of 2).
4. 1831. Biscoe (British): Enderby Land.
5. 1833. Kemp (British): Kemp Land (extension of 4).
*6. 1840. *D'Urville (French): Adélie Land.*
7. 1840. Wilkes (American): Knox' High Land and Budd's High Land (Doubtful) (extension of 6).
*8. 1841. Ross (British): Victoria Land (extension of 6).
9. 1904. Bruce (British): Coats Land.
10. 1912. Filchner (German): Luitpold Land (extension of 9).
11. 1912-1913. Mawson (British): King George V. Land and Queen Mary Land (extensions of 6).
12. 1916. Shackleton (British): Caird Coast (extension of 9).

The asterisk (*) indicates that formal possession was taken of the land in question.

It will be apparent, from the above list, that the outline of the Antarctic Continent has been only gradually mapped-out (it is still largely incomplete). Moreover, except in the cases of the Falkland Islands and Ross Sea Dependencies, a claim to ownership could only be based on discovery, with or without a formal taking-possession, since no other part of the continent has been "effectively occupied."

With regard to claims 1 to 5 above, also, another element of uncertainty is introduced, since 2 and 3 are only extensions of 1, and 5 of 4, while in the case of both 1 and 4 it is not absolutely certain (although, in the light of present knowledge, very probable) that these portions of land are connected with the main body of the Antarctic Continent.

It may, therefore, be plausibly argued by France that the French claim, No. 6, is the first indisputable claim to land which, beyond any doubt, constitutes part of the Antarctic Continent.

There is, of course, no doubt that D'Urville, even after he had sighted Adélie Land, had no suspicion of the enormous extent of the Antarctic Continent. He spent but a few days inside the Antarctic Circle, and succeeded merely in charting a stretch of coastline about 120 miles in length, extending from latitude 66½°S., longitude 137°E. to latitude 67°S., longitude 142°E.

Here, it may be as well to remark upon possible American claims in this region.

Contemporaneously with D'Urville, the American Exploring Expedition under Lieutenant C. Wilkes, U.S.N., was also at work in the Adélie Land region. Vessels of the two squadrons, in fact, actually sighted each other, but did not communicate. As stated in detail in the monograph "Territorial Claims in the Antarctic Regions," prepared by the Hydrographic Department of the Admiralty in 1919 (Dominions No. 99), Wilkes claimed the discovery of a tract of land extending, approximately, from longitude 158°E. to longitude 95°E. along the parallel of 66°S., including D'Urville's Adélie land and extending for upwards of 1,500 miles. It has been urged on many occasions, by American geographers, that as his eastermost discoveries (he ran from east to west) antedated those of D'Urville, the discovery of the Antarctic Continent should be attributed to him.

Subsequent exploration, however, has shown that Wilkes' own "land," except in one or two doubtful cases, is non-existent. The only portion of his discoveries whose existence is indisputable is Adélie Land, which he only sighted some days

after D'Urville (even allowing for the fact that D'Urville used a date one day earlier than Wilkes). His claim in consequence fails, and could, if ever officially raised, be successfully rebutted.

The French claim, however, stands on a very different footing. Considered *per se* (i.e., without reference to the Antarctic Continent as a whole), it is quite indisputable. D'Urville undoubtedly sighted land where no land was previously known, or suspected, to exist—he charted it with reasonable accuracy (the chart being published within a very short time of the discovery) and he took formal possession of his discovery in the name of France.

In spite, therefore, of the total absence of effective occupation (a contention which might equally be raised against almost any territorial claim in any part of the Antarctic) the French claim to Adélie Land itself is indisputable. But, from the 1911 correspondence quoted in the historical memorandum prepared in the Dominions Office in August, 1925, it seems not unlikely that France now desires to assert sovereignty over all or any land lying between Enderby Land and Victoria Land, an extent of some 2,500 miles (partly unexplored and uncharted), on the strength of D'Urville's having discovered and taken possession of a comparatively small portion of coastline in that region (a region which, it may be noted, constitutes the only extensive portion of the known coastline of the Antarctic Continent which has not already been appropriated by this country).

If such a claim were once admitted (waiving the point of its preposterous nature in asserting the ownership of land yet to be discovered), it would be fraught with the most serious consequences to the Empire. If D'Urville's taking possession of Adélie Land be held to constitute an effective French claim to King George V Land, Queen Mary Land, Enderby Land, and the intervening region, it must also be held to constitute an even more effective claim to Victoria Land and, presumably, King Edward VII Land (i.e. *to the whole of the Ross Sea Dependency*). There may be some doubt as to whether the lands westward of Adélie Land are actually part of the same continent—but there can be no doubt whatever that Adélie Land and Victoria Land constitute one land-mass.

Such a claim would, in fact, in view of the peculiar circumstances of the case, raise in an aggravated form a question to which the best parallel is the discovery of Australia. Supposing, for example, that the Dutch vessel "Duyfken" (which explored the coast of the Gulf of Carpentaria in 1606, and was, so far as is known, the first vessel to sight the coast of Australia) were held to have established a valid claim, by right of prior discovery, to the whole of Australia; would such a claim have been tolerated by other Powers, either then or thereafter? The majority of the coastline of Australia is undoubtedly Dutch by discovery—the "Duyfken" and Tasman (1644) on the North Coast, Hartogs (1616) on the West Coast, and the "Gulden Zeepard" (1627) and Tasman (1642) on the South Coast, discovered between them at least three-fourths of the Australian coastline, but it does not appear that their discoveries were ever held to constitute a valid claim to the whole of the island-continent. This was reserved for the effective occupation of a portion of the territory by Great Britain.

Without more definite information as to the limits of the region which France considers herself entitled to claim, and to which she attaches the name of "Adélie or Wilkes Land," it is difficult, if not impossible, to decide what course of action should be pursued by this country. The question is, to some extent, one of nomenclature. Until the baseless character of most of Wilkes' discoveries of land was definitely established by the Mawson expedition of 1911-1914, the term "Wilkes land" was held to describe the whole extent of his (mostly mythical) "Antarctic Continent" referred to above, including Adélie land. It is now used to denote a stretch of coastline lying to the westward of Adélie Land, and of approximately the same size. This was discovered by Mawson, and could not have been seen by Wilkes.

In the light, therefore, of present-day knowledge and nomenclature, it is incorrect to speak of "Adélie *or* Wilkes land": the terms are not synonymous. Furthermore, it would be not only incorrect but impolitic to refer to the area claimed by France as "Wilkes land," and not "Adélie land," since by so doing France would be afforded an opportunity of claiming, indirectly, any actual land lying within the limits of the unreal "Antarctic Continent" reported by Wilkes, or even any lying within the far too generous limits laid down in 1911 by His Majesty's Ambassador at Paris (see No. 32). Care should therefore be taken that, in any correspondence, the expression "Wilkes land" is not used to designate anything except the

territory recently discovered by Mawson (see above), and that the French use of the expression "Adélie *or Wilkes* land" is not tacitly accepted.

In any event, it would be very hard to frame any criterion of validity for the various claims enumerated above which should restrict the French claim, while not affecting those of this country. If, for example, it were urged that, in view of the enormous extent of the Antarctic Continent, and the difficulty of establishing the homogeneous nature of isolated strips presumed to form part of its perimeter, territorial claims should, in general, be restricted to the actual exent of coastline sighted by each particular discoverer, such a contention, while undoubtedly restricting the French claim to a short and commercially unimportant strip of coastline, and greatly strengthening our position in the Ross Sea Dependency (where the whole extent of the coastline is undoubtedly British by discovery) would considerably weaken our claim to the Falkland Islands Dependency (Graham Land), where the majority of the coastline has been discovered by the explorers of other nations.

The following conclusions appear to arise from the foregoing considerations:—

1. The French claim to Adélie Land, *per se* (by which is meant the coastline actually sighted and charted by D'Urville in 1840) is indisputable; and, so long as this is maintained by that country, it is impracticable, without risk of a diplomatic rupture, to assert British sovereignty over the sector 90°E.-160°E. as urged by the Australian Government. For the same reason, it might be impolitic to assert British sovereignty over King George V Land or Wilkes Land, since these are immediately contiguous with Adélie Land and undoubtedly form part of the same land-mass.

2. The French claim to "Adélie or Wilkes Land" (by which term is understood, following the definition given in the diplomatic correspondence of 1911, all land lying between Enderby Land and Victoria Land) is on quite a different footing. It is disputable for several reasons of fact: and, from considerations of policy, quite inadmissible by this country. If *seriously preferred* (which is at present doubtful), the following counter-moves might be made by this country:—

(*a*) To proclaim British sovereignty over Enderby Land and Kemp Land. This action could not be contested, since both are British by discovery, and have never been re-visited since they were discovered.

(*b*) To proclaim British sovereignty over Queen Mary Land. This action might be contested, but it could be plausibly asserted that this land is undoubtedly British by discovery, and that it has not, at present, been shown to be connected with Adélie Land (although such is very probably the case).

By claiming Kemp Land and Queen Mary Land, a lien would also be established on any land which may hereafter be discovered between them (as is not improbable).

France might conceivably retaliate by claiming King George V. Land, which would at once raise the whole question of the extent of her claims, and practically necessitate diplomatic negotiation on the subject of the western boundary of the Ross Sea Dependency.

If the French claims are restricted to Adélie Land and its vicinity, it should be possible to de-limit these by negotiation, and to proceed to the annexation of the remainder of the region in question by Order in Council, or otherwise. It might even be found possible, and would probably prove to be the best solution of the difficulty, to induce France to surrender her claim to Adélie Land in return for some such equivalent as recognition of her sovereignty over Heard and MacDonald Islands* which are of the same sub-Antarctic nature as Kerguelen, and comparatively close to it. France has no commercial interests in the Antarctic Continent: but, on the other hand, she has such interests in Kerguelen, and in the Marion and Crozet Islands, and might be disposed to regard with favour an extension of her sovereignty in that region. This suggestion, however, is purely tentative in character, since it relates to matters in which other Departments are actively interested, and the Admiralty to a far less extent.

In any event, it is considered that, so long as France claims Adélie Land, any action on the part of this country towards extending its present sovereignty over the Antarctic Continent had best be preceded by diplomatic pourparlers (and

* Heard and MacDonald Islands are respectively American and British by discovery, but it does not appear that a formal claim to them has been preferred by either Power. A few sealers are understood to visit Heard Island.

possibly negotiations) with France, and that it is impracticable to treat the sector of the Antarctic Continent lying between Enderby Land and Victoria Land in the same manner as has been adopted for the Falkland Islands and Ross Sea Dependencies.

Hydrographic Department,
Admiralty,

October, 1925.

49991

No. 38.

FOREIGN OFFICE to DOMINIONS OFFICE.

SIR, Foreign Office, S.W.1, 4th November, 1925.

HIS MAJESTY'S Principal Secretary of State for Foreign Affairs has had under consideration your letter of 29th August last* on the subject of the British claim to certain areas in the Antarctic, and directs me to offer the following observations on the several points raised therein:—

Questions (1) *and* (2).—So far as can be ascertained His Majesty's Government, apart from Adélie Land, appear to have recognized no claim by any foreign government to any of the areas mentioned. In view, however, of the fact that numerous discoveries were made in the regions in question by foreign explorers, it would be unsafe to assume that no foreign government is in a position to substantiate a prior claim to any part. Wilkes Land, for instance, was named after an American Admiral, although, so far as is known, the United States have made no formal claim to it. Another somewhat doubtful point arises in connexion with Kaiser Wilhelm II Land which lies, or lay, within the area covered by the Admiralty definition of Queen Mary Land. Kaiser Wilhelm II Land was discovered and so named by a German scientific expedition which operated simultaneously and in co-operation with Captain Scott's Expedition in 1901. There is no evidence that the German Government ever took steps to claim possession, but, if they did in fact establish a title, it passed automatically under the Treaty of Versailles to the Allied and Associated Powers, who theoretically can only dispose of it in common agreement.

The above instances are merely cited in order to show that the course proposed may not inconceivably give rise to difficulties, but the Secretary of State desires to raise no objection to its adoption provided it be understood that the British claim is not only subject to adjustment with the French Government in regard to the limits of Adélie Land, but may have to be otherwise modified in the event of any other foreign government successfully contesting some part of it.

Question (3).—The point is not one on which the Secretary of State feels qualified to advise; he sees, however, no objection to the claim extending throughout the whole sector (less Adélie Land) to the South Pole, if it be considered desirable to follow the precedent set in the case of the Ross Dependency.

Question (4).—There can be no particular value to the French Government in any recognition by His Majesty's Government of such an extension of their claim; nor, in view of the nature of the regions in the immediate vicinity of the Pole, does there seem to be any practical advantage in so extending any claim, except for the difficulty otherwise of fixing a southern limit. If, however, the British claim, as a whole, is to extend to the Pole, it might be somewhat invidious to attempt to define a southern limit, short of the Pole, of the French claim to Adélie Land. It would, therefore, seem advisable to formulate the British claim as two separate sectors bounded east and west by longitudinal degrees, without mention of a southern limit, and thus leave the southern extent of Adélie Land an open question.

Question (5).—The reasons which have led to the definition of the limits of Adélie Land given in the Admiralty letter are not clear. When, in 1911, the French Government were asked whether they claimed Wilkes Land (there seems to have been some confusion in terms between Adélie Land and Wilkes Land), they replied that possession was taken of that territory in the name of France in 1840, and that they had no intention of abandoning it. For evidence of possession they referred His Majesty's Government, *inter alia*, to the *Sydney Herald* of 13th March, 1840, which contained an account defining the extent of the discovery as lying approximately between 136° and 147° East. Subsequently, in 1913, when His Majesty's Government were about to take possession of King George V Land,

* No. 31.

and wished to show that there was no encroachment on Adélie Land, they informed the French Government that they understood the limits of the latter to lie within the above-named degrees of longitude. It is true that two years later in a letter from this Department to the Colonial Office doubt was expressed whether His Majesty's Government could be considered bound to accept any French claims which might be made within these limits, but the fact remains that although the French Government have never themselves explicitly defined their claim, His Majesty's Government have virtually defined it for them to their tacit satisfaction. Having regard to that circumstance and to the magnitude of the present British claim, it seems undesirable, unless there are strong reasons for adopting the limits proposed by the Admiralty, to curtail the French claim beyond the limits which His Majesty's Government themselves set to it in the past, or at least by so great an extent as is involved in the present Admiralty definition. Such action would almost inevitably lead to a prompt protest to which, in view of what has occurred in the past, His Majesty's Government would probably be compelled to yield; it would also be likely to provoke the French Government to question generally the validity of other parts of the present British claim.

Question (6).—The regions in question, which are at present *res nullius*, can only be acquired by occupation. Occupation consists of two acts which may be performed simultaneously or separately: (*a*) a formal claim of annexation or some public act which implies a definite claim to sovereignty or an exclusive right to acquire sovereignty over the area; (*b*) the establishment of an administration over the territory. Discovery, on which the British claim to the areas in question mainly rests, is recognized as giving a prior right to annexation. This right, however, lapses if annexation does not take place within a reasonable period, or if it can be argued for any reason that the right has been waived. Similarly annexation creates a prior right to set up an administration. The occupation of the territory is only completed when, within a reasonable period of the annexation, administration is set up.

2. The Secretary of State agrees that in the present case it would be well to proceed by two stages separated by an interval in which to allow the French Government, should they think fit, to define the limits of their claim to Adélie Land, and in which to settle the arrangements for the ultimate administration of the regions included in the British claim. The form to be given to the first step, i.e., the public assertion of the claim, is unfortunately not an easy matter to determine. It must be sufficiently precise to constitute a valid claim; at the same time it should be as little provocative as possible, and such as to simplify subsequent modification of the claim in the event of any foreign government substantiating a prior title to some part of the area involved.

3. The simplest method of annexation is by Order in Council declaring the regions in question to be annexed or to be under the sovereignty of His Majesty: it is, however, open to possible objection under both the last-mentioned heads. The issue of letters patent, as in the case of the Falkland Islands Dependency, or of an Order in Council under the British Settlements Act, 1887, as in the case of the Ross Dependency, are more suitable to the second stage, i.e., the setting up of an administration. Other methods employed in the past are as follows:—

(1) In the case of King George V Land, a note was addressed to the French Government formally acquainting them with the name which His Majesty's Government had decided to give to the territory, thereby claiming by implication that it was an area under British sovereignty or one over which Great Britain had the exclusive right of acquiring sovereignty. The use of this method in the present case might tend to provoke claims by other governments, and would thus have the disadvantage which Mr. Chamberlain saw in the original suggestion to invite the French Government to define the limits of their claim to Adélie Land.

(2) In the case of the Crozet Islands, certain other islands and Adélie Land, the French Government first issued a Decree placing the areas under the supervision of their naval detachments in the Pacific and Indian Oceans respectively. They followed this up a year or so later by a Decree placing the areas under the administration of the Governor of Madagascar, and subsequently by a further decree declaring them to be a national "park" reserved for the preservation of seals, whales, etc. The Secretary of State is not sure whether some declaration similar to the first of those stages might be adaptable to the case under consideration.

(3) In 1886 the Government of Canada appear to have declared that large areas around the North Pole were Canadian territory. The exact form of the

announcement cannot be traced in this Department, but it is possible that a similar procedure might be appropriate in the present instance.

4. Unless one or other of the last two methods be thought to be suitable, it would seem preferable to defer action until the final arrangements have been settled for the administration of the areas, and the two stages can be performed simultaneously. Even a year's delay, if such were necessary, would not appreciably weaken the British claim which rests on discoveries made, for the most part, many years ago; nor does there seem to be a serious risk of some other Power formulating a claim in the interval. In the event, however, of the Secretary of State for the Dominions attaching importance to the avoidance of that risk, such as it is, the best course might be to discuss the matter further at an interdepartmental conference.

5. A copy of this letter has been sent to the Admiralty.

I am, &c.,
G. H. VILLIERS.

52095

No. 39.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

{Commonwealth of Australia. / New Zealand.} Confidential.)

[MY LORD,] [SIR,] Downing Street, 11th December, 1925.

WITH reference to Your Excellency's Confidential telegram of the [23rd of October,*] [20th of October,†] I have the honour to transmit to you, for the information of your Ministers, the accompanying copy of the reply‡ returned to the note of the 24th of February§ from the Norwegian Minister regarding the Ross Dependency.

I have, &c.,
L. S. AMERY.

44166

No. 40.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Secret.)

MY LORD, Downing Street, 24th December, 1925.

I HAVE the honour to acknowledge the receipt of your predecessor's despatch No. 233 of the 16th of September,‖ and to request Your Excellency to inform your Ministers that the question of British claims to territory in the Antarctic regions and particularly in that part lying between meridians 90° East and 160° East continues to engage the earnest attention of His Majesty's Government, and that the representations and suggestions made in the above-mentioned despatch and in the enclosed memorandum by the Australian National Research Council, are receiving the most careful consideration. I hope to be in a position to address you further on this subject shortly.

2. In the meantime I enclose for your Ministers' Confidential information—

(1) A copy of a monograph prepared in the Hydrographic Department of the Admiralty in 1919, entitled "Territorial Claims in the Antarctic Regions" (Dominions No. 99).

(2) Copies of a memorandum¶ prepared in the Dominions Office entitled "British Policy in the Antarctic."

(3) Copies of a memorandum** prepared in the Hydrographic Department of the Admiralty on "The Validity of the French Territorial Claims in the Antarctic."

It is thought that these documents, which should be regarded as very confidential, may be of interest and assistance to your Ministers in the further consideration and discussion of this matter.

---

* No. 36. † No. 35. ‡ See No. 33. § Enclosure in No. 26. ‖ No. 34. ¶ No. 32. ** No. 37.

3. The scope and intention of the Admiralty monograph is sufficiently described in the Introduction thereto. As regards the Dominions Office memorandum, I would invite special attention to the Prefatory Note.

4. Copies of the enclosed monograph and memoranda are also being sent to the Governor-General of New Zealand.

I have, &c.,
L. S. AMERY.

44166

No. 41.

NEW ZEALAND.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Secret.)

SIR, Downing Street, 24th December, 1925.

WITH reference to Your Excellency's despatch No. 94 of the 7th of May,* I have the honour to request you to inform your Ministers that the question of British claims to territory in the Antarctic regions is engaging the active attention of His Majesty's Government, and that the information and suggestions contained in your despatch are receiving the most careful consideration. I hope to be in a position to address you further on this subject shortly.

2. In the meantime I enclose for your Ministers' Confidential information—

(1) A copy of a monograph prepared in the Hydrographic Department of the Admiralty in 1919, entitled "Territorial Claims in the Antarctic Regions" (Dominions No. 99).

(2) Copies of a memorandum† prepared in the Dominions Office entitled "British Policy in the Antarctic."

(3) Copies of a memorandum‡ prepared in the Hydrographic Department of the Admiralty on "The Validity of French Territorial Claims in the Antarctic." It is thought that these documents, which should be regarded as very confidential, may be of interest and assistance to your Ministers in the further consideration and discussion of this matter.

3. The scope and intention of the Admiralty monograph is sufficiently described in the Introduction thereto. As regards the Dominions Office memorandum I would invite special attention to the Prefatory Note.

4. Copies of the enclosed monograph and memoranda are also being sent to the Governor-General of the Commonwealth of Australia.

I have, &c.,
L. S. AMERY.

ARBITRATION AGREEMENTS.

(1) Denmark and Iceland.

(*Treaty Series* 1922, *Nos.* 12 *and* 13.)

57028

No. 42.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. } Dominions No. 562.)

[MY LORD,] [SIR,] Downing Street, 31st December, 1925.

WITH reference to [*Not to Irish Free State:* Mr. Churchill's despatch Dominions No. 316 of the 29th of August, 1922,§ and to] the Duke of Devonshire's despatch Dominions No. 25 of the 22nd of January, 1924,‖ I have the honour to

* No. 28. † No. 32. ‡ No. 37. § 41151/22: not printed; it related to the renewal of the Convention in 1922. ‖ No. 21 in Dominions No. 93.

request [Your Excellency] [you] to inform your Ministers that the Arbitration Convention with Denmark, which was signed at London on the 25th of October, 1905, and was last renewed both in respect of Denmark and Iceland, by the Conventions signed at London on the 1st of May, 1922, for a period of five years, will, unless further renewed, reach a termination on the 4th of May next.

2. His Majesty's Government propose, in accordance with the established policy which they understand is in harmony with the views of your Ministers, to take steps for the renewal of the Convention, both in respect of Denmark and Iceland, at the proper time, by means of an exchange of notes or other formal instrument. It is, however, proposed, as in other recent cases, to substitute the Permanent Court of International Justice for the Permanent Court of Arbitration, as the Court to which reference shall be made. In this connexion, I would invite reference to my despatches Dominions No. 285 of the 10th of July,* and Dominions No. 298 of the 18th of July,† regarding the renewal of Arbitration Conventions with Sweden and Norway.

3. I shall be glad to learn whether your Ministers concur in the proposed action.

I have, &c.,
L. S. AMERY.

---

(2) Netherlands.

(*Treaty Series* 1925, *No.* 36.)

19615

No. 43.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

[*Answered by Nos.* 44, 45, 46, 47, 48 and 49.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. } Dominions No. 195.)

[MY LORD,] [SIR,] Downing Street, 11th May, 1925.

[*Not to Irish Free State:* WITH reference to Viscount Milner's despatch Dominions No. 470 of the 23rd of November, 1920,‡] I have the honour to request [Your Excellency] [you] to inform your Ministers that the Arbitration Convention between the United Kingdom and the Netherlands last renewed in 1920 will expire on the 12th of July next unless formally renewed. [*To Irish Free State only:* I enclose copies of Parliamentary Papers§ containing the text of the Convention and documents relating to its renewal.]

2. His Majesty's Government propose, in accordance with the established policy which, they understand, is in harmony with the views of your Ministers, to take steps for the renewal of the Convention in due course.

3. I should be glad to know whether your Ministers concur and whether they would agree to the substitution of the Permanent Court of International Justice for the Permanent Court of Arbitration in the Convention should such substitution be agreeable to the Netherlands Government. Your Ministers will recollect that a similar change was proposed in my telegram of the 27th of November‖ relating to the renewal of the Arbitration Agreements with Portugal, Norway and Sweden, [*To Irish Free State only:* of which a copy was enclosed in my despatch No. 664 of the 27th November.¶]

[*To Australia, New Zealand and Union of South Africa only:* 4. I should be glad to receive a telegraphic reply to this despatch.]

I have, &c.,
L. S. AMERY.

---

* No. 58. † No. 59. ‡ 55945/20: not printed; it related to the renewal of the Convention in 1920. § Treaty Series No. 19 of 1905, No. 20 of 1910, No. 5 of 1915, and No. 15 of 1920. ‖ No. 30 in Dominions No. 93. ¶ No. 32 in Dominions No. 93.

29145

No. 44.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6.15 p.m., 26th June, 1925.)

TELEGRAM.

26TH JUNE. Your despatch 11th May, Dominions No. 195.* Renewal of Arbitration Convention between United Kingdom and Netherlands. Ministers concur in proposal for substitution of Permanent Court of International Justice for Permanent Court of Arbitration in Convention.—ATHLONE.

29186

No. 45.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 27th June, 1925.)

(No. 255.)

SIR, Government House, Ottawa, 17th June, 1925.

WITH reference to your despatch Dominions No. 195 of the 11th May,* I have the honour to inform you that, upon consideration by the Department of Justice, the Government of Canada has no objection to offer to the renewal of the Arbitration Convention with the Netherlands, including the amendments proposed in the despatch under reference.

I have, &c.,
BYNG OF VIMY.

29780

No. 46.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1st July, 1925.)

(No. 193.)

SIR, Vice Regal Lodge, Dublin, 30th June, 1925.

I HAVE the honour to refer to your despatch Dominions No. 195 of the 11th May,* regarding the proposed renewal of the Arbitration Convention between the United Kingdom and the Netherlands.

2. My Ministers desire me to inform you that they concur in the renewal of the Convention and agree to the substitution of the Permanent Court of International Justice for the Permanent Court of Arbitration in the Convention should such substitution be agreeable to the Netherlands Government.

I have, &c.,
T. M. HEALY.

30529

No. 47.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.20 a.m., 6th July, 1925.)

TELEGRAM.

6TH JULY. Your despatch of 11th May.* Arbitration Convention with Netherlands. My Ministers concur in the renewal of the Treaty and in substitution of Permanent Court of International Justice for the Hague Court of Arbitration. —FORSTER.

---

* No. 43.

31086

No. 48.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 8.35 p.m., 7th July, 1925.)

TELEGRAM.

7TH JULY. Your despatch of 11th May, Dominions No. 195.* Your telegram of 4th July.† Arbitration Convention with the Netherlands. My Ministers concur.—ALLARDYCE.

31704

No. 49.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6.15 a.m., 11th July, 1925.)

TELEGRAM.

[*Answered by No.* 50.]

11TH JULY. Your telegram of 4th July.† New Zealand Government would be glad to be informed whether His Majesty's Government is satisfied that exception of vital interests in the first Article of Treaty of February, 1905, covers questions arising out of exercise by His Majesty of his rights at sea during war. Such questions have arisen between neutrals and Great Britain and cannot safely be submitted to The Hague Court, which would certainly decide according to Continental jurisprudence on the point.

New Zealand Government recognizes that arbitration can always be avoided by refusal to conclude special agreement under Article II of Treaty, but it would be unusual to use Article II to evade obligation under Article I.

Even if His Majesty's Government is satisfied that reference to Arbitration of its belligerent rights at sea is excluded by exception of vital interests in Article I the New Zealand Government think that Netherlands Government should be distinctly informed that vital interests do cover that class of question which His Majesty's Government will not submit to The Hague Court.—FERGUSSON.

33145

No. 50.

NEW ZEALAND.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 12.45 p.m., 25th July, 1925.)

TELEGRAM.

[*Answered by No.* 51.]

YOUR telegram 11th July,‡ Arbitration Convention with the Netherlands. Note was sent by then Secretary of State for Foreign Affairs to Netherlands Government in May, 1923 (in termination of a correspondence which had extended over several years) stating that, in view of His Majesty's Government, it would cut at the roots of the system of prize law and the prize courts if the owners of captured vessels were entitled, merely on the ground that they did not agree with adverse judgments of the prize courts, to call for the reopening of cases before arbitrators. In view of this, Secretary of State for Foreign Affairs thinks that New Zealand Government can be assured that there is no danger of His Majesty's Government agreeing to maritime rights during war being submitted to arbitration under Convention which it is now proposed to renew. Secretary of State for Foreign

---

* No. 43. † 19615/25: reminder; not printed. ‡ No. 49.

Affairs thinks, however, that, as Article 1 states definitely that matters affecting the vital interests of either of the parties are excluded from the obligation of the Convention, communication in advance to the Netherlands Government that questions of a particular class are deemed to be matters affecting the vital interests of the United Kingdom or Dominions might weaken the grounds for excluding any other class of cases should occasion arise. No special stipulations of this kind have been made in recent renewals of Arbitration Conventions with Norway, Sweden or other countries. In the circumstances, Secretary of State for Foreign Affairs trusts that your Ministers will be willing not to press suggestion at end of your telegram. Should be glad of early reply. Netherlands Government are anxious for early renewal of the Convention which lapsed 12th July. Other Dominions have concurred in renewal.—AMERY.

34631

No. 51.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9.12 a.m., 29th July, 1925.)

TELEGRAM.

29TH JULY. Your telegram of 25th July,* Arbitration Convention with the Netherlands. As His Majesty's Government is satisfied that exception of vital interest(s) is sufficient and consider it inadvisable to specially notify that maritime belligerent rights are within exception, the New Zealand Government does not press its previous suggestion and is content to accept proposed Arbitration Convention in terms approved by His Majesty's Government.—FERGUSSON.

37300

No. 52.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.

Dominions No. 370.)

[MY LORD,] [SIR,] Downing Street, 24th August, 1925.

WITH reference to my despatch Dominions No. 195 of the 11th of May,† and connected correspondence, I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copies of notes exchanged with the Netherlands Minister renewing for a further period of five years the Arbitration Convention with the Netherlands of the 15th of February, 1905.

2. As in the case of the renewal of the Arbitration Convention with Sweden (*vide* paragraph 2 of my despatch Dominions No. 230 of the 30th of May‡), the notes have been antedated in order that there might be no breach of continuity in the operation of the Convention which expired on the 12th of July, though the actual exchange of the notes took place after that date.

I have, &c.,
L. S. AMERY.

Enclosure 1 in No. 52.

SIR, Foreign Office, S.W.1, 12th July, 1925.

I HAVE the honour to state that His Britannic Majesty's Government are prepared to renew for a further period of five years from the present date the Arbitration Convention signed at London on the 15th February, 1905, and

* No. 50. † No. 43. ‡ No. 56

successively renewed by Conventions signed at London on the 16th December, 1909, the 25th March, 1915, and the 1st June, 1920.

2. It is understood, however, that in place of reference to the Permanent Court of Arbitration as provided for in Articles 1 and 2 of the aforesaid Convention of the 15th February, 1905, the reference shall in any case arising be made to the Permanent Court of International Justice, in accordance with the procedure laid down in the Statute of that Court and the Rules of Court adopted thereunder.

3. If this proposal is agreeable to the Netherlands Government, the present note and the reply in similar terms will be regarded as giving legal validity and as placing on record the understanding between the respective governments in the matter.

I have, &c.,
AUSTEN CHAMBERLAIN.

Jonkheer R. de Marees Van Swinderen,
&c., &c., &c.

Enclosure 2 in No. 52.

Monsieur le Secrétaire d'Etat, Londres, le 12 juillet 1925.

EN réponse à la Note que Votre Excellence a bien voulu m'adresser ce jourd'hui, j'ai l'honneur de porter à Sa connaissance que le Gouvernement Néerlandais est prêt à renouveler une fois de plus, pour une période de cinq ans à partir du 12 juillet 1925, la convention d'arbitrage signée à Londres le 15 février 1905, renouvelée successivement par les conventions signées à Londres le 16 décembre 1909, le 25 mars 1915 et le 1 juin 1920.

2. Il est entendu, cependant, qu'au lieu d'une référence à la Cour Permanente d'Arbitrage, comme il est prévu aux articles 1 et 2 de la convention susmentionnée du 15 février 1905, la référence sera faite dans tout cas qui ses présenterait à la Cour Permanente de Justice Internationale, conformément à la procédure établie par le Statut de la Cour et par Son Réglement adopté en vertu dudit Statut.

3. Il est convenu que la Note de Votre Excellence et la présente réponse seront considerées comme établissant et constatant l'accord entre les Gouvernements respectifs dans cette matière.

Veuillez agréer, etc.,
R. DE MAREES VAN SWINDEREN.

The Right Honourable Austen Chamberlain, M.P.,
&c., &c., &c.

37300

No. 53.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

(No. 329.)

SIR, Downing Street, 24th August, 1925.

I HAVE the honour to transmit to you, for the information of your Ministers, the accompanying copies of notes* exchanged with the Netherlands Minister renewing for a further period of five years the Arbitration Convention with the Netherlands of the 15th of February, 1905.

I have, &c.,
L. S. AMERY.

---

* Enclosures in No. 52.

(3) **Norway.** (4) **Portugal.** (5) **Sweden.**

(3) *Treaty Series* 1925, *No.* 30, (4) *Treaty Series* 1925, *No.* 41, (5) *Treaty Series* 1925, *No.* 28.

8559

No. 54.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 2.45 p.m., 24th February, 1925.)

TELEGRAM.

[*Answered by No.* 55.]

24TH FEBRUARY. My telegram 27th November,* Arbitration Agreements Norway, Sweden, Portugal. All other Dominions have now concurred and in view of fact that Agreements expired last November Secretary of State for Foreign Affairs most anxious to be in position to communicate with foreign Governments concerned as soon as possible. In the circumstances should be grateful for reply at earliest possible moment, and if possible before end of week.

Personal: Please do whatever you can to expedite reply as Secretary of State for Foreign Affairs attaches considerable importance to matter.—AMERY.

10223

No. 55.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6.50 p.m., 3rd March, 1925.)

TELEGRAM.

3RD MARCH. Your telegram of 24th February.† Regret delay. My Ministers have no objection to offer to renewal of agreement with proposed modification.—BYNG.

22668

No. 56.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 184.) — Dominions No. 230.)

[MY LORD,] [SIR,] Downing Street, 30th May, 1925.

WITH reference to my [*Not to Irish Free State:* telegram of the 27th of November, 1924.‡] [*To Irish Free State:* despatch No. 664 of the 27th of November, 1924,§] and connected correspondence, I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of notes exchanged with the Swedish Minister renewing for a further period of five years from the 9th of November, 1924, the Arbitration Convention with Sweden signed at London on the 11th of August, 1904.

[*Not to Southern Rhodesia:* 2. The actual exchange of the notes was necessarily deferred until all the Dominions had expressed concurrence in the proposed renewal of the Convention but, by agreement with the Swedish Government, the notes were antedated to the 9th November, 1924, in order that there might be no breach of continuity in the operation of the Convention which expired on that date.]

I have, &c.,

L. S. AMERY.

---

* No. 30 in Dominions No. 93. † No. 54. ‡ Nos. 30 and 31 in Dominions No. 93. § No. 32 in Dominions No. 93.

Enclosure 1 in No. 56.

SIR, Foreign Office, S.W.1, 9th November, 1924.

I HAVE the honour to state that His Britannic Majesty's Government are prepared to renew for a further period of five years from the present date the Arbitration Convention signed at London on the 11th August, 1904, which was successively renewed by the Conventions signed at London on the 9th November, 1909, the 9th November, 1914, and the 9th November, 1919, respectively, in so far as the provisions of the aforesaid Convention apply to the Kingdom of Sweden.

2. It will be understood, however, that in place of reference to the Permanent Court of Arbitration, as provided for in Articles 1 and 2 of the aforesaid Convention of 11th August, 1904, the reference shall in any case arising be made to the Permanent Court of International Justice, in accordance with the procedure laid down in the Statute of that Court and in the Rules of Court adopted thereunder.

3. If this proposal is agreeable to the Swedish Government the present note and your reply in similar terms will be regarded as giving legal validity to and as placing on record the understanding between the respective Governments in the matter.

I have, &c.,

AUSTEN CHAMBERLAIN.

Baron E. K. Palmstierna, G.C.V.O.,
&c., &c., &c.

Enclosure 2 in No. 56.

(No. 146.)

SIR, Swedish Legation, 27, Portland Place, W.1, 9th November, 1924.

IN reply to your note of this day, I have the honour to state that the Swedish Government are prepared to renew for a further period of five years from the present date the Arbitration Convention signed at London on the 11th August, 1904, which was successively renewed by the Conventions signed at London on the 9th November, 1909, the 9th November, 1914, and the 9th November, 1919, respectively, in so far as the provisions of the aforesaid Convention apply to the Kingdom of Sweden.

2. It will be understood, however, that in place of reference to the Permanent Court of Arbitration as provided for in Articles 1 and 2 of the aforesaid Convention of 11th August, 1904, the reference shall in any case arising be made to the Permanent Court of International Justice in accordance with the procedure laid down in the Statute of that Court and in the rules of court adopted thereunder.

3. It is further agreed that your note and this reply will be regarded as giving legal validity to and as placing on record the understanding between the respective Governments in the matter.

I have, &c.,

PALMSTIERNA.

The Right Honourable
Austen Chamberlain, M.P.,
&c., &c., &c.

23926

No. 57.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 197.) — Dominions No. 244.)

[MY LORD,] [SIR,] Downing Street, 9th June, 1925.

WITH reference to my [*not to Irish Free State:* telegram of the 27th of November, 1924.*] [*to Irish Free State:* despatch No. 664 of the 27th of November,

---

* Nos. 30 and 31 in Dominions No. 93.

1924,*] and connected correspondence, I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copies of notes exchanged with the Norwegian Minister renewing for a further period of five years the Arbitration Convention of the 11th of August, 1904, between Great Britain and Norway.

I have, &c.,
L. S. AMERY.

Enclosure 1 in No. 57.

SIR, Foreign Office, S.W.1, 13th May, 1925.

I HAVE the honour to state that His Britannic Majesty's Government are prepared to renew for a further period of five years, to date from the 9th November, 1924, the Arbitration Convention signed at London on the 11th August, 1904, which was successively renewed by the Conventions signed at London on the 9th November, 1909, the 9th November, 1914, and the 9th November, 1919, respectively, in so far as the provisions of the aforesaid Convention apply to the Kingdom of Norway.

2. It will be understood, however, that in place of reference to the Permanent Court of Arbitration, as provided for in Articles 1 and 2 of the aforesaid Convention of 11th August, 1904, the reference shall in any case arising be made to the Permanent Court of International Justice in accordance with the procedure laid down in the Statute of that Court and in the Rules of Court adopted thereunder.

3. If this proposal is agreeable to the Norwegian Government the present note and your reply in similar terms will be regarded as giving legal validity to and as placing on record the understanding between the respective Governments in the matter.

I have, &c.,
AUSTEN CHAMBERLAIN.

Monsieur Benjamin Vogt,
&c., &c., &c.

Enclosure 2 in No. 57.

(No. 63/1925.)

SIR, Norwegian Legation, London, 13th May, 1925.

WITH reference to your note of to-day's date, I have the honour to state that the Norwegian Government agree to renew for a further period of five years, to date from the 9th November, 1924, the Arbitration Convention signed in London on the 11th August, 1904, which was successively renewed by the Conventions signed in London on the 9th November, 1909, the 9th November, 1914, and the 9th November, 1919, respectively, in so far as the provisions of the aforesaid Convention apply to the Kingdom of Norway.

It will be understood, however, that in place of reference to the Permanent Court of Arbitration, as provided for in Articles 1 and 2 of the aforesaid Convention of 11th August, 1904, the reference shall in any case arising be made to the Permanent Court of International Justice in accordance with the procedure laid down in the Statute of that Court, and in the Rules of Court adopted thereunder.

I have the honour to confirm that your note of to-day's date and the present note will be regarded as giving legal validity to and as placing on record the understanding between the two Governments in the matter.

I have, &c.,
B. VOGT.

The Right Honourable
Austen Chamberlain, P.C., M.P.,
&c., &c., &c.

---

* No. 32 in Dominions No. 93.

368

27087

No. 58.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 233.)
Dominions No. 285.)

[MY LORD,] [SIR,] Downing Street, 10th July, 1925.

WITH reference to my despatch [Dominions No. 230] [No. 184] of the 30th May,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of a Parliamentary Paper containing the notes exchanged with Sweden further renewing the Arbitration Convention between the United Kingdom and Sweden of 11th August, 1904 (Cmd. 2426).

[*Not to New Zealand and Irish Free State:* 2. Further copies are being sent in Library despatch.]

I have, &c.,
L. S. AMERY.

31710

No. 59.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 247.)
Dominions No. 298.)

[MY LORD,] [SIR,] Downing Street, 18th July, 1925.

WITH reference to my despatch [Dominions No. 244] [No. 197] of the 9th of June,† I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of Treaty Series paper No. 30 of 1925 (Cmd. 2452) containing notes exchanged with the Norwegian Minister on the 13th of May further renewing the Arbitration Convention between the United Kingdom and Norway of the 11th of August, 1904.

[*Not to New Zealand and Irish Free State:* 2. Further copies are being sent in Library despatch.]

I have, &c.,
L. S. AMERY.

33768

No. 60.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 3.30 p.m., 27th July, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

27TH JULY. Now found that Portuguese Government unable to concur in renewal of Arbitration Agreement in form referred to in my telegram of 27th

---

* No. 56. † No. 57.

November,* without first obtaining approval of Parliament to substitution of the Permanent Court of International Justice for the Permanent Court of Arbitration. As this course would involve much delay, and having regard to earlier correspondence (see my despatch 22nd January, 1924, Dominions 25.† and your reply‡). Secretary of State for Foreign Affairs is taking steps for renewal of existing agreement without alteration, but for a period of two years only.—AMERY.

33768

No. 61.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 298.)

SIR, Downing Street, 28th July, 1925.

WITH reference to my despatch No. 664 of the 27th of November,§ and to Your Excellency's despatch in reply, No. 454 of the 8th of December,‖ regarding the renewal of Arbitration Agreements with Norway, Sweden, and Portugal, I have the honour to transmit to you, to be laid before your Ministers, the accompanying copy of a telegram¶ to the other self-governing Dominions regarding the renewal of the Arbitration Agreement with Portugal.

2. As regards the earlier correspondence I would invite reference to the Duke of Devonshire's despatch Dominions No. 25 of the 22nd of January, 1924,† and your despatch No. 47 of the 8th of February, 1924.**

I have, &c.,
L. S. AMERY.

33768

No. 62.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

(No. 310.)

SIR, Downing Street, 12th August, 1925.

WITH reference to my telegram of the 27th November last,†† I have the honour to request you to inform your Ministers that it has now been found that the Portuguese Government are unable to concur in the renewal of the Arbitration Agreement of the 16th November, 1904, in the form referred to in my telegram without first obtaining the approval of the Portuguese Parliament to the substitution of the Permanent Court of International Justice for the Permanent Court of Arbitration.

2. As this course would involve much delay, the Secretary of State for Foreign Affairs is taking steps for the renewal of the existing agreement without alteration, but for a period of two years only.

I have, &c.,
L. S AMERY.

44130

No. 63.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.)
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 391.) — Dominions No. 446.)

[MY LORD,] [SIR.] Downing Street, 9th October, 1925.

WITH reference to my [*Not to Irish Free State and Southern Rhodesia:* telegram of the 27th July,¶] [*To Irish Free State:* despatch No. 298 of the 28th July,‡‡]

* No. 30 in Dominions No. 93. † No. 21 in Dominions No. 93. ‡ Nos. 24, 27, 29, 26 and 25 in Dominions No. 93. § No. 32 in Dominions No. 93. ‖ No. 36 in Dominions No. 93. ¶ No. 60.
** No. 23 in Dominions No. 93. †† No. 31 in Dominions No. 93. ‡‡ No. 61.

[*To Southern Rhodesia:* despatch No. 310 of the 12th August.*] and connected correspondence, I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of Treaty Series paper No. 41 of 1925 (Cmd. 2516), containing the text of Notes exchanged with Portugal extending until the 16th November, 1926, the operation of the Agreement of the 16th November, 1914, providing for the settlement by arbitration of certain classes of questions which may arise.

[*Not to New Zealand and Irish Free State:* 2. Further copies are being sent in Library despatch.]

I am, &c.,
L. S. AMERY.

---

(6) Siam.

37297

No. 64.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 8.25 p.m., 17th August, 1925.)

TELEGRAM.

[*Answered by Nos.* 67, 68, 70, 72 *and* 73.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

17TH AUGUST. In course of recent negotiations for revision of former treaties with Siam, Siamese Government expressed desire for conclusion of arbitration convention for settlement of differences which might in future arise. Draft Convention between His Majesty and His Majesty the King of Siam has accordingly been prepared on lines of those formerly concluded with other countries, but as in recent cases of renewal of arbitration agreements with Norway, Sweden, and Netherlands (see my telegram 27th November, 1924,† my despatch 11th May, Dominions 195,‡ and connected correspondence) stipulating for reference of differences to Permanent Court of International Justice instead of Permanent Court of Arbitration. Following is text of operative clauses:—

Begins: ARTICLE ONE. Differences of a legal nature which may arise between the two Contracting Parties and which it may not have been possible to settle by diplomacy, in the absence of contrary agreement shall, at the request of either Party, be referred to the Permanent Court of International Justice established by the Protocol of 16th December, 1920, in accordance with the procedure laid down in the statutes of that Court and in the Rules of Court adopted thereunder, provided nevertheless that such differences do not affect the vital interests, the independence or the honour of the two Contracting Parties, and do not concern the interests of third parties. The Contracting Parties agree to accept the decision of the Court as binding.

ARTICLE Two. The present Convention, which shall be ratified, is concluded for a period of five years dating from the exchange of ratifications, which shall take place at London as soon as possible. In case neither of the two Contracting Parties shall have given notice to the other twelve months before the expiration of the said period of five years of its intention to terminate the present convention, it shall remain in force until the expiration of one year from the date on which either of the two Contracting Parties shall have denounced it.

Please telegraph whether your Ministers have any observations on proposals. Siamese Minister has asked that matter may be expedited as much as possible.—AMERY.

---

* No. 62. † No. 30 in Dominions No. 93. ‡ No. 43.

37297

No. 65.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 8.20 p.m., 17th August, 1925.)

TELEGRAM.

[*Answered by No.* 69.]

17TH AUGUST. In course of recent negotiations for revision of former treaties with Siam, Siamese Government expressed desire for conclusion of arbitration convention for settlement of differences which might in future arise. Draft Convention has accordingly been prepared on lines of those formerly concluded with other countries but as in recent cases of renewal of arbitration agreements with Norway and Sweden (see my telegram 27th November, 1924*) stipulating for reference of differences to Permanent Court of International Justice instead of Permanent Court of Arbitration.

Should your Ministers have any observations on proposals please telegraph as soon as possible.—AMERY.

37297

No. 66.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 71.]

(No. 325.)

Downing Street, 19th August, 1925.

SIR,

I HAVE the honour to transmit to Your Excellency, to be laid before your Ministers, a copy of a telegram† to the other self-governing Dominions on the subject of the proposed conclusion of an Arbitration Convention with Siam.

2. I should be glad to learn, at your Ministers' early convenience, whether they have any observations on the proposals described in this telegram. It will be seen that the Siamese Minister has asked that the matter may be expedited as much as possible.

I have, &c.,
L. S. AMERY.

38926

No. 67.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2.24 p.m., 25th August, 1925.)

TELEGRAM.

25TH AUGUST. Arbitration Convention with Siam. Ministers do not desire to offer any observations on the proposals contained in your telegram of 17th August.†—ATHLONE.

39492

No. 68.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 2.0 a.m., 29th August, 1925.)

TELEGRAM.

28TH AUGUST. Your telegram of 17th August.† Arbitration Convention, Siam. Ministers have no observations to make.—ALLARDYCE.

---

* No. 31 in Dominions No. 93. † No. 61.

370

40838

No. 69.

SOUTHERN RHODESIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 3.10 p.m., 7th September, 1925.)

TELEGRAM.

7TH SEPTEMBER. Your telegram of 17th August.* My Ministers have no observations to make on the proposed Arbitration Convention with Siam.—CHANCELLOR.

41314

No. 70.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9.45 a.m., 10th September, 1925.)

TELEGRAM.

10TH SEPTEMBER. Your telegram of 17th August.† New Zealand Government have no objection to the terms of the proposed Treaty with Siam, nor have they any comments to offer thereon.—FERGUSSON.

42533

No. 71.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 19th September, 1925.)

(No. 277.)

Vice Regal Lodge, Dublin, 18th September, 1925.

SIR,

I HAVE the honour to refer to your despatch No. 325 of the 19th August, 1925,‡ on the subject of the proposed conclusion of an Arbitration Convention with Siam, and to inform you that my Ministers have no observations to make on the proposals set out in the enclosure to your despatch under reply.

I have, &c.,
T. M. HEALY.

44669

No. 72.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.0 p.m., 2nd October, 1925.)

TELEGRAM.

2ND OCTOBER. Your telegram of 17th August.† Department of Justice is of opinion that there is no objection to the insertion in proposed Arbitration Convention with Siam of Clause suggested in telegram referred to.

48122

No. 73.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.47 a.m., 26th October, 1925.)

TELEGRAM.

YOUR telegram of 17th August.† Commonwealth Government has no objection to the conclusion of the Arbitration Convention with Siam.—STONEHAVEN.

---

* No. 65. † No. 64. ‡ No. 66.

28629

No. 74.

FOREIGN OFFICE to COLONIAL OFFICE.

[*Answered by No.* 75.]

SIR, Foreign Office, S.W.1, 23rd June, 1925.

I AM directed by Mr. Secretary Chamberlain to inform you that according to reports from Washington communicated to me, the Canadian Government have addressed a note to the United States Government regarding the United States Macmillan Expedition to the North Pole. The object of this expedition is apparently to find a hitherto undiscovered continent, which is supposed to exist near the North Pole. According to the reports in question the Canadian Government have stated in their note that, if any such continent lying between Canada and the North Pole should be discovered, it should be considered as Canadian and not United States territory.

2. Mr. Chamberlain would be glad to learn whether there is any foundation for these reports, and, if so, would be glad to receive full particulars regarding any correspondence on the subject between the Canadian and United States Governments.

3. In this connexion I am to transmit to you herewith a copy of a despatch from His Majesty's Chargé d'Affaires at Washington regarding comments in the United States press upon the statement of the Canadian Minister of the Interior in the House of Commons, that the Canadian Government claim sovereignty over any land discovered in the northern portion of Canada right up to the North Pole.

I am, &c.,
ROBERT VANSITTART.

Enclosure in No. 74.

(No. 855.)

SIR, British Embassy, Washington, D.C., 10th June, 1925.

I HAVE the honour to report that the statement made by the Canadian Minister of the Interior during a debate in the House of Commons on the 1st instant to the effect that Canada claims the sovereignty over any land discovered by explorers in the northern portion of Canada right up to the North Pole has called forth a certain amount of comment in the press here in connexion with the American Macmillan Expedition to the Arctic Ocean.

A precedent for the Canadian claim is sought by the Washington *Evening Star* in the discovery of Axel Heiburg Land, an island of 13,200 square miles, west of Ellesmere Land (which latter is Canadian territory). This discovery was made by a Norwegian, Otto Sverdrup, in 1902, but was apparently never claimed by the Norwegian Government, although Sverdrup set up the Norwegian flag there, and Canada seems to have been allowed to consider this territory her own without protest from any quarter.

The Washington *Evening Star* has dealt with the question at some length and even reported that the Canadian Deputy Minister of the Interior came to Washington expressly to discuss the matter of the sovereignty of any land which the Macmillan Expedition may find. This is not true though it is quite likely that Mr. Cory may have discussed these northern territories with the United States authorities in connexion with the grant of facilities by the Dominion Government in Canadian territory for the Macmillan Expedition when he was here last month. A representative of the *Star*, who called at the Embassy a few days ago, was informed accordingly.

The whole matter has been treated by those papers which have noticed it in the friendliest tone. The *Washington Post* thinks the Dominion Government cannot claim the bulk of such territory as it lies north of Alaska and not of Canada, and that it may be safely assumed that title to the Arctic continent will be vested in the United States on the ordinary basis of discovery and occupation.

In this connexion the *New York Times* of yesterday announced that the State Department are considering the question of the territorial status of any lands which may be discovered by the Macmillan Expedition which involves two points—(1) whether Axel Heiburg Land is Canadian territory, thus necessitating a permit being obtained from the Government of Canada for the naval aviators with the

expedition to land there, and (2) whether any discoveries on the part of the expedition should be claimed as American territory or not. This paper added that high officials in Washington had said that the Government of Canada had not yet raised, or discussed with the United States Government, the matter of claiming all land between Canada and the Pole.

On the other hand, an Associated Press report emanating from Ottawa, which appeared in yesterday's *Washington Post*, states that Mr. George P. Mackenzie, formerly gold commissioner of the Yukon, is to take command of a party of mounted police and Government experts and will start on 1st July "to establish Canadian official administration over distant island possessions in the Arctic region claimed as part of the Dominion." This looks as though the Dominion Government intended by immediate action to eliminate any question as to the national status at least of those northern territories so far discovered.

I have received no official communication from the Governor-General of Canada on this question, but I am forwarding to His Excellency a copy of this despatch in case he may desire to offer any observations on the subject.

I have, &c.,
H. G. CHILTON.

The Rt. Hon. Austen Chamberlain, M.P.,
&c., &c., &c.

28629

No. 75.

COLONIAL OFFICE to FOREIGN OFFICE.

[*Answered by No.* 76.]

SIR, Downing Street, 9th July, 1925.

I AM directed by Mr. Secretary Amery to acknowledge the receipt of your letter of the 23rd June,* regarding a note stated to have been addressed by the Government of Canada to the Government of the United States on the subject of the United States Macmillan Expedition to the North Pole, and to request you to inform Mr. Secretary Chamberlain that no communication has been received from the Canadian Government in the matter, but, as will be seen from recent debates† in the Canadian House of Commons, reports of which are enclosed, the question of the extent of Canada's territorial claims in the Arctic regions has been under discussion in Canada.

2. It will also be observed from page 4,238 of the enclosed extracts that Mr. Stewart, the Minister of the Interior, stated that a despatch was addressed by the Canadian Government to Washington some considerable time ago, but the Secretary of State is not aware of its terms. As soon as any further information is received it will be transmitted to the Foreign Office. It is presumed, however, that His Majesty's Ambassador at Washington will be forwarding to the Secretary of State for Foreign Affairs a copy of the note which, according to an article in *The Times* of the 18th June, he appears to have recently transmitted to the United States Government in the matter.

I am, &c.,
E. J. HARDING.

32461

No. 76.

FOREIGN OFFICE to COLONIAL OFFICE.

THE Under-Secretary of State for Foreign Affairs presents his compliments to the Under-Secretary of State for the Colonies and, by direction of the Secretary of State, transmits herewith copies of a despatch from His Majesty's Chargé d'Affaires, Washington, on the subject of the Macmillan Expedition to Arctic regions.

Foreign Office,
16th July, 1925.

Reference to previous correspondence: Colonial Office letter of 9th July, 1925.‡

* No. 74. † Pages 3925-6 of Debates on 1st June; pages 4237-8 and 4249-4263 of Debates on 10th June. ‡ No. 75.

Enclosure in No. 76.

(No. 1183.)

SIR, British Embassy, Manchester, Mass., 2nd July, 1925.

I HAVE the honour to transmit to you, herewith, copies of a despatch to the Department of State regarding posts of Royal Canadian Mounted Police established in Baffin and Ellesmere Islands and other sections of Canadian northern territories.

I have, &c.,
H. G. CHILTON.

Reference: Embassy despatch No. 914, dated 25th June, 1925.*

His Majesty's Principal Secretary of State for Foreign Affairs,
Foreign Office,
London.

(No. 676.)

SIR, British Embassy, Manchester, Mass., 2nd July, 1925.

IN continuation of my note No. 627 of the 15th ultimo† and in response to the specific inquiries contained in your note of the 19th ultimo,‡ I have the honour to inform you that I have received the following particulars from the Governor-General of Canada regarding posts of the Royal Canadian Mounted Police established in Baffin and Ellesmere islands and other sections of the Canadian northern territories.

A Mounted Police post in so far as buildings are concerned is composed of a small barracks to house members of the Force, and separate buildings for storing supplies. In so far as personnel is concerned, each post is in charge of a non-commissioned officer with two or three constables for duty and patrols, and the necessary number of natives to act as dog drivers, guides and interpreters.

The Posts established in the Eastern Arctic Sub-District include the following:—

Baffin Island—
(1) Pasgairtung, Cumberland Sound.
(2) Ponds Inlet, on the north end of the island.

Devon Island—
(1) Dundas Harbour.

Ellesmere Island—
(1) Craig Harbour (south of the island).
(2) Rice's Strait (near Cape Sabine).

All the above-mentioned posts are permanently occupied by members of the Royal Canadian Mounted Police, with the exception of Rice's Strait, near Cape Sabine, where stores only have been placed, pending the arrival of buildings for a permanent post and personnel, which are being sent up this year.

The above Sub-District is in charge of a Commissioned officer of the Royal Canadian Mounted Police who resides at any one of the posts, as circumstances demand. All the posts are visited once a year by the Commissioned Officer mentioned and by the officials of the Canadian Department of the Interior.

In regard to the duties of members of the Royal Canadian Mounted Police stationed in the Eastern Arctic, it may be added that all the Mounted Police Detachments in the Eastern Arctic are Post Offices and Customs Ports, and the Non-Commissioned Officers in charge have been appointed Postmasters and Collectors of Customs.

Furthermore, the duties of members of the Force stationed in the Eastern Arctic include the supervision of the welfare of the Eskimo for the Department of Indian Affairs (educating them as far as possible in the White Man's Laws and issuing destitute relief where necessary), enforcement of all the Ordinances and Regulations of the North-west Territories, including Game Laws and the protection of Musk Oxen, and the issue of Game, Animal and Bird Licences to the various Trading Companies, the supervision of liquor permits, the enforcement of the Migratory Birds Convention Act for the Department of the Interior; the enforcement of the Criminal Code and Assistance to the Post Office and Customs Department, as set forth in the last paragraph above, as well as to the Department of Mines and Agriculture in the collection of Eskimo material and ethnological and biological specimens.

* Enclosure 2 in No. 77. † Sub-enclosure 5 in Enclosure 1 in No. 77. ‡ Sub-enclosure in Enclosure 2 in No. 77.

Members of the Force are also called upon to assist in the taking of the Census and assisting the Director of Meteorological Service in the taking of readings at the different Posts from time to time, and to supply topographical information to the Federal Service.

In addition, Police patrols to surrounding settlements and Eskimo villages and also extended patrols to remote points are also made by each detachment for the purpose of obtaining the information required.

In bringing the above information to your notice, I have the honour to renew the assurance conveyed to you in my above-mentioned note of the Canadian Government's readiness to afford the Macmillan Expedition any assistance within the power of the Royal Canadian Mounted Police and the other Dominion officers in Canadian northern territories.

I have, &c.,
H. G. CHILTON.

The Honourable
Frank B. Kellogg,
Secretary of State of the United States,
Washington, D.C.

33143

No. 77.

FOREIGN OFFICE to COLONIAL OFFICE.

[*Answered by No.* 81.]

SIR, Foreign Office, S.W.1, 20th July, 1925.

WITH reference to the letter from this department of 23rd June,* I am directed by Mr. Secretary Chamberlain to transmit to you herewith copies of two despatches from His Majesty's Chargé d'Affaires at Washington regarding the United States Macmillan Expedition to the Arctic regions and the claims of the Canadian Government to territory lying between Canada and the North Pole.

2. Mr. Chamberlain considers that should there be in the future any conflict of view between the United States and Canada as to their respective rights in land between the existing admitted territorial claims and the North Pole, the matter will turn on the facts of discovery and occupation, etc., more than on diplomatic correspondence.

3. It would be useful, therefore, in Mr. Chamberlain's opinion, if the Dominion Government were, with a view to such an eventuality, to collect all available evidence and material tending to substantiate the Canadian claim, and see that it is placed on record in some form that will render it available at any time in the future.

4. I am to suggest that a communication in the above sense should be made to the Canadian Government.

I am, &c.,
ROBERT VANSITTART.

Enclosure 1 in No. 77.

(No. 874.)
(Confidential.)

SIR, British Embassy, Washington, 17th June, 1925.

I HAVE the honour to report, with reference to my despatch No. 855 of the 10th instant,† respecting the Macmillan scientific and exploring expedition to the Arctic regions, that on 11th June, I received from His Excellency the Governor-General of Canada two despatches furnishing me confidentially with an explanation of the Dominion Government's claims to jurisdiction over all territories in the north bounded on the east by a line passing midway between Greenland and Baffin, Devon and Ellesmere Islands and thence northward to the Pole, and on the west by the 141st meridian from the mainland of North America indefinitely northward. Lord Byng also requested me to inform the United States Government that although the Dominion authorities had received no official intimation from the

* No. 74. † Enclosure in No. 74.

Government of the United States of the intended route of this Expedition or of the desire of members thereof to explore and fly over Baffin, Ellesmere and other Canadian territories, they would be glad to instruct the Royal Canadian Mounted Police posts on Ellesmere Island to afford the Expedition all the assistance in their powers. Copies of Ottawa despatches Nos. 103 and 104 of the 4th instant are enclosed for your information.

2. As I gained the impression, after perusing this correspondence, that the Canadian Government entertained some suspicion that the Macmillan Expedition, which, after crossing Ellesmere Island is to establish its advanced headquarters at a north-western point of Axel Heiburg Island, might result in an attempt on the part of the United States to lay claim to that territory, I decided, before approaching the Department of State, in accordance with Lord Byng's request, contained in His Excellency's despatch No. 103, to consult the Dominion authorities further in the matter, and at the same time I ventured to put forward certain suggestions as to the form which any note I might address to the United States Government might take. I accordingly telegraphed confidentially to Government House, Ottawa, and a copy of my telegram is enclosed herein, together with a copy of the reply thereto, which you will observe, although marked "Secret," was merely coded in the Government Telegraph Code. Immediately upon receipt of this telegram, I addressed a communication to the United States Government, a copy of which I beg leave to transmit to you herewith.

3. I trust that the terms of this communication, and the action which I have taken on behalf of the Dominion Government, will meet with your approval.

I have, &c.,

H. G. CHILTON.

The Rt. Hon. Austen Chamberlain, M.P.,
&c., &c., &c.

Sub-enclosure 1.

(Secret.)
(No. 103.)

SIR, Government House, Ottawa, 4th June, 1925.

MY advisers have noted Press reports that a scientific expedition is being prepared in the United States for exploration in the Arctic regions, to be led by Dr. Donald B. Macmillan, under the auspices of the National Geographic Society and with the co-operation of the United States Navy.

I would request Your Excellency to inquire of the Secretary of State whether this report is correct. If so, I would desire to call the attention of the Government of the United States to the fact that the Government of Canada has established Royal Canadian Mounted Police Posts in Baffin Island, Ellesmere Island, and other sections of its northern territories, that in the course of the Police patrols through the Arctic Islands depots of provisions have been established at various centres, and that, in addition, Hudson Bay Company posts are in existence at island and mainland points.

The Government of Canada would be pleased under these circumstances to assure the expedition of whatever assistance could be given from these posts and depots, and by the Royal Canadian Mounted Police, to furnish the necessary permits for the expedition, and in any other way possible to facilitate the plans of Dr. Macmillan and his associates.

I have, &c.,

BYNG OF VIMY.

His Excellency
The Right Honourable
Sir Esme Howard, G.C.M.G., K.C.B., C.V.O.

Sub-enclosure 2.

(Secret.)
(No. 104.)

SIR, Government House, Ottawa, 4th of June, 1925.

WITH further reference to my Secret despatch, No. 103, of even date, on the subject of the Macmillan Arctic Expedition, it has been considered advisable to set

forth some of the grounds which have caused the Canadian Government apprehension as to the purposes of the expedition, and also the grounds of its claims to certain Arctic territory which may be questioned.

The expedition is under the leadership of Dr. Macmillan, a Newfoundlander by birth but now a citizen of the United States, who is widely experienced in Arctic exploration. In his earlier expeditions he was disposed to work closely with the Canadian Government, and when giving evidence before the Canadian Royal Commission on the Musk Ox and Reindeer Industries, in 1920, he advised that all explorers going into Canadian Arctic territory be required to secure licences. Of late, perhaps because of the exigencies of popular lecture tours in the United States and campaigns there for financing his new expedition, he has tended to emphasize the advantages to the United States of the discoveries he may make in the Arctic, and also to ignore the Canadian authorities. The Director of the North West Territories and Yukon Branch of the Department of the Interior wrote him in June, 1923, prior to his last trip north, asking for information as to his plans, and calling his attention to the hunting and trading licence requirements. The letter, though received was not acknowledged. On Macmillan's return, the Director wrote again in October, 1924, calling attention to press reports of killing of musk ox on Ellesmere Island. Macmillan replied, stating that the objects of the expedition were purely scientific, and adding that "nothing in Canadian territory was trapped or killed or traded for by me or by a single member of my personnel, else you would have received notice immediately upon my return and check forwarded for hunting and trading licence," a reply which was considered, in the light of Royal Canadian Mounted Police reports as to killing of musk ox, at least evasive.

On 14th January, 1925, the Director wrote Macmillan calling attention to press reports of the new expedition, enclosing copies of Game Act and other regulations, and suggesting that application be made for a migratory game permit. No answer has been received to this letter.

The United States Department of the Navy, to judge by the "Shenandoah" and other incidents, is not adverse to securing whatever prestige may attach to adding territory and possibly air bases in the North. It is providing planes and also lending pilots and mechanics. No intimation whatever as to the expedition has been received from the United States Government.

Given this persistent ignoring of Canadian authority, special significance attaches to the reported route of the expedition. While it is proposed to make airplane exploration through Baffin Lane, as to which no question of sovereignty could possibly be raised, this is apparently to be left to the return trip and is not an essential feature. On the northward journey, the expedition, after coaling at a Canadian port, and possibly touching at a Labrador port, is to coast along Greenland to Etah; permission to make use of Etah as a base and make certain scientific inquiries there has been sought and secured from the Danish Government. From Etah the planes are to fly across Ellesmere Island to the northern end of Axel Heiberg Island, there to establish a base for exploring the large unknown area to the north-eastward. As it happens that the two portions of Canadian territory thus to be visited, or flown over, Ellesmere Island and Axel Heiberg, are precisely the two areas in the north as to which some question as to our sovereignty might be raised (by the United States and Norway respectively), it is apprehended that this choice of route is not wholly accidental or based wholly on technical grounds, and that it may foreshadow claims not merely to any new territory discovered to the eastward, but to part or all of Ellesmere Island itself.

The grounds upon which Canada rests her claim to these, as well as to the other Arctic islands north of her mainland territory, may be summarized briefly.

In 1880, Great Britain, by Imperial Order in Council of 31st July, 1880, transferred the Arctic Archipelago to Canada. The Order provided that "all British territories and possessions in North America and the islands adjacent to such territories and possessions, which are not already included in the Dominion of Canada, should (with the exception of the colony of Newfoundland and its Dependencies) be annexed to and form part of the said Dominion."

The Dominion of Canada claims as its "hinterland" the area bounded on the east by a line passing midway between Greenland and Baffin, Devon and Ellesmere Islands and, thence northward to the Pole. On the west, Canada claims, as her

western boundary, the 141st meridian from the mainland of North America indefinitely northward "without limitation."*

The various grounds on which title may be based will be taken up in turn :—

1. *Discovery.*

So far as discovery goes, the title of Great Britain, and thus of Canada, to the whole Arctic Archipelago is beyond question, except possibly in the case of certain Ellesmere and Axel Heiberg areas. With the exception of Heiberg, Ringnes, Meighen, Borden, Brock and some smaller islands, all the known insular areas in the Canadian Arctic Archipelago were discovered and formally taken possession of by British commissioned navigators from a century to three-quarters of a century ago, and such acts of possession were formally announced to the world in British Government blue-books. Of these islands, Meighen, Borden and Brock were discovered and formally taken possession of by a Canadian expedition in 1914-17. Consideration will, therefore, be confined to the areas which may be questioned.

In 1616, Bylot and Baffin, English navigators, discovered Ellesmere Island and named Smith Sound to the east of it and Jones Sound to the south.

In 1818, an official expedition, formally commissioned by Great Britain and commanded by Captain John Ross, R.N., explored the south-eastern portion of Ellesmere Island.

In 1852, Commander Inglefield, R.N., commanding one of the Franklin Relief vessels despatched by the British Admiralty, surveyed the south shore to longitude 84° W. and the eastern shore to Princess Marie Bay in latitude 79° 30'.

In 1853-1855 and 1860-1861, two citizens of the United States, Kane and Hayes, explored the shore of Ellesmere Island from Princess Marie Bay northward to latitude 81° 30'. In 1871, Hall, also a citizen of the United States, explored a small portion of the north-eastern coast of Ellesmere Island between latitudes 81° 45' N. and 82° 30' N.

In 1875-1876, Captain Nares, R.N., commanding an expedition despatched by the British Admiralty, surveyed accurately and in detail the coasts explored by Kane, Hayes and Hall, which, in large part, had been so inaccurately mapped that it was difficult to recognize many of the salient points indicated on their plans. Nares also explored the northern and western coasts from Hall's "farthest" to Cape Alfred Ernest in latitude 82° N.

In 1881-1884, Lieutenant A. W. Greely, U.S.N., commanded an International Circumpolar station "for the purpose of scientific observation," particularly in developing meteorology and extending the knowledge of terrestrial magnetism. Greely crossed Ellesmere Island and explored the shores of Greely Fiord, an inlet in the west coast.

In 1900-1902, Sverdrup, commanding an expedition which was financed, in large part, by citizens of Norway, explored nearly all the remainder of the south-western and western coasts of Ellesmere Island, and also discovered Axel Heiberg, Amund Ringnes, Ellef Ringnes and King Christian Islands.

In 1913-1918, Vilhjalmur Stefansson, commanding an expedition, formally commissioned by the Dominion of Canada, made further explorations in the Canadian Arctic Archipelago. He discovered Meighen, Borden, Brock, and some smaller islands, and made further surveys of Amund Ringnes, Ellef Ringnes and King Christian Islands. He found that the last named, instead of being the northern portion of Findlay Island, as Sverdrup supposed, was a separate island.

* There is at least one precedent for the claim to the 141st meridian, namely, the Russian-United States Treaty of 30th March, 1867, whereby the present territory of Alaska was ceded to the United States. It provides that:—

"The western limit, within which the territories and dominion conveyed (to the United States) are contained, passes through a point in Behring's Straits on the parallel of sixty degrees thirty minutes north latitude . . . . and proceeds due north, without limitation, into the Frozen (Arctic) Ocean."

This, in terms, is a claim by the United States that the western boundary of Alaska is a due north line passing through the middle of Behring Strait and thence due north to the North Pole.

In 1867, this contention received the recognition and support of the Russian Government and, so far as the Government of Canada is aware, it has never been protested by any other Power, nor has the United States ever indicated that she does not propose to maintain it in its entirety.

Inferentially, the United States would make a similar contention respecting its eastern boundary—the 141st meridian. Such claim, if formulated, would, of course, receive the support of the Government of Canada.

To illustrate the result of the foregoing activities a map,* a copy of which is attached, has been prepared, which shows in red, blue and yellow, the areas explored by British, United States and Norwegian nationals respectively.

The exact extent of the coasts discovered or explored by nationals of these countries is indicated on the "Explorations in Northern Canada" map* which also accompanies this despatch.

It is thus clear that this island was *discovered* over three centuries ago by an English expedition; that a century ago, a part of the shore-line was surveyed by an expedition formally commissioned by Great Britain, and that three-quarters of a century ago another officer of the British Navy *explored and surveyed* 300 miles of its shore-line.

By progressive steps the remainder of the shore-line of Ellesmere Island was *surveyed* between 1853 and 1902 by British, United States and Norwegian explorers, but it is to be noted that, with the exception of the Greely expedition, which accomplished but little in the way of exploration, neither the United States expeditions nor the Norwegian were commissioned by their respective Governments.

At this point, it seems pertinent to state that there can only be one *discovery* of an island. Subsequent individuals or expeditions can only *explore* or *survey*, though they may claim to have *discovered* specific topographical features such as capes, bays, mountains, rivers, etc.†

The fact of discovery, therefore, was completed when Bylot and Baffin discovered it 309 years ago.

Had the United States subsequently occupied portions of the coast of Ellesmere Island, which had been discovered by citizens of that country, such occupation would have formed the basis of a strong claim but upon the facts, as set forth above, it is evident that she has no claim except such attenuated claim as could be founded upon exploration by her nationals upon part of the coast of an island discovered by an English expedition two and one-half centuries earlier, and surveyed to the extent of 300 miles by officers of the Royal Navy, prior to the advent of any citizen of the United States.

The portions of the coast of Ellesmere Island which were first explored by citizens of the United States have been coloured as United States territory by some map-makers in that country, and the coast-line first sighted by the Sverdrup expedition has been coloured as Norwegian though, so far as known, neither the Government of the United States nor the Government of Norway has made a "public assertion of ownership" of the areas explored by their nationals, and, in the case of the United States, the lapse of a half-century should bar such claim at the present time.

Similarly, in the case of Norway, the lapse of over twenty years should also bar any claim by that nation.

Again, Kane, Hayes, Hall and Sverdrup were uncommissioned navigators. The money appropriated for the Greely expedition was for "observation and exploration in the Arctic seas," but neither he nor Kane, Hayes or Hall was commissioned to take possessions of lands in the name of the United States. Nor was Sverdrup similarly commissioned on behalf of Norway.

This clearly negatives any claim by the United States or Norway which is based upon discovery by their respective nationals.

> Hall says that: "if an uncommissioned navigator takes possession of lands in the name of his sovereign, and then sails away without forming a settlement, the fact of possession has ceased, and a confirmation of his act only amounts to a bare assertion of intention to possess, which, being neither declared upon the spot nor supported by local acts, is of no legal value."

2. *Contiguity.*

The importance of the principle of contiguity, and its applicability to the present situation, may appropriately be indicated by quotations from United States authorities:—

* Not reproduced.

† While Great Britain has never conceded such sweeping claims, it is noteworthy that, in 1827, during the Oregon Territory negotiations, the United States plenipotentiaries claimed all the country between the 42nd and 49th parallels of latitude, basing their claim upon the mere entrance into the mouth of the Columbia by a private citizen of the United States. Further, these extraordinary pretensions were put forward, although it was a matter of common knowledge that Cook and Vancouver took possession of, or touched at, various points of this portion of the mainland.

In 1824, Mr. Rush, United States Minister at London, wrote: "It will not be denied that the extent of contiguous territory to which an actual settlement gives a prior right must depend in a considerable degree on the magnitude and population of that settlement, and on the facility with which the vacant adjoining land may within a short time be occupied, settled and cultivated by such population, as compared with the probability of its being thus occupied and settled from another quarter" (quoted by Westlake, I., pp. 116-117).

In 1844, Mr. Calhoun, United States Secretary of State, wrote Mr. Pakenham, British Minister at Washington: "That contiguity furnishes a just foundation for a claim of territory, in connexion with those of discovery and occupation, would seem unquestionable. It is admitted by all, that neither of them is limited by the precise spot discovered or occupied. It is evident that, in order to make either available, it must extend at least some distance beyond that actually discovered or occupied; but how far, as an abstract question, is a matter of uncertainty . . . . How far the claim of contiguity may extend . . . . can be settled only by reference to the circumstances attending each."

In 1826, Mr. Callatin, negotiator on behalf of the United States, said:

"The actual possession and populous settlements of the valley of the Mississippi, including Louisiana, and now under one sovereignty, constitutes a strong claim to the westwardly extension of that province over the contiguous vacant territory, and to the occupation and sovereignty of the country as far as the Pacific Ocean.

"It will not be denied that the extent of contiguous territory, to which an actual settlement gives a prior right must depend, in a considerable degree, on the magnitude and population of that settlement, and on the facility with which the vacant adjoining land may, within a short time, be occupied, settled, and cultivated by such population, as compared with the probability of its being thus occupied and settled from another quarter."

As to the relative probability of settlement or control by the United States or Norway—as compared with Canada—there can be no question. Further, when the difficulties of control in the Arctic, as compared with temperate and torrid regions, are considered and when due weight has been given to such considerations, Canada's title may be claimed to be, if not unquestionable, at least much superior to that of any other nation.

The islands discovered by Sverdrup, namely, Axel Heiberg, Amund Ringnes and Ellef Ringnes, are six, eight and twenty-five miles distant, respectively, from islands which have been acknowledged as British for three-quarters of a century. In addition, they are, as already stated, simply portions of the geographical entity, known as the Canadian Arctic Archipelago.

3. *Occupation and Control.*

The decision of the arbitrators respecting the boundary between British Guiana and Venezuela recognized a principle which materially strengthens the claims of Canada. In this case, British Guiana was awarded the larger portion of the area in dispute because the British and their predecessors in title, the Dutch, had exercised a *control* over the native inhabitants of that area. The same principle was also recognized in determining the boundary between British Guiana and Brazil which was in dispute for many years.

The awards in each case recognized the principle that such control constitutes effective occupation.

Similarly, Great Britain and Canada have exercised control over the natives of the mainland of Canada and of the Arctic islands between Greenland and the 141st parallel. It is true that Ellesmere, Heiberg and the Ringnes Islands are not inhabited by natives or white men, but it is highly probable that they were so occupied by the Eskimo even in historic times and, since then, have not been occupied by any one else.

In 1670, King Charles II granted a charter to the Hudson Bay Company. By virtue thereof, the Company for two centuries exercised a proprietary government over the area covered by its charter and established posts throughout the Arctic drainage basin of the mainland. Since the sale of its rights and privileges to the British Crown, and the transfer thereof to Canada over a half-century ago, the Hudson Bay Company and other fur-trading companies have extended their operations to the Arctic islands and have established posts therein thus exercising a control over practically the whole of the native population.

The Canadian Government has established police posts on Ellesmere, Devon and Baffin Islands in the eastern portion of the archipelago and at other points in the

western portion of the area, these posts being so placed as to dominate the whole of the archipelago, thus furnishing all the control required to maintain its title.

4. *Prescription.*

The taking possession of Melville, Cornwallis and other islands of the Canadian Arctic archipelago was formally notified to the world, and for three-quarters of a century and more has been unprotested.

Reference may be made to a despatch of Lord Salisbury of 18th March, 1896:—

"There is no enactment or usage or accepted doctrine which lays down the length of time required for international prescription, and no full definition of the degree of control which will confer territorial property on a nation, has been attempted. It certainly does not depend solely on occupation or the exercise of any clearly defined acts. All the great nations in both hemispheres claim, and are prepared to defend, their rights to vast tracts of territory which they have in no sense occupied, and often have not fully explored. The modern doctrine of 'Hinterland,' with its inevitable contradictions, indicates the unformed and unstable condition of international law as applied to territorial claims resting on constructive occupation or control."

In 1904, the Government of Canada published a map showing "Explorations in Northern Canada." On that map* (copy enclosed) the boundary of the Canadian Arctic archipelago, on the east, is delineated by a line passing through the middle of Robeson Channel—waters separating the Canadian islands from Greenland—and thence northward to the Pole, and, on the west, by the 141st meridian from the mainland northward to the Pole.

This official map was published twenty-one years ago and obviously, a tacit acquiescence, during over a fifth of a century, on the part of Norway and all other nations, bars their claim to protest the Canadian claim.

In conclusion, it should be pointed out that it is obvious that the specific rules of international law that are considered by the best authorities to be applicable to the torrid and temperate zones are, in such cases as the Canadian Arctic archipelago, not applicable with the same strictness. The effect of measures of control, of contiguity and of settlement must be given very much greater weight than would normally be attached to similar measures in more temperate and habitable regions.

Against any claims by the United States or Norway to territory in the Arctic archipelago, it may be urged that, collectively, these islands form a geographic entity and that discoveries by the nationals of other nations of hitherto unknown units in this entity do not impair the title of Canada. Canada would not necessarily regard the undertaking of such explorations with disfavour any more than she would so regard explorations made on the mainland of Canada in areas that are still unexplored, provided that they be undertaken in such a way as to form an acknowledgment of her sovereignty. But Canada does not contend that the nationals of other nations should conform to the regulations and laws of Canada, particularly as such conforming does not impose any hardship upon such nationals.

The following summary of the various regulations in force in Canada applicable to explorers and others visiting northern Canadian territory has been compiled by the Department of the Interior:

1. *Customs Laws and Regulations.*—Foreign Expeditions visiting Canadian Territory are subject to the usual provisions of the Customs Laws and Regulations.
   - (*a*) Before landing supplies at a place other than Canadian Customs port of entry, all foreign goods should be reported and entered at Customs port short of destination, i.e., Sydney, Cape Breton.
   - (*b*) Coasting regulations—clearance from one Canadian port to another.

2. *Air Regulations.*—Foreign expeditions bringing Aircraft into Canada are subject to the regulations of the Royal Canadian Air Force.
   - (*a*) Application must be made for permission to enter Canada.
   - (*b*) Detailed information concerning the nature of the expedition.
   - (*c*) Plans and other information dealing with the machine, showing strength, etc., for the purpose of providing certificate of air worthiness.
   - (*d*) Name and qualifications of the pilot. Registration and markings painted on the machine, etc.

3. *Immigration.*—Section 33 of the Immigration Act requires that every passenger or other person seeking entry to Canada shall first appear before, and make application to, an Immigration officer at a port of entry, and shall answer truly all questions put to him by any immigration officer. Foreign scientists and explorers

* Not reproduced.

may not be immigrants, but the Act does not exempt non-immigrants from the necessity of examination on entry, and it is within the power of the Immigration Department to compel foreign explorers to apply for entry (Extract from letter—Assistant Deputy Minister, Immigration, 29th May, 1925—file 4427).

4. *Importation of Intoxicants under the North-West Territories Act.*—

(*a*) Special permission in writing from the Commissioner must first be obtained before intoxicants can be manufactured, compounded, or imported into the North-West Territories.

(*b*) Such intoxicants are subject to the Customs and Excise Laws of Canada.

(*c*) The penalties of such manufacture or importation are set out in part 3, chapter 62, R.S.C.—1906. (North-West Territories Act.)

5. *Game Regulations.*—Under the North-West Territories Game Act and Regulations.

(*a*) No person except a *bona fide* resident of the North-West Territories shall hunt or trap game without securing a licence.

(*a*) No person shall engage in the business of trading or trafficking in game in the North-West Territories without first securing a licence.

(*c*) Game licence holders are subject to the provisions of the North-West Game Act and regulations thereunder.

6. *Permits under the Migratory Birds Convention Act.*—

Migratory game, migratory insectivorous or migratory non-game birds or parts thereof or their eggs or nests may be taken, bought, sold, shipped, transported or possessed for scientific purposes, but only on the issue of a permit by the Minister of the Interior, or by any person duly authorized by him. Such permits may, upon application, be granted to recognized museums, or scientific societies, and to any person furnishing written testimonials from two well-known ornithologists. A return of specimens taken under such a permit shall be made to the Minister of the Interior upon the expiration of the permit.

7. *Licences or permits required by foreign scientists and explorers before entering the North-West Territories.*—

An amendment by adding the following paragraph after paragraph (p) of Section 8, of the North-West Territories Act, has passed the Commons and is now (4th June, 1925) before the Senate:—

(q) The issuing of licences or permits to scientists or explorers who wish to enter the said Territories and the prescribing of the conditions under which such licences or permits may be granted in each case, and the penalties for infractions of such conditions.

This paragraph is intended to make it necessary for foreign scientists and explorers to obtain a permit or licence from the Commissioner in Council before entering the North-West Territories.

I have, &c.,
BYNG OF VIMY.

His Excellency
The Right Honourable
Sir Esme Howard, G.C.M.G., K.C.B., C.V.O.

Sub-enclosure 3.

TELEGRAM FROM MR. CHILTON, WASHINGTON, TO LORD BYNG OF VIMY, GOVERNOR-GENERAL OF CANADA.

(Despatched 12th June, 1925.)

(No. 51.)

YOUR despatches Nos. 103 and 104.

As Dominion Government seem to fear that Macmillan Expedition may result in attempt on the part of the United States to lay claim to Axel Heiberg Island, and possibly to Ellesmere Island, I feel that it would be well to lose no time in intimating to United States Government that both these islands are regarded as being Canadian territory. Your despatch No. 103 does not state whether any police or trading posts have been established in former island. If so, I could inform State Department that such posts have been established in "Baffin Island, Ellesmere Island, Axel Heiberg Island and other sections of Canadian northern territories."

376

If not, I can, in my note to Mr. Kellog, refer to Macmillan's reported intention to fly across "certain Canadian northern territories, including Ellesmere and Axel Heiberg Islands, and to establish an advanced base in the latter."

As expedition is reported to be due to start on 17th June, I would appreciate a very early reply by telegraph.

Sub-enclosure 4.

TELEGRAM FROM GOVERNOR-GENERAL OF CANADA TO MR. CHILTON, WASHINGTON.

(Received 14th June, 1925.)

(No. 76A.)

SECRET. 13th June.

Your telegram of 12th June, No. 51.

As indicated in my telegram of 12th June, Canadian Government agree that more explicit statement should now be conveyed to United States Government.

No Canadian Police or Trading posts have ever been established on Axel Heiberg.

While Canadian Government considers this island as being her territory, it is probably area most open to question though open to question only from Norwegian and not from United States Government.

It is considered desirable, if question is raised, to state that Canadian Government claim this island, but it might be well in the first instance to limit air (?) permits to some such phrase as mentioned in my telegram of 12th June, namely, "flying over Ellesmere, Baffin and the other islands within Canadian Boundaries." It might be added that legislation formally requiring that any scientific or exploring expedition shall secure permit before entering any part of Canadian Northern territory, has been passed this month by both Houses of Canadian Parliament.

Canadian Government's steamer "Arctic" will sail this month (?) Cape Breton usual patrol and Royal Canadian Mounted troops touch various points including posts on Ellesmere Island.

Sub-enclosure 5.

(No. 627.)

SIR, British Embassy, Washington, 15th June, 1925.

I HAVE the honour to inform you that the Government of Canada have reason to believe, from statements which have lately appeared in the Press, that a scientific expedition, commonly referred to as the Macmillan Expedition, organized under the auspices of the National Geographical Society with the co-operation of the United States Navy, will shortly be leaving for the far North for the purpose of exploring and flying over Baffin, Ellesmere, Axel Heiberg, and certain other islands within the northern territories of the Dominion.

As you are doubtless aware, posts of the Royal Canadian Mounted Police have been established in Baffin and Ellesmere Islands and other sections of the Canadian northern territories, in addition to which Police patrols through the Arctic islands have created depots of provisions at various centres. There are also a number of Hudson Bay Company posts in existence at island and mainland points.

In these circumstances, and although the Dominion Government have received no intimation from the Government of the United States regarding the route of the Macmillan Expedition, or of the intention of the members thereof to carry out explorations through and over Canadian territory, they have requested me to inform you of their readiness to furnish the expedition with the necessary permits for an exploring and scientific expedition entering Canadian northern territories, and possibly desiring to fly over Baffin, Ellesmere and the adjoining islands within the boundaries of the Dominion. Legislation formally requiring scientific or exploring expeditions to secure such permits before entering any part of the Canadian northern territories was enacted by both Houses of Parliament this month.

I would also take this opportunity of assuring you of the Canadian Government's readiness to afford the Macmillan Expedition any assistance within the power of the Royal Canadian Mounted Police and the other Canadian officers in the north.

In this connexion, I would add that the Dominion Government, s.s. "Arctic," will sail at an early date on her customary northern patrol, and will carry Royal Canadian Mounted Police details and reliefs. This vessel will touch at various points and will visit the police and trading ports on Ellesmere Island.

I have, &c.,
H. G. CHILTON.

The Honourable
Frank B. Kellogg,
Secretary of State of the United States,
Washington, D.C.

Enclosure 2 in No. 77.

(No. 914.)
(Confidential.)

SIR, British Embassy, Manchester, Mass., 25th June, 1925.

IN continuation of my Confidential despatch No. 874 of the 17th instant on the subject of the Macmillan Scientific and Exploring Expedition to the Arctic regions, I have the honour to transmit to you herewith copy of a note from the United States Government replying to my communication of 15th June, a copy of which was enclosed in my despatch under reference. While it will be seen from the contents of the State Department note that I may expect to receive a more detailed reply to my representations in due course, I would draw particular attention to the wording of the opening sentence of the fourth paragraph of Mr. Kellogg's note, which runs as follows:—

> "I desire to thank you for the offer of co-operation by any Canadian agency which may temporarily be in the same territory with the Macmillan Expedition . . . ."

In this connexion you will recollect that in my note of 15th June, I specifically informed the United States Government that posts of the Royal Canadian Mounted Police had been established in Ellesmere Island, and in certain other Canadian northern territories. It occurs to me, therefore, that the use of the word "temporarily" in Mr. Kellogg's interim reply may indicate that the United States Government are not disposed, at present at any rate, to recognize the claim of the Government of Canada to sovereignty over the island in question. If this be so, it may be assumed that the Republican Government are even less likely to accept the Canadian claim to Axel Heiberg Island.

The recent departure of the Macmillan Expedition and the hints which have been dropped by the Department of State that its proposed activities have not been too well received in the Dominion of Canada have given rise to some interesting Press comment. Thus, on the 22nd instant, the *New York Times* published an editorial article on the subject, of which the following is an extract:—

> "While the activities of Macmillan are to be multifarious, the discovery of land north of Alaska which could be claimed as American territory would stand out as his greatest achievement. . . . Perhaps the new land could never be used, not even for an aeronautical station between the North American continent and Japan, but geographers would be no less elated than the plain American. The North Pole is ours (if we want it) by virtue of Peary's planting the national colours. Why shouldn't the land that has been indicated by peculiar ice formations seen in the polar sea, by significant tidal variations, and by the sight of birds' nests and eggs in the drift that comes from somewhere in the unchartered space, be found and claimed by Americans?"

On the other hand, the Washington *Evening Star*, of the same date, contained an article by Mr. David Lawrence, whom I know to be closely in touch with the Department of State, to the effect that the United States Government deprecated at the present time any discussion over any possible discoveries of land which might be made by the Macmillan Expedition. "As it is now," wrote Mr. Lawrence, "the claims of the past are very vague and permit of plenty of controversy. But the Washington Government sees no profit in arguing about it. The Canadian Government has not made formal protest to the United States, contenting itself with informal conversations on the subject with the Navy Department, which is sending the fivers to the north. . . . When Macmillan asked the status of the case, he was told there was no status. Since then, however, he has announced that he will claim

the land for the State of Maine, and a naval officer at a banquet, supposed to be speaking for Secretary Wilbur, is quoted as having asserted the Navy would back up such a claim. These statements are not taken seriously by the Washington Government, which lets it be known that discussion of the subject in advance serves no useful purpose."

A copy of this despatch is being communicated to His Excellency the Governor-General of Canada.

I have, &c.,
H. G. CHILTON.

The Right Hon. Austen Chamberlain, M.P.,
&c., &c., &c.

Sub-enclosure.

SIR, Department of State, Washington, 19th June, 1925.

I BEG to acknowledge the receipt of your note No. 627, dated 15th June, 1925, concerning the proposed Macmillan Exploring Expedition. It is the understanding of this Department that the expedition in question will sail from Wiscasset, Maine, on 20th June, directly to Etah, Greenland, and that no flights over Baffin Island are contemplated. The planes attached to the expedition are expected to fly from Etah across Ellesmere Island to Axel Heiberg Land, and to establish a base there from which exploration flights to the northward and westward may be made.

A copy of your note has been forwarded to the other interested Departments of this Government and, upon receipt of further information, I shall address a communication to you dealing with the other questions raised in your note.

In order that full information may be available for use in studying these questions, I shall be grateful if you will inform me what constitutes a post of the Royal Mounted Police, mentioned in the second paragraph of your note, and the establishment thereof; where such posts have been established; how frequently they are visited; and whether they are permanently occupied, and, if so, by whom.

I desire to thank you for the offer of co-operation by any Canadian agency which may temporarily be in the same territory with the Macmillan Expedition, and I am sure that the persons responsible for the expedition will also appreciate the kind offer of the Canadian Government. The scientific character of the expedition and the experience of those participating in it give assurance that useful data and information of value to the world will unquestionably result from their efforts.

Accept, etc.,
FRANK B. KELLOGG.

Mr. Henry Chilton, C.M.G.,
Envoy Extraordinary and Minister Plenipotentiary,
Chargé d'Affaires *ad interim* of Great Britain.

36279

No. 78.

FOREIGN OFFICE to COLONIAL OFFICE.

[*Answered by No.* 81.]

THE Under-Secretary of State for Foreign Affairs presents his compliments to the Under-Secretary of State for the Colonies and, by direction of the Secretary of State, transmits herewith copies of a despatch from His Majesty's Chargé d'Affaires at Washington on the subject of the Macmillan Expedition to Arctic regions.

Foreign Office,
7th August, 1925.

Reference to previous correspondence: Foreign Office letter of 16th July.*

---

* No. 76.

Enclosure in No. 78.

(No. 1244.)

SIR, British Embassy, Manchester, Mass., 24th July, 1925.

I HAVE the honour to transmit to you, herewith, copies of a despatch from the Department of State, Washington, regarding certain laws of the Arctic Ocean and the posts of the Royal Canadian Mounted Police established therein.

I have, &c.,
(For the Ambassador),
H. G. CHILTON.

His Majesty's Principal Secretary of State for Foreign Affairs,
Foreign Office,
London.

Reference: Embassy despatch No. 1183 of 2nd July, 1925.*

SIR, Department of State, Washington, 18th July, 1925.

I BEG to acknowledge the receipt of your note No. 676 dated 2nd July, 1925.† concerning certain laws of the Arctic Ocean and the posts of the Royal Canadian Mounted Police established therein.

The questions raised by your note No. 627, of 15th June, 1925,‡ and by the note under acknowledgment, are receiving the careful consideration of this Government and a reply thereto will be forwarded when the necessary study of this matter has been completed.

Accept, &c.,
FRANK B. KELLOGG.

Mr. Henry Chilton, C.M.G.,
Envoy Extraordinary and Minister Plenipotentiary,
Chargé d'Affaires *ad interim* of Great Britain.

38492

No. 79.

FOREIGN OFFICE to COLONIAL OFFICE.

[*Answered by No.* 81.)

(Confidential.)

THE Under-Secretary of State for Foreign Affairs presents his compliments to the Under-Secretary of State for the Colonies and, by direction of the Secretary of State, transmits herewith copies of a despatch from His Majesty's Minister at Washington on the subject of the Macmillan Expedition to Arctic regions.

Foreign Office,
20th August, 1925.

Reference to previous correspondence: Foreign Office letter of 7th August.§

Enclosure in No. 79.

(No. 1265.)
(Confidential.)

SIR, British Embassy, Manchester, Mass., 4th August, 1925.

I HAVE the honour to transmit to you herewith copies of a despatch to the Acting Governor-General of Canada on the subject of an interview between Norwegian Chargé d'Affaires and Resident Secretary at Washington regarding Macmillan Expedition.

I have, &c.,
H. G. CHILTON.

His Majesty's Principal Secretary of State for Foreign Affairs,
Foreign Office,
London.

Reference: Embassy despatch No. 1244 dated 24th July, 1925.‖

---

* Enclosure in No. 76. † Sub-enclosure in No. 76. ‡ Sub-enclosure 5 in Enclosure 1 in No. 77. § No. 78. ‖ Enclosure in No. 78.

378

(No. 316.)
(Confidential.)

SIR, British Embassy, Manchester, Mass., 4th August, 1925.

WITH reference to my despatch No. 313 of the 24th ultimo, and to previous correspondence regarding the Macmillan Expedition to the Arctic regions, I have the honour to inform you that the Norwegian Chargé d'Affaires called at His Majesty's Embassy in Washington on 31st July and inquired of the Resident Secretary whether any reliance could be placed upon reports which had reached him through the Norwegian Consul in Montreal and the Associated press that the Dominion Government had addressed an official communication to the United States Government setting out their views as regards the sovereignty of territory which might be traversed or discovered by the Expedition in question in the far north.

Mr. Steen was informed that the question of sovereignty over these regions had not formed the subject of discussions between the Governments of Canada and of the United States, whereupon he replied that if it were raised the Norwegian Government would be interested as the Islands of Axel Heiburg and Ellesmere had originally been discovered by Norwegian explorers.

I have, &c.,
H. G. CHILTON.

The Hon. Francis A. Anglin, K.C.,
Acting Governor-General of Canada,
Ottawa.

33143

No. 80.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 86.]

(Secret.)

MY LORD, Downing Street, 31st August, 1925.

I HAVE the honour to inform Your Excellency that the Secretary of State for Foreign Affairs has received from His Majesty's Embassy at Washington copies of correspondence with you regarding the United States Macmillan Expedition to the Arctic Regions and the claims of the Dominion Government to the territories lying north of the Canadian mainland as far as the North Pole.

2. The Secretary of State for Foreign Affairs, who has read the correspondence with much interest, has suggested that as, in the event of any conflict of view arising in future between the United States and Canada with regard to the regions in question, it would be a matter of importance to establish the facts of discovery, occupation, etc., and it would be useful if all the available evidence and material of this nature could be collected and placed on record in some form that would render it readily available at any time.

3. I have asked the Hydrographic Department of the Admiralty to prepare a memorandum,* for communication to your Ministers, containing any information bearing on the subject that may be in the possession of that Department, supplementary to the information contained in your Secret despatch of the 4th of June† to Sir Esmé Howard and the memorandum‡ compiled in 1904 by Dr. W. F. King in connexion with the question of the status of Hudson Bay (see Lord Minto's despatch of 23rd June, 1904§). If your Government have already taken steps for the compilation of a memorandum on similar lines, I should be glad to be furnished with a copy for communication to the Hydrographic Department, with a view to avoiding duplication of labour.

I have, &c.,
L. S. AMERY.

---

* See Enclosure 1 in No. 84, Confidential Print No. 9449. † Sub-enclosure 2 in Enclosure 1 in No. 77. ‡ See Foreign Office § 23704/04: not printed; it enclosed a copy of the memorandum in question.

33143

No. 81.

DOMINIONS OFFICE to FOREIGN OFFICE.

SIR, Downing Street, 31st August, 1925.

I AM directed by Mr. Secretary Amery to acknowledge the receipt of your letters of the 20th of July,* the 7th of August,† and the 20th of August,‡ forwarding copies of despatches from his Majesty's Chargé d'Affaires at Washington regarding the United States Macmillan Expedition to the Arctic Regions, and the claims of the Canadian Government to the territories lying north of the Canadian Mainland as far as the North Pole, and to transmit to you, for the information of Mr. Secretary Chamberlain, the enclosed copies of a despatch§ which has been addressed to the Governor-General of Canada, and of a letter‖ to the Admiralty.

2. It is proposed to communicate to the Canadian Government full information as to the position in regard to the Antarctic regions. They have already asked for this, and it is obviously desirable that they should have it before them when considering the position in regard to the Arctic regions.

3. It will be observed that in the despatch to the Governor-General Mr. Amery has not incorporated the observation made in paragraph 2 of your letter of the 20th July* to the effect that any dispute between Canada and the United States with regard to the ownership of the lands now in question will turn on the facts of discovery and occupation, etc., more than on diplomatic correspondence. It does not seem to him to be desirable to interfere with the discretion of the Canadian Government as to the selection of the material which it should bring forward in support of its case.

4. As a matter of fact it would appear that there is much material of a diplomatic character which the Canadian Government could use effectively to defend its claim against any pretensions of the United States. The whole history of the boundary between Canada and the United States is, in fact, inconsistent with any idea of a new boundary with the United States being set up to the North. Apart from this general consideration the following facts appear to be relevant :—

(1) The United States negotiators of the Treaty of 1818 insisted on obtaining a liberty to fish on the coast of Labrador indefinitely northwards, thereby implying that the British jurisdiction on the eastern part of the North American Continent had a similar extent.

(2) Reference is made in the Governor-General's despatch of the 4th June¶ to the United States-Russian Treaty of 1867. The views indicated were adopted by His Majesty's Government in the Behring Sea Arbitration. In the British Case (Parliamentary Paper United States No. 1 of 1893) it was submitted (pages 98-99) with regard to the western line of delimitation laid down in the 1867 Treaty :—"It is therefore very clear that the geographical limit thus projected towards the North could have been intended only to define the ownership of such islands, if any, as might subsequently be discovered in this imperfectly explored ocean; and when therefore the Treaty proceeded to define the course of 'the same western limit' (*cette limite occidentale*) from the initial point in Behring Strait to the southward and westward across Behring Sea, it is obvious that it continued to possess the same character and value." In his speech before the Tribunal on the 1st June, 1893, Sir Richard Webster (Proceedings, page 1283) said in the same connection :—

> "Would you let me run the pointer along that line, Mr. President? It goes over 20 degrees of latitude right up to the North Pole. They have got all the islands on the right hand side of that line. If there are islands on the east of that line, whatever they are, the United States have got them."

The provisions in the Anglo-Russian Treaty of 1825 as to the 141st Meridian were incorporated in the Treaty of 1867, and must obviously be interpreted in the same manner. It may also be mentioned that in his note of 17th December, 1890 (C. 6253), Mr. Blaine, speaking of the provisions in the 1825 Treaty regarding the 141st Meridian, said (page 45) that the British negotiators might have described their attitude as follows :—

* No. 77. † No. 78. ‡ No. 79. § No. 80. ‖ No. 82. ¶ Sub-enclosure 2 in Enclosure 1 in No. 77.

> "As to the body of the Continent above the point of intersection at the 141st degree of longitude, we know nothing, nor do you. It is a vast unexplored wilderness. We have no settlements there and you have none. We have therefore no conflicting interests with your Government. The simplest division of that territory is to accept the prolongation of the 141st degree of longitude to the Arctic Ocean as the boundary. East of it the territory shall be British. West of it the territory shall be Russian."

This passage of the note related only to the land boundary, but it would have been clearly incompatible with the whole scheme of the settlement with Russia, if Russia had been free to annex islands eastward of the 141st Meridian.

5. According to a Washington telegram published in the *Sunday Times* of 23rd August, Captain Macmillan's Expedition has been ordered southward.

I am, &c.,
C. T. DAVIS.

33143

No. 82.

DOMINIONS OFFICE to ADMIRALTY.

[*Answered by No. 84*]

SIR, Downing Street, 31st August, 1925.

I AM directed by Mr. Secretary Amery to transmit to you, to be laid before the Lords Commissioners of the Admiralty, the accompanying copy of correspondence,* as noted in the margin, regarding the United States Macmillan Expedition to the Arctic Regions and the claims of the Canadian Government to the territories lying north of the Canadian mainland as far as the North Pole.

From Foreign Office, 23rd June, 1925.
To Foreign Office, 9th July, 1925.
From Foreign Office, 16th July, 1925.
From Foreign Office, 20th July, 1925.
From Foreign Office, 7th August, 1925.
From Foreign Office, 20th August, 1925.
To Foreign Office, 31st August, 1925.
To Governor-General Canada, 31st August, 1925.

2. It will be seen from Foreign Office letter of 20th July,† that the Secretary of State for Foreign Affairs has expressed the opinion that, in the event of any conflict of view arising in future between the United States and Canada with regard to the regions in question, it would be a matter of importance to establish the facts of discovery and occupation, and that this point has been put to the Dominion Government.

3. Mr. Amery would be grateful if a memorandum could be furnished by the Hydrographic Department containing any information bearing on the subject that may be on record in that Department, supplementary to the information contained in the Governor-General's despatch of 4th June to His Majesty's Ambassador at Washington (enclosure in Foreign Office letter of 20th July†), and the memorandum compiled in 1904 by Dr. W. F. King, Chief Astronomer of the Dominion of Canada, in connexion with the question of the status of Hudson Bay. A copy of Dr. King's memorandum‡ is enclosed herewith for convenience of reference.

I am, &c.,
C. T. DAVIS.

40833

No. 83.

FOREIGN OFFICE to COLONIAL OFFICE.

THE Under-Secretary of State for Foreign Affairs presents his compliments to the Under-Secretary of State for the Colonies and, by direction of the Secretary of State, transmits herewith copies of a despatch from His Majesty's Minister at Washington on the subject of the Macmillan Expedition to Arctic Regions.

Foreign Office,
7th September, 1925.

Reference to previous correspondence : Foreign Office letter of 20th August.§

* Nos. 74-81. † No. 77. ‡ Not reprinted; see Foreign Office Confidential Print No. 8449. § No. 79.

Enclosure in No. 83.

(No. 1307.)

SIR, British Embassy, Manchester, Mass., 21st August, 1925.

WITH reference to my despatch No. 1265 of the 4th instant,* I have the honour to report a statement in to-day's press to the effect that no further attempts will be made by the Macmillan Expedition to explore by air the vast stretches of sea and land lying to the westward of their base at Etah, Greenland. It appears that aeroplanes have proved of little use, in addition to which the weather conditions have been entirely unfavourable. It is expected that the Macmillan Expedition will leave for the United States early in September, carrying out on their way home flights and explorations over Baffin Land and Labrador.

A copy of this despatch is being communicated to the Governor-General of Canada.

I have, &c.,
H. G. CHILTON.

The Rt. Hon. Austen Chamberlain, M.P.,
&c., &c., &c.

44978

No. 84.

ADMIRALTY to DOMINIONS OFFICE.

(Confidential.)

SIR, Admiralty, S.W.1, 2nd October, 1925.

WITH reference to your letter of the 31st August, 1925,† regarding the claims of the Canadian Government to territories in Arctic regions, I am commanded by My Lords Commissioners of the Admiralty to transmit herewith, for the information of the Secretary of State, some notes on Dr. King's memorandum of 1904‡ and the Governor-General's despatch of 4th June, 1925,§ which have been compiled in the Hydrographic Department.

These notes contain a certain amount of supplementary information and bring the memorandum as far up-to-date as is possible with the information available in this Department, which possesses practically no *unpublished* material relative to Arctic exploration.

I am to add that in some respects the opinions expressed in both the memorandum and the despatch appear open to criticism, but it has not in general been thought necessary to discuss these, except as relating to the geographical facts involved.

I am, &c.,
CHARLES WALKER.

Enclosure 1 in No. 84.

NOTES ON DR. KING'S MEMORANDUM "THE BRITISH TITLE TO THE ISLANDS AND WATERS NORTH OF THE CANADIAN MAINLAND."‡

(See Lord Minto's Confidential despatch of 23rd June, 1904.‖)

THE following notes correct various points of detail in the above memorandum. It should be noted, however, that it has largely been compiled from works, such as Barrow's "Voyages into the Arctic Regions," which are themselves compilations—and not from the original publications.

In general, the corrections have been confined to points of geographical and historical fact.

(*Introduction.*)

Page 2, *line* 28.—The suggestion that the United States of America may wish to claim Greenland need not now be considered, as Denmark has obtained practically general recognition of her sovereignty over the whole of Greenland.

Line 50.—The distinction drawn between acts of taking possession performed by private explorers and by the officers of Government expeditions is theoretically correct, but not of much practical importance. Territorial claims based upon

* Enclosure in No. 70. † No. 82. ‡ See Foreign Office Confidential Print No. 8449. § Sub-enclosure 2 in Enclosure 1 in No. 77. ‖23704/04: not printed; it enclosed a copy of the memorandum.

discovery only have generally proved of little force, whatever the status of the discoverer.

Page 3, *line* 19.—The arguments to be drawn from the evidence afforded by maps are of little value, unless the authority for any particular national colouring is quoted on the map or can be otherwise traced—failing this, there is no evidence that the attribution is not either biassed or a matter of guesswork.

Page 3, *line* 38.—The claim that all the inland seas, etc., enclosed among the islands of the Archipelago should be regarded as territorial waters will now need reconsideration in the light of the discussions at the Imperial Conference, 1923, and the subsequent correspondence.

(*Geographical discussion, page* 5 *onwards.*)

Page 5, *lines* 3-5.—It is now known that "Bell Island" forms part of Southampton Island.

Pages 5 *and* 6.—General remarks *re* whaling stations. So far as the information in this Department extends, many of these stations are still occupied to some extent, but it is understood that whaling on the eastern side of the Archipelago has considerably diminished.

Page 6, *line* 7 *from bottom.*—The survey of the coastline of Victoria Land and Prince Albert Land has now been practically completed, by Hansen, of Amundsen's Expedition, in 1905, and Storkerson, of Stefansson's Expedition, in 1917.

Page 7.—In view of the large number of occasions on which "Ross" is credited with having formally taken possession of various areas, it should be noted that no distinction is made between Captain John Ross, R.N., and Commander J. C. Ross, R.N., his nephew, who accompanied him, and did most of the exploring work of the expedition. Neither was officially employed by the British Government, the expedition being a private venture.

(*Enclosure* 4, *page* 10 *onwards.*) *General remarks.*—It has not been thought necessary to point out in detail slight misprints, such as Hartsene for Hartstene, Mechem for Mecham, etc., as these are generally correctly printed elsewhere in the memorandum. One or two of the early voyages (e.g., James' of 1631) are put down as "Public" although actually financed by private subscribers, but in those times it was not easy to draw any distinction between public (i.e., official) and private ventures.

Page 15, *column* 1, "Back, English, Public" (1833-35).—This was in reality a private expedition, although the Government subscribed to it. It was designed for the relief of the Rosses, who had then been missing nearly four years.

Page 16, *column* 1.— "Pullen, English, Public." This should be "Kellett & Moore, English, Public." Pullen was a lieutenant of the expedition.

Page 17, *column* 1 *and Narrative.*—"Haven" should be "De Haven."

Page 21 (*Hayes' voyage*).—The statement that Hayes reached lat. 81°35′ N. is exceedingly doubtful. His chart was afterwards found to be very inaccurate. His probable furthest north was approximately 80°11′ N.

Page 27, *column* 1 (*Sverdrup's Expedition*).—This was not an official expedition, as stated. The Norwegian Government lent Nansen's ship, the "Fram," and paid for her refit. The expenses of the expedition were subscribed for by Messrs. Axel Heiberg and Ringnes Bros.

NOTES, SUPPLEMENTARY TO DR. KING'S MEMORANDUM, *re* LATER EXPLORATIONS IN THE CANADIAN ARCTIC ARCHIPELAGO.

THE following is a short list of expeditions which are known to have worked in the Canadian Archipelago since 1904, when Dr. King's memorandum was compiled. It should be noted, however, that in the majority of cases very little information as to the work of these expeditions is available in this Department, and that the more important expeditions (those of Bernier and Stefansson) were working for the Canadian Government, who presumably have better information concerning their work than any other body can possess.

Amundsen.

In 1903-1905, R. Amundsen (Norwegian) made the N.W. Passage, in the "Gjoa," traversing Lancaster Sound, Pell Sound, Franklin Strait, and wintering on the E. side of K. William Id., thence through Dolphin and Union Straits. Hansen, of this expedition, discovered a short stretch of new coastline N. of Victoria land, which he named K. Haakon VII land. It is not specifically stated in Hansen's

published account of this trip whether formal possession was taken of this discovery or not, but there is no likelihood of any Norwegian claim to it being put forward.

Low ("Neptune").

In 1903-04 the (Canadian) D.G.S. "Neptune" made the first of a series of voyages promoted by the Canadian Government for the purpose of patrolling the waters of the Archipelago, administering justice, etc. The itinerary of the voyage was chiefly confined to the waters of Baffin's Bay and Smith Sound entrance.

Harrison.

In 1905-07 A. H. Harrison (English) endeavoured to explore the Beaufort Sea area (the large unexplored region westward of the Archipelago), and made a voyage from the mouth of the Mackenzie River to Banks Island, but discovered no new land.

Bernier (1).

In 1906-07 D.G.S. "Arctic" under Capt. J. E. Bernier made the first of several similar voyages to that of the "Neptune," hoisting the flag at the S. end of Ellesmere Island and at numerous points in Barrow Strait.

Leffingwell-Mikkelsen.

In 1907 Leffingwell and Mikkelsen made a sledge journey over the ice into the Beaufort Sea, but only reached 72° N. in 149 W. No land was seen.

(Storkerson, in 1918, reached 74° N. in the same longitude, also without sighting land.)

Rasmussen.

In 1907 Knud Rasmussen, a Dane, crossed from Greenland to Ellesmere Island. No details are available in this Department of this expedition, which was one of a series made by the same explorer, directed chiefly towards the exploration of N. and W. Greenland.

Bernier (2).

In 1908-09 Capt. Bernier, in the D.G.S. "Arctic" made a second voyage, reaching further W. than that of 1906-07, and hoisting the flag on Banks Island, Melville Island, and P. Albert Land, as well as in Barrow Strait and at the S. end of Ellesmere Island.

Bernier (3).

In 1910 Capt. Bernier made a third patrol and exploring voyage in the "Arctic," making extensive discoveries in Prince Regent, Admiralty and Pond Inlets.

It is understood that this officer has since been employed in further patrol work in the Archipelago, but no information is available as to the exact regions visited.

Stefansson.

In 1913-18 V. Stefansson, acting under the Canadian Government, made extensive explorations in the Archipelago, discovering Brock, Borden, Meighan and other Islands, and correcting a good deal of Sverdrup's charting of his discoveries, especially in the region of the Ringnes Islands and K. Christian Island.

Macmillan.

In 1913-17 D. P. Macmillan, with the American "Crocker Land" Expedition, made considerable explorations in Ellesmere Island and its vicinity. In 1914, starting from Etah, in N.W. Greenland, he crossed Ellesmere Island to C. Thos. Hubbard in Axel Heiberg Island, and thence to the reported position of Peary's "Crocker Land" in the Beaufort Sea (approximately 83° N. 103° W.) which was not found.

In 1916 Ekblaw of this expedition crossed Ellesmere Island, while Macmillan visited A. Ringnes and Christian Islands. In 1917 a detailed survey was made of part of the E. coast of Ellesmere Island.

Rasmussen (2).

In 1922-24 Rasmussen conducted his "5th Thule Expedition" (the fifth to start from his base at Thule, N.W. Greenland). Its route is understood to have embraced a considerable portion of the E. end of the Archipelago, but details of this have not yet been received in this Department, with the exception of a preliminary chart of the region between Admiralty Inlet and the W. coast of Baffin Land.

381

Enclosure 2 in No. 84.

NOTES ON THE GOVERNOR-GENERAL'S DESPATCH TO WASHINGTON, No. 104 OF 4TH JUNE, 1925.*

(*Introductory Portion, p.* 3).—It is thought probable that Macmillan's selection of Axel Heiberg Island as a base for his aeroplanes is due simply to his knowledge of the vicinity, gained during the Croker Land Expedition of 1913-17, which he commanded. This employed practically the same plan—a base at Etah, Greenland, and an advanced base at Cape Thomas Hubbard, Axel Heiberg Island, crossing Ellesmere Island en route. Both for the purposes of the Croker Land expedition and his present one, Axel Heiberg Island is well situated as a convenient jumping-off place into the unexplored region of the Beaufort Sea. It is suggested that these considerations fully account for the Macmillan Expedition crossing Axel Heiberg and Ellesmere Islands, without it being necessary to conclude that these were specially selected because Canada's title to them was considered weaker than that to the remainder of the Archipelago.

It may be pointed out that it is at least doubtful whether any land larger than a small island exists in the Beaufort Sea—that land of continental character exists there is very improbable. In any case, it would be just as likely to lie to the W. of meridian 141° W.—and, hence, to be *prima facie* American—as to the E., while the ice conditions of that region render the existence of land in it a point of no commercial importance.

(*Discovery, p.* 5.)—So far as the title conferred by discovery goes, it is probably true that the great majority of the islands forming the Archipelago should be British, and hence Canadian. But it may be pointed out that while, for example, Baffin undoubtedly sighted part of the S.E. coast of Ellesmere Island in 1616, it does not convey a quite correct impression to state that he discovered Ellesmere Island in that year. Its configuration and extent—even the fact that it was an island—were not fully known until over two and a-half centuries later. As regards the actual extent of its coastline explored by other navigators, both America and Norway have claims comparable to that of this country.

In any case, claims based upon discovery only are of little force compared with those based upon occupation or control. It is thought that the establishment by Canada of posts upon Ellesmere Island and others of the Archipelago constitutes a much more effective claim to their ownership, and (here contiguity may reasonably be pleaded) to that of the remainder, than any number of arguments based upon prior discovery only.

44978

No. 85.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Secret (2).)

MY LORD, Downing Street, 20th October, 1925.

WITH reference to my Secret despatch of the 31st August,† regarding the United States Macmillan Expedition to the Arctic Regions and the claims of the Dominion Government to the territories lying north of the Canadian mainland as far as the North Pole, I have the honour to transmit to Your Excellency, for the information of your Ministers, the accompanying copies of notes‡ compiled in the Hydrographic Department of the Admiralty on the subject.

2. It is observed from Mr. Chilton's despatch No. 1307 of the 21st August,§ of which it is understood that a copy has been communicated to you, that the Macmillan Expedition has now been abandoned.

I have, &c.,
L. S. AMERY.

---

* Sub-enclosure 2 in Enclosure 1 in No. 77. † No. 80. ‡ Enclosures in No. 84.
§ Enclosure in No. 83.

47478

No. 86.

CANADA.

THE DEPUTY GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 21st October, 1925.)

(Secret.)

SIR, Ottawa, 9th October, 1925.

WITH reference to your Secret despatch of the 31st August,* on the subject of the United States Macmillan Expedition to the Arctic regions and the claims of the Canadian Government to Arctic territories, I have the honour to convey the thanks of the Canadian Government to you for arranging to have a memorandum prepared by the Hydrographic Department of the Admiralty containing any information on the subject in the possession of that Department.

Steps have been taken for the compilation of a more comprehensive memorandum and it is expected that it will be completed shortly after the return to Canada this month of the officials in charge, when copies will be duly forwarded.

It is thought that it may be of interest to you to note a sympathetic discussion on this subject in the October issue of a United States periodical *Foreign Affairs* written by Mr. David Hunter Miller of New York after an interview with Mr. James White of the Canadian Department of Justice. Accordingly, two copies of this review† are sent herewith.

I have, &c.,
FRANK A. ANGLIN,
Deputy Governor-General.

58028

No. 87.

FOREIGN OFFICE to DOMINIONS OFFICE.

THE Under-Secretary of State for Foreign Affairs presents his compliments to the Under-Secretary of State for the Dominions, and, by direction of the Secretary of State, transmits herewith copies of a despatch from His Majesty's Ambassador at Washington on the subject of the projected United States trans-polar flight.

Foreign Office,
24th December, 1925.

(Similar letter sent to Air Ministry and Colonial Office.)

Enclosure in No. 87.

(No. 1847.)

SIR, British Embassy, Washington, D.C., 4th December, 1925.

I HAVE the honour to transmit herewith a copy of a despatch which I have received from His Majesty's Consul in Detroit, in which he reports the details of a meeting of prominent citizens of Detroit interested in aviation, which may prove of some interest to the appropriate Department of His Majesty's Government.

2. Captain Christie, the Air Attaché to this Embassy, to whom this despatch was shown, is inclined to attach little importance to the proposed plan for flying across the North Pole to Spitzbergen, since, in the first place, the extreme range of flight of a modern aeroplane is 2,200 miles, and the estimated distance of the proposed flight being 1,950 miles scarcely leaves a workable margin for error, bad weather, etc. In the second place, Captain Christie points out that it would presumably be necessary to land in order to place a flag on the land which it is hoped to find between Point Barrow and the North Pole, and that previous experience has shown that it is almost impossible to effect a safe landing in those regions. Finally, even the avowed object of the trip, which is the planting of an American flag on land believed to exist as stated above between Point Barrow and the North

* No. 80. † Not reprinted.

Pole, would not appear to be worthy of very serious consideration, since, as I understand it, the planting of a flag on territory without subsequent occupation cannot be held to establish any claims to ownership.

3. Nevertheless, I have thought it desirable to forward to you a copy of this report, in order that it may be on record, should the plan proposed therein in fact be carried out.

I have, &c.,
ESMÉ HOWARD.

The Rt. Hon. Sir Austen Chamberlain, K.G., M.P.,
&c., &c., &c.

(Confidential. No. 24.)

SIR, British Consulate, Detroit, Mich., 25th November, 1925.

I HAVE the honour to report details of a meeting of prominent citizens of Detroit interested in aviation which was held in a private room, and of which nothing has transpired in the newspapers. These details have been obtained from a thoroughly reliable source and have been given me confidentially. They are as follows:—

2. Present were Henry Ford, W. B. Mayo, chief engineer of the Ford Motor Company, L. Buhl, representing one of the wealthiest Detroit families, W. B. Scripps, a leading newspaper proprietor, Harold Emmons, Howard Coffin, Anthony Fokker (the Dutch aeronaut), E. Muller, Managing Editor of the *Detroit News*, Major Pickering, General Manager of the North American Newspaper Alliance, Captain Wilkins (who is, or was, an Australian, and claimed to have accompanied Shackleton on one of his Antarctic voyages), and a few others.

3. Major Pickering and Captain Wilkins presented a plan for flying, early in March, in an aeroplane, from Point Barrow, Alaska, the northernmost point of the North American mainland, across the North Pole to Spitzbergen, a total distance of 1,950 miles, the object of the trip being to place an American flag on any land which (as scientists believe) exists between Point Barrow and the North Pole, the theory being that this land will be of immense strategic importance when trans-polar flights become common and the Arctic Circle becomes a common route for inter-continental transportation.

4. It was stated at the meeting that Amundsen is planning a similar attempt in a semi-rigid Italian airship and that there is reason to believe that the French are contemplating this venture for the spring; and that therefore the American flight should be made as early as weather conditions would permit which it was hoped would be early in March.

5. Major Pickering announced that the North American Newspaper Alliance would contribute $25,000.00, and Captain Wilkins stated that he would personally give $15,000.00 towards the expenses, and it was agreed that the others present would supply $50,000.00 so as to make up the $90,000.00 which, it was estimated, would be needed.

6. During the discussion as to the kind of aeroplane to be used, Mr. Fokker stated that he had an aeroplane in Europe which he could bring over to the United States in two months, and which he felt confident could make the flight. Mr. Evans suggested that the Sikorsky plane now under construction in New York might be able to negotiate the trip. (This detail was left over for further consideration.)

7. At the meeting a question was asked about Canada's possible attitude, but the topic was not pursued.

I have, &c.,
JOHN CAMERON.

Sir Esmé Howard, G.C.M.G., K.C.B., C.V.O.,
His Britannic Majesty's Ambassador to the United States,
British Embassy, Washington, D.C.

ARMAMENTS, LIMITATION OF

(1) Proposed Naval Disarmament Conference at Washington.

9442

No. 88.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 10 p.m., 23rd February, 1925.)

TELEGRAM.

[*Answered by Nos.* 90, 91, 92, 93 *and* 94.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

SECRET. Following from Prime Minister for your Prime Minister:—

Begins: British Ambassador at Washington recently reported that possibility of further Disarmament Conference had been considerably discussed in United States, and that, in event of President issuing invitations to Conference limited to Naval Disarmament, there was little doubt that he would be supported by practically unanimous opinion of country. Sir Esmé Howard expressed opinion that, provided circumstances in Europe and Japan not unfavourable, it seemed almost certain that some such proposal would emanate from United States Government before end of present year. Retiring United States Ambassador in course of farewell conversation with Secretary of State for Foreign Affairs prior to his departure to take up post of Secretary of State at Washington, referred to question of Disarmament, and Mr. Kellog and Mr. Chamberlain agreed in thinking that there was little or no prospect of Continental Powers agreeing to Conference at Washington on question of land armaments, but Mr. Chamberlain thought better prospects might attend Conference similar to that of 1921-22 summoned to deal further with limitation of naval armaments. Matter has been considered by Cabinet, and our strong view is that, especially as prospect of disarmament Conference under auspices of League of Nations in which United States would participate now seems remote, suggestion for further Conference at Washington on Naval Disarmament should be welcomed as step towards checking International competition in armaments and lessening risk of future wars. Accordingly, it is proposed to send to British Ambassador despatch of which following is summary:—

Begins: In course of farewell conversation between United States Ambassador and Secretary of State for Foreign Affairs prospects of further disarmament and possibility of holding another Conference at Washington to continue and develop work of 1922 Conference were touched upon. Unnecessary to mention how gladly British Government and other Governments of the Empire availed themselves of the opportunity of participating in that Conference or their hearty and immediate response to general scheme proposed by United States Secretary of State. No Governments more readily accepted nor have any more loyally fulfilled obligations then subscribed by most important naval powers. Decisions of Conference have done much to restrict growth of fresh International competition in naval armaments, and to relieve burden of taxation which would otherwise have fallen to be borne by tax-payers of respective countries. British Ambassador is asked to repeat formally to United States Secretary of State assurance given in conversation to United States Ambassador that His Majesty's Government would cordially welcome summoning of a new Conference to be held at Washington, and would most readily join with the other great naval powers in further limiting naval armaments and expenditure. It will be for convening Power to consider in what directions progress may be most readily achieved. Obvious that there are geographical and other reasons for which ratio already agreed on for capital ships could not be applied to case of cruisers. But His Majesty's Government have no doubt that with

co-operation of the other Naval Powers further substantial progress could be made. In particular, and without excluding other matters, it would seem to His Majesty's Government that discussion on all or any of following points might well lead to an agreement which would sensibly relieve burdens on national finances and lessen danger of war:—

(1.) Dimensions and armament of cruisers.
(2.) Armament of aircraft carriers.
(3.) Total number dimensions and armament of submarines.
(4.) Dimensions and armament of destroyers. *Ends.*

Before despatch is sent we should be glad to know whether you concur in our general attitude and have any observations on terms of proposed communication. If the Conference takes place we should attach much importance to arranging for British Empire Delegation, including separate representation of Dominions, on lines adopted at Paris Peace Conference and at Washington in 1921.

Similar telegram sent to other Prime Ministers. Baldwin. *Ends.*

—AMERY.

9442

No. 89.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 95.]

(Secret.)

SIR, Downing Street, 24th February, 1925.

I HAVE the honour, at the instance of the Prime Minister, to transmit to Your Excellency, for communication to the President of the Executive Council, a copy of a telegram* to the other Dominions with regard to a suggestion for a further Conference at Washington to deal with Naval Disarmament.

2. The Prime Minister would be glad to know whether the President of the Executive Council concurs in the general attitude described in this telegram and whether he has any observations on the terms of the proposed despatch to His Majesty's Ambassador at Washington summarized therein.

I have, &c.,
L. S. AMERY.

9983

No. 90.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 10 p.m., 2nd March, 1925.)

TELEGRAM.

SECRET. 2nd March. Your telegram 23rd February.* Disarmament Conference. My Prime Minister concurs.—ALLARDYCE.

10258

No. 91.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.32 a.m., 4th March, 1925.)

TELEGRAM.

4TH MARCH. Secret. Following for Prime Minister from my Prime Minister:—

Begins: Your telegram 23rd February.* My Government cordially welcome proposal for a further Disarmaments Conference at Washington to

* No. 88.

develop the work of the 1922 Conference, and (subject to modification(s) suggested later) concur in the terms of proposed despatch to His Majesty's Ambassador at Washington.

A discussion on particular points mentioned by you would at this stage almost certainly result in an appreciable reduction of armaments and considerably relieve the burden on the national finances of the countries concerned. In this connexion we believe the atmosphere in which such a conference would open is better than that in which the 1922 Conference opened. The excellent results achieved at the latter Conference and the manner in which the agreement arrived at has been carried out give assurance of success in developing the work already done.

The Commonwealth Government, however, whilst cordially welcoming proposal(s) and intimating its desire to be represented thereat along the lines suggested by you, i.e., by a British Empire delegation, including separate representation of the Dominions, would like to know the date of the suggested conference and its probable duration in order that the question of representation can be further considered.

Government further suggest that before final acceptance is given, as you apparently concur in principle that the United States as convening nation will decide in what direction progress is most likely to be achieved, Agenda should be first submitted to all the Powers interested. The lines suggested by you are generally acceptable and even welcome to us and provided the Empire is amply safeguarded by reservations with regard to the Agenda we concur. *Ends.*

—FORSTER.

10402

No. 92.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4.15 p.m., 4th March, 1925.)

TELEGRAM.

4TH MARCH. Secret. Your telegram of 23rd February, Secret,* regarding the possibility of a further Disarmament Conference. Following message for Prime Minister from my Prime Minister:—

Begins: I, in conjunction with my colleagues, have carefully considered your message of 23rd February* and concur in the general attitude of your Government as therein indicated and have no further observations to make to it at present. I desire, however, to refer you to the correspondence which took place in 1921 between General Smuts, then Prime Minister of the Union, and the then Prime Minister of Great Britain, Mr. Lloyd George, anent the Washington Conference then about to be held, and to express the hope that advantage will be taken of the present opportunity to induce the American Government to comply with the wishes of the Union and with those of (the) other Dominions, where those wishes are shared by them, for direct invitation to the Dominion(s) Representative(s) to the Conference contemplated.

I fully share the view(s) expressed by General Smuts on this matter as will also appear from Ministers communication(s) of 22nd January, 1925,† to the British Government.

I wish it, however, to be understood that as yet we have not decided whether we shall be represented at the contemplated conference or not. *Ends.*

Communication of 22nd January referred to by Prime Minister is the Minute which forms the enclosure in my despatch of 27th January, Confidential, 1925.‡

---

* No. 88. † Enclosure in No. 281. ‡ No. 281.

10948

No. 93.

384

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6.5 a.m., 8th March, 1925.)

TELEGRAM.

7TH MARCH. Following from Prime Minister for your Prime Minister:—

Begins: Your telegram 23rd February,* your telegram 24th February.† If there appears no likelihood of a conference for reduction of armaments under the League of Nations with United States participating and without prior acceptance of Protocol, and if there does appear likelihood that proposed Washington Naval Conference would lead to substantial results, we should concur in general attitude of sympathy towards latter proposal expressed in draft despatch to British Ambassador at Washington. We note with pleasure the statement as to the importance of arranging for separate representation of Dominions in British Empire Delegation. In order to avoid difficulty which arose in 1921 from fact that the Dominions were not directly invited to attend the Conference of that year, as to which protest was made (?by) Prime Minister of the Union of South Africa in telegram to Prime Minister of Canada dated 19th October, 1921,‡ and reference made in Report of Sir Robert Borden to Canadian Government on Conference, paragraph 114, we consider it also very desirable that if Conference is held separate invitations should be sent to several Governments of the Empire. *Ends.*

—BYNG.

12094

No. 94.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 12.28 p.m., 16th March, 1925.)

TELEGRAM.

16TH MARCH. Secret. Your telegram 23rd February.* Suggested Disarmament Conference. My Government concur in terms of proposed despatch.—FERGUSSON.

12552

No. 95.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 17th March, 1925.)

(Secret.)

SIR, Vice Regal Lodge, Dublin, 16th March, 1925.

I HAVE the honour to refer to your Secret despatch of the 24th ultimo,§ transmitting a copy of a telegram* sent to the other Dominions with regard to a suggestion for a further Conference at Washington to deal with Naval Disarmament.

2. The President of the Executive Council concurs in the general attitude described in the telegram and does not desire to make any observations on the terms of the despatch summarized therein.

I have, &c.,
T. M. HEALY.

---

* No. 88. † 9442/25: not printed; it corrected certain textual errors in No. 88. ‡ No. 206 in Dominions No. 81. § No. 89.

14300

No. 96.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 12.45 p.m., 4th April, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

4TH APRIL. Secret. Following from Prime Minister for your Prime Minister :—

Begins: My message of 23rd February.* All Dominion Governments and Government of India have expressed concurrence in our attitude in connexion with suggested further Disarmament Conference at Washington and have indicated general agreement with terms of proposed despatch to British Ambassador. After further consideration, however, we have come to conclusion that in view of later developments it is not desirable to send despatch at this moment. It seems doubtful whether United States Government would welcome such an initiative from us and whether it might not actually injure rather than promote prospects of such a conference being summoned by them. Moreover, direct initiative by us would be distasteful to France, and it seems inexpedient to give occasion needlessly for any difference of opinion with her while we are engaged in discussion of the difficult and far more urgent questions raised by military disarmament, Cologne and security generally.

We propose therefore to take no action at present, though if approached by United States Government we should at once state our willingness to join in such a conference if assent of principal Naval Powers can be obtained. Baldwin. *Ends.*

—SECRETARY OF STATE FOR THE COLONIES.

14300

No. 97.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 1 p.m., 4th April, 1925.)

TELEGRAM.

(Canada.)
(Union of South Africa.)

4TH APRIL. Secret. Following from Prime Minister for your Prime Minister :—

Begins: My message of to-day.† Disarmament Conference. We are privately consulting Sir Esmé Howard to ascertain how we can best secure that in case invitations are issued by United States Government they should be addressed to Dominions as well as Great Britain. Baldwin. *Ends.*

—SECRETARY OF STATE FOR THE COLONIES.

14300

No. 98.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 1.10 p.m., 4th April, 1925.)

TELEGRAM.

4TH APRIL. Secret. My telegram of to-day.† Disarmament Conference. Please inform your Prime Minister that in the circumstances Prime Minister is deferring reply as regards points mentioned in his message 4th March.‡—SECRETARY OF STATE FOR THE COLONIES.

* No. 88. † No. 96. ‡ No. 91.

14300

No. 99.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Secret.)

SIR, Downing Street, 6th April, 1925.

WITH reference to Your Excellency's Secret despatch of the 16th March,* I have the honour, at the instance of the Prime Minister, to transmit to you, for communication to the President of the Executive Council, a copy of a telegram† to the other self-governing Dominions embodying a message from the Prime Minister regarding the suggested further Conference at Washington to deal with Naval Disarmament.

I have, &c.,
(for the Secretary of State),
W. ORMSBY-GORE.

26582

No. 100.

FOREIGN OFFICE to COLONIAL OFFICE.

[*Answered by No.* 101.]

SIR, Foreign Office, S.W. 1, 11th June, 1925.

WITH reference to the letter from this Department of 28th March,‡ and previous correspondence regarding any eventual further conference on naval disarmament at Washington, I am directed by Mr. Secretary Chamberlain to transmit to you herewith a copy of a despatch from His Majesty's Ambassador at Washington in which Sir Esmé Howard puts forward suggestions regarding the question of the issue of invitations to such a conference to the governments of the self-governing Dominions.

2. Mr. Chamberlain would be glad to learn whether the proposed procedure would be acceptable to each of the self-governing Dominions.

I am, &c.,
R. L. CRAIGIE.

Enclosure in No. 100.

(No. 734.)

SIR, British Embassy, Washington, D.C., 14th May, 1925.

I NOTICE, with reference to your despatch No. 623 of the 21st of April last, that in the telegram,§ of which a copy was enclosed, sent from the Secretary of State for the Colonies to the Governors-General of Canada and the Union of South Africa on the 4th of April at 1 p.m., it is stated that His Majesty's Government are consulting me to ascertain how invitations issued for any Disarmament Conference by the United States Government can best be addressed to the Dominions as well as to Great Britain. Although there is now no immediate prospect of any such invitations being issued, I feel that it would be advisable to have the procedure with regard to invitations to be issued to the Dominions settled well beforehand so that no delay may arise owing to possible differences of opinion between His Majesty's Government and the Dominion Governments over this question. I therefore venture to suggest, although it is possible that objections to such a course may occur to the different Governments interested, that the simplest plan to arrange for the satisfactory issue of such invitations would be for the United States Government to address them to His Majesty's Representative at Washington, whoever he may be, as representing for the time being at any rate the Dominion interests in this country.

I need hardly point out that I am almost daily sending communications to the State Department under instructions from the Canadian Government and receiving notes from the Secretary of State for communication to the Government at Ottawa. It would seem, therefore, that no new precedent would be created if the United States

* No. 95. † No. 96. ‡ Not printed: for its substance see No. 96. § No. 97.

Government were to send me invitations of this kind addressed to the Dominion Governments which I could forward directly to them, forwarding at the same time copies to His Majesty's Government.

I should be grateful to learn in due course whether this procedure commends itself to His Majesty's Government and whether it proves acceptable to the Dominion Governments concerned in order that I may be in a position as soon as the opportunity arises to inform the United States Government accordingly.

I have, &c.,
ESMÉ HOWARD.

The Right Honourable
Austen Chamberlain, M.P.,
&c., &c., &c.

26582

No. 101.

MR. E. J. HARDING to MR. R. L. CRAIGIE (FOREIGN OFFICE).

DEAR CRAIGIE, Downing Street, 10th August, 1925.

YOUR letter of 11th June* contains a despatch from Sir E. Howard dealing with the question of invitations to the Dominion Governments should the United States Government decide to summon another Disarmament Conference.

This despatch raises questions of considerable complexity from our point of view.

We gather from Sir E. Howard's despatch that it would be his intention to have at any rate an informal discussion with the United States Department of State before the invitations were actually sent; but it occurs to us that points might possibly be raised by the United States as to communicating *all* the invitations through the Ambassador; e.g., they might raise the question of sending the invitation for the Irish Free State to Mr. Smiddy, and the Canadian invitation to the Canadian Minister if, by that time, one had been appointed.

Even if all the invitations were to be sent to the Ambassador, it might be well to settle in advance the details as to how he should then proceed. No doubt it would be convenient that the invitations to the more distant Dominions should be forwarded (or telegraphed) direct by the Ambassador; but there are various alternatives as regards the Irish Free State and Canada (assuming the Canadian Minister had been appointed) which it seems necessary to consider, i.e., whether the Ambassador should communicate the invitations to the respective Dominion Ministers in Washington for transmission to their governments, or transmit them himself to the Irish Free State and Canadian Governments, or (in the case of the Irish Free State) transmit the invitation through London.

If it were settled that there should be a single invitation addressed to the Ambassador but mentioning the Dominions and India separately, similar points would seem to arise.

The underlying question, of course, is how best to secure that action as regards the *replies* is co-ordinated.

Should the procedure adopted admit of the Dominions replying direct to the United States Government it would be very awkward if any such direct reply should be a refusal of the invitation, since it would seem essential that any agreements resulting from the proposed Conference should be signed on behalf of all parts of the British Empire.

Before arriving at any definite conclusion Mr. Amery would if at all possible wish that Davis should have an opportunity of discussing the whole position personally with Sir E. Howard. The latter is, I understand, now in Switzerland. If he is returning to England before going back to Washington, could a discussion be arranged? It would be advisable, no doubt, if this suggestion can be carried out, that you or Vansittart should be present.

Yours sincerely,
E. J. HARDING.

---

* No. 100.

386

26582

No. 102.

NOTE ON DISCUSSION HELD AT THE DOMINIONS OFFICE REGARDING THE MANNER IN WHICH INVITATIONS TO ANY DISARMAMENT CONFERENCE MIGHT BEST BE ADDRESSED TO THE DOMINIONS AS WELL AS TO THIS COUNTRY.

SIR ESMÉ HOWARD and Mr. Craigie called on Thursday morning, the 8th October, to discuss the question of the manner in which invitations to any Disarmament Conference might best be addressed by the United States Government to the Dominions as well as to this country.

Mr. Harding raised first the question of procedure in the event of the invitations being issued by the State Department *in Washington*, and in this connexion drew Sir E. Howard's attention to the second paragraph of the Ambassador's Note to the United States Government of 24th June, 1924,* in connexion with the appointment of an Irish Free State Minister. "Matters which are of Imperial concern or which affect other Dominions in the Commonwealth in common with the Irish Free State will continue to be handled as heretofore by this Embassy," and to the similar paragraph in Professor Smiddy's letter of instructions "The Free State shall not purport to deal with matters affecting the whole Commonwealth." It appeared to follow from these paragraphs that, if invitations to the Conference were issued in Washington, the invitations to Dominion Governments should be addressed to His Majesty's Ambassador. Sir E. Howard was of opinion, however, that, whatever might be the strict constitutional position as laid down in the above paragraphs, the United States Government would probably think it incumbent upon them, if they delivered the invitations in Washington and it was decided to send separate invitations to the Dominions, to send the invitation to the Irish Free State Government through Professor Smiddy—and the same would be true of course with regard to the Canadian Minister if and when appointed.

On further consideration, however, Sir E. Howard was inclined to think that this difficulty need not arise as the normal course was for a Government issuing invitations to an International Conference to issue such invitations through its own representatives in the capitals of the countries which it desired to invite. It was generally agreed that from every point of view it was desirable that the invitations should be delivered in *London*, in which case the normal procedure would be for the replies to be returned through the same channel, i.e., through the Secretary of State for Foreign Affairs and the United States Ambassador in London, and the difficulty of co-ordinating action as to the replies of the various Dominions would be reduced to a minimum.

It was accordingly agreed that it was desirable that in the event of the United States Government deciding to summon another Disarmament Conference the Ambassador should take a suitable opportunity to let the United States Government know informally that the normal method of procedure with regard to the issue of invitations in such cases, viz., that the invitation should be communicated through the United States Ambassador in London (as was done in the case of the Washington Disarmament Conference) would also suit best His Majesty's Government, and further that it would be convenient if, following the example of the Genoa Conference, separate invitations were sent for the Dominions. If it was impossible to persuade the United States Government to send separate invitations, then it would be necessary to fall back on a general invitation mentioning the Dominions *nominatim*, but it was important to establish the principle of separate invitations if at all possible.

Since the discussion Mr. Craigie tells me that he thinks that the Foreign Office would consider it desirable that the proposed informal communication to the United States Government should be made at once and in general terms, rather than at the moment when the summoning of a general Disarmament Conference by the United States Government appears to be imminent, for the following reasons:—

1. That should the United States Government eventually decide to summon a Disarmament Conference they might move very rapidly as they did in the case of the last Conference, and it would be better to settle the details of procedure well in advance rather than at the last moment when the opportunity might be missed.

---

* Sub-enclosure in No. 32857/24 in Dominions No. 90.

2. It might be inconvenient, at a moment when the question of summoning a Conference was believed to be under the active consideration of the United States Government, to make a communication which might be construed by the United States Government as a hint that His Majesty's Government desired the summoning of such a Conference by the United States Government.

3. It is possible that the United States Government may desire to summon an international Conference on some other question, though we do not at the moment know that this is actually contemplated.

From the Dominions Office point of view there would appear no objection to the Ambassador approaching the United States Government now, but rather the contrary.

H. F. BATTERBEE.

10th October, 1925.

54649

No. 103.

TELEGRAM FROM FOREIGN OFFICE to SIR E. HOWARD. (WASHINGTON.)

(Sent 9.40 p.m., 25th November, 1925.)

(Received Dominions Office, 7th December, 1925.)

(No. 259.)

YOUR telegram No. 278 possibility of a Disarmament Conference in Washington and question of separate invitation for the Dominions.

2. In the event of the United States Government deciding to summon another Disarmament Conference, it is desirable that Your Excellency should take a suitable opportunity to let the United States Government know informally that the normal method of procedure with regard to the issue of invitations in such cases, viz., that the invitation should be communicated through the United States Ambassador in London (as was done in the case of the last Washington Conference) would also best suit His Majesty's Government. It would also be convenient if, following the precedent of the Genoa Conference in the case of the Dominions, separate invitations were sent through that channel for Canada, the Commonwealth of Australia, New Zealand, the Union of South Africa, the Irish Free State and India. If, however, it should prove impossible to persuade the United States Government to send separate invitations, it would then be necessary to try to secure that a general invitation should be sent for the British Empire, in which Great Britain, the Dominions and India should be mentioned *nominatim*. As you know, from previous correspondence with the Dominions already communicated to you we should hope to arrange for a British Empire delegation including separate representation of the Dominions and India at any new disarmament conference on lines adopted at Washington in 1921, and it is important to establish the principle of separate invitations if possible.

3. The above is for your guidance in case the United States Government suddenly decide to summon a conference, but is not necessarily for immediate use. It seems difficult to judge what exactly are the intentions of the United States Government as regards summoning a conference. I regard Washington as impossible for land armaments including air, but as probably the best and in any case the necessary place for discussion of further naval restrictions. We should certainly accept an American invitation thus limited if other naval powers would participate. but we do not wish to have the appearance of suggesting one.

4. It would therefore appear preferable that you should not broach the subject of invitations unless you see reason to suppose that the United States Government have decided to summon a conference on this or any other subject.

50647

No. 104.

[Distributed to the Council,
the Members of the League and
the Delegates at the Assembly.]

A. 133. 1925. IX.

Geneva, 25th September, 1925.

SIXTH ASSEMBLY OF THE LEAGUE OF NATIONS.

ARBITRATION, SECURITY AND REDUCTION OF ARMAMENTS.

Resolution adopted by the Assembly on the Reports of the First and Third Committees, 25th September, 1925 (afternoon).

THE ASSEMBLY.

TAKING note of the declarations submitted to the Council and the Assembly of the League of Nations in respect of the Protocol for the Pacific Settlement of International Disputes and of the fact that the said Protocol has not up to the present received the ratifications necessary for putting it into operation immediately;

Convinced that the most urgent need of the present time is the re-establishment of mutual confidence between nations;

Declaring afresh that a war of aggression should be regarded as an international crime;

Regards favourably the effort made by certain nations to attain those objects by concluding arbitration conventions and treaties of mutual security conceived in the spirit of the Covenant of the League of Nations and in harmony with the principles of the Protocol (Arbitration, Security, Disarmament);

Records the fact that such agreements need not be restricted to a limited area but may be applied to the whole world;

Recommends that, after these conventions and treaties have been deposited with the League of Nations, the Council should examine them in order to report to the Seventh Assembly on the progress in general security brought about by such agreements;

Undertakes again to work for the establishment of peace by the sure method of arbitration, security and disarmament;

And, in conformity with the spirit of Article 8 of the Covenant, requests the Council to make a preparatory study with a view to a Conference for the Reduction and Limitation of Armaments in order that, as soon as satisfactory conditions have been assured from the point of view of general security as provided for in Resolution XIV of the Third Assembly, the said Conference may be convened and a general reduction and limitation of armaments may be realized.

51809/S

No. 105.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 10.10 a.m., 18th November, 1925.)

TELEGRAM.

[*Answered by Nos.* 106, 107, 108 *and* 110.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)

18TH NOVEMBER. Confidential. Following from Prime Minister for [your Prime Minister] [President of Executive Council]:—

Begins: We have been considering questions raised by Resolution adopted by Sixth Assembly of League of Nations on subject of Arbitration, Security

and Disarmament* last paragraph of which requests Council of League to make preparatory study with a view to a Conference for Reduction and Limitation of Armaments in order that, as soon as satisfactory conditions have been assured from point of view of general security, Conference may be convened and general reduction and limitation of armaments may be realized.

At its September session Council of League decided to refer this Resolution and relevant documents to Committee of Council composed of one representative of each State member of the Council which is to make necessary studies for determining questions which need to be submitted to preparatory study with a view to a possible future conference and to submit report to Council for examination at its December session. We understand Council of League intends that, after meeting of Council in December, preparatory study referred to above should be entrusted to body hitherto known as Co-ordination Committee reconstituted for the purpose.

It seems probable that situation which will result from signature of Treaty of Locarno will be held to justify further advance, and we consider it most important that preliminary work now to be undertaken as contemplated in Resolution of Assembly should be on safe lines and such as will ensure real progress. For this purpose our representative on Committee of Council should be in a position to give clear idea of what we think practicable and incidentally, perhaps even inferentially, what we think impracticable.

Accordingly we have decided to appoint Interdepartmental Committee here, presided over by Lord Cecil who, we propose, should be our representative on Committee of Council of League, to advise on attitude to be adopted by him at meeting of Council Committee on 3rd December.

Interdepartmental Committee will include representatives of Service Departments, and in view of importance of questions which will come before it we think that Dominion Governments may wish opportunity to be associated with its work. I should be glad to know whether you would desire arrangements made to this end, and, if so, whom you would nominate as your representative. It might be found convenient for Dominion representatives to be also present at Geneva for meeting of Council Committee.

Secret. The Assembly Resolution of course contemplates ultimate summoning of a general Disarmament Conference under the auspices of the League of Nations. Our present view is that such a Conference would be most appropriate as regards military and air disarmament, but that, having regard to Washington precedent and probable refusal of United States to take official part in League Conference, any further conference to consider naval disarmament would have the best prospect of success if summoned by the United States Government and held at Washington.

Similar message sent to other Prime Ministers. *Ends.*

—AMERY.

52639

No. 106.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4.26 p.m., 23rd November, 1925.)

TELEGRAM.

23RD NOVEMBER. Secret. Your telegram of 18th November.† Following from Prime Minister for your Prime Minister :—

Begins: I thank you for your message of the 18th November on the subjects of Arbitration, Security and Disarmament.

We appreciate the opportunity of being represented on the Interdepartmental Committee, and desire that our High Commissioner in London should be our representative. He has been asked to act. *Ends.*

—ATHLONE.

---

*No. 104. † No. 105.

52777

388

No. 107.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received, 7.50 p.m., 23rd November, 1925.)

TELEGRAM.

23RD NOVEMBER. Confidential. Following from Prime Minister for your Prime Minister :—

Begins: Your telegram of 17th [?18th] November* received stating that Council of League of Nations in September referred the Assembly resolutions on arbitration, security and disarmament to special committee. Canadian Government share the hope that real progress in disarmament will be found possible. Appointment by British Government of Interdepartmental Committee to advise its representative on the Council Committee should prove helpful. If later development shows that there is a probability of a practical proposal being submitted to the members of the League, Canadian Government would probably appoint similar Interdepartmental Committee and would appreciate copies of any reports or recommendations then available. At the present time it is not apparent that any very effective consideration of the question involved could be given by participation of any Canadian representatives who would be available in the proceedings of the Interdepartmental Committee appointed to assist Lord Cecil particularly in view of the fact that the Council Committee is to meet in less than a fortnight. Please advise meanwhile whether the Interdepartmental Committee recommendation could be cabled here for consideration. *Ends.*

—BYNG.

52765

No. 108.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5.0 a.m., 24th November, 1925.)

TELEGRAM.

23RD NOVEMBER. Confidential. Your telegram of 18th November.* Prime Minister advises me to reply that while the New Zealand Government warmly appreciates the opportunity to associate itself in the work of the Interdepartmental Committee intended to be set up to determine what course should be adopted at the meeting of the Council of the League in connexion with Disarmament proposals it does not desire to appoint a representative on such Committee.—FERGUSSON.

54255/S

No. 109.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 8.25 p.m., 2nd December, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)

2ND DECEMBER. Confidential. With reference to Prime Minister's message of 18th November,* regarding disarmament proposals of League of Nations, Interdepartmental Committee has drawn up following list of questions as to which preparatory study might be conducted with advantage :—

*No. 105.

Begins:

Questions relating to Land and Air Armaments.

(*a*) Is it practicable to limit the ultimate war strength of any country or must any measures of disarmament be confined to the peace strength?

(*b*) By what standards it is possible to measure the armaments of one country against the armaments of another, e.g., numbers, period of service, equipment, expenditure, etc.?

(*c*) On what principles would it be possible to draw up a scale of armaments permissible to the various countries, e.g., population, resources, geographical position, etc.?

(*d*) Admitting that disarmament depends on security, to what extent is regional disarmament possible in return for regional security; or is any scheme of disarmament impossible unless it is general? If regional disarmament is practicable, would it promote or lead up to general disarmament?

Questions relating to Air Armaments only.

(*e*) Is there any, and if so, what, device by which civil and military aircraft can be distinguished for the purposes of disarmament? If this is not practicable, how can the value of civil aircraft be computed in estimating the air strength of any country?

(*f*) Is it possible or desirable to apply the conclusions arrived at in (*e*) above to parts of aircraft and aircraft engines?

General Questions.

(*g*) Would the universal abandonment of the principle of compulsory service operate as an effectual limitation of armaments without other measures? *Ends.*

With regard to naval disarmament Interdepartmental Committee considers that discussion even of a programme of naval disarmament except at a conference in which the United States was willing to participate would be quite useless, and that if necessary the British representative on Committee of Council of League of Nations should point this out, and should add that in the opinion of His Majesty's Government in view of the past history of the question such a conference would best be held at Washington. Please inform your Prime Minister. Copies of Report (which has not yet come before the Cabinet) will be sent by mail.—AMERY.

55299

No. 110.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 12.40 p.m., 9th December, 1925.)

TELEGRAM.

9TH DECEMBER. Your telegram of 18th November, Confidential.* Disarmament Conference. Commonwealth Government has carefully considered your suggestion that an Australian Representative might be associated with the inquiries of this Committee. While it fully recognizes the importance of the work to be done by this Committee it is not desirous of appointing a representative on it. My Prime Minister, however, would be obliged if reports and recommendations could be communicated to him.—STONEHAVEN.

---

* No. 105.

55487

389

No. 111.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent Part I 10.45 p.m., 9th December, 1925, Part II 11.55 a.m., 10th December, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)

9TH DECEMBER. Secret. My telegram of 2nd December.* Disarmament. Cabinet approved recommendations of Interdepartmental Committee at meeting on 3rd December as basis for attitude of British representative. On same day the Committee of the Council of League of Nations commenced its discussions. Lord Cecil explained the views of His Majesty's Government on lines of Interdepartmental Committee's report, except that reference to conscription was omitted for the present. These proposals generally proved acceptable to the other delegations. The French, however, wish to go much further and insist that the various inequalities and potential resources of all States must be taken into account and that practicable plans should be drawn up for the application of Article 16 of the Covenant. With the exception of these points a draft programme combining British and French proposals was adopted on 7th December by the Committee.

Of the questions enumerated in my telegram of 2nd December (*a*), (*b*), (*d*), (*e*), (*f*) were included. To (*c*) after words "geographical position" were added words "length and nature of maritime communications, density and character of railways, vulnerability of the frontiers and of the important vital centres near the frontiers, the necessary delays varying with different States in transforming peace armaments into war armaments."

Following points were added:—

(1) What is to be understood by the expression "armaments"?

(*a*) Definition of the various factors military, economic, geographical, etc., upon which the power of a country in time of war depends.

(*b*) Definition and special characteristics of the various factors which constitute the armaments of a country in time of peace; the different categories of armaments (Military, Naval and Air); the methods of recruiting training organizations capable of immediate military employment, etc.

(2) What is to be understood by the expression "reduction and limitation of armaments"? The various forms which reduction or limitation may take in the case of land, sea and air forces; the relative advantages or disadvantages of each of the different forms or methods, for example, the reduction of the larger peace time units or of their establishment and equipment or of any immediately mobilizable forces; the reduction of the length of active service; the reduction of the quantity of military equipment; the reduction of the expenditure on national defence, etc.

(3) Can there be said to be "offensive" and "defensive" armaments? Is there any method of ascertaining whether a certain force is organized for purely defensive purposes (no matter what use may be made of it in time of war) or whether on the contrary it is constituted in a spirit of aggression?

(4) How is it possible to judge the military value of commercial fleets in estimating the naval armaments of a country?

Committee considered that preparatory committee to be set up by Council of League of Nations to undertake study of questions should consist of:—

1. Representatives of States members of the Council, revision to take place should composition of Council alter.

2. Representatives of States non-members whom the Council may think fit to invite; this is designed to include United States of America, Russia and Germany if not yet on the Council.

3. Representatives of States which in regard to problem of disarmament are in special position by virtue of their geographical position and are not otherwise represented. Under this head Poland, Yugoslavia, Roumania, Finland and Holland to be invited.

---

* No. 109.

Any state not represented will also have the right to submit memoranda on particular questions and to defend its views before the Committee which may also invite collaboration of any state over any particular question.

Proposals for procedure of preparatory committee were adopted as follows:

Committee is responsible for whole work but may seek advice from League organs who may also offer it. Permanent Advisory Committee to be consulted on naval, military and air questions. On economic questions a joint committee drawn from economic, transit and financial committees and International Labour Office. This joint committee and also preparatory committee may call in expert advice if desired.

The question of the participation of the United States of America may present some difficulty. The view of His Majesty's Government is that without United States of America discussion of naval disarmament would be useless. The French recognize the force of this but hold that the three questions of naval, land and air disarmament cannot be separated. Italians and Japanese strongly support this view. If this view is maintained, Conference cannot take place unless the United States of America are prepared to take part in discussions on all three questions.

Please inform your Prime Minister.—AMERY.

Note.—Copy sent to Irish Free State by despatch, 11th December.

55487

No. 112.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 8.15 p.m., 10th December, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Autralia.)
(New Zealand.)
(Union of South Africa.)

10TH DECEMBER. Secret. My telegram 9th December.* The proposals of the League of Nations Council Committee on disarmament regarding the title, composition and procedure of the preparatory committee were approved by the Council on 9th December. It was also decided that formal invitations should be sent to Russia, the United States and Germany (if not already on the Council). In the event of Russia refusing, the sending of an invitation to Turkey will be considered.

At the suggestion of the British representative it was decided to include one other of ex-enemy States, viz., Bulgaria, owing to the undesirability of Germany appearing as sole advocate of ex-enemy States.

The British representative informed the Council that, while it was obvious that land and air disarmament should be discussed in Geneva, his impression was that the United States would wish to call a conference in Washington to discuss naval disarmament. He made it clear that His Majesty's Government could not discuss naval disarmament without the United States. The French representative thereupon declared that his Government could not participate in a conference unless land, air and naval disarmament were considered as a whole. The discussions are being continued to-day.

Please inform your Prime Minister.—AMERY.

Note.—Copy sent to Irish Free State by despatch 11th December.

---

* No. 111.

55647

390

No. 113.

THE SECRETARY OF STATE to THE GOVERNORS.

(Newfoundland. No. 137.)
(Southern Rhodesia. No. 483.)

SIR, Downing Street, 18th December, 1925.

WITH reference to my despatch [Dominions No. 381] [No. 336] of the 31st of August,* I have the honour to transmit to you, for the information of your Ministers, copies of Resolutions adopted by the Sixth Assembly of the League of Nations on the 25th of September regarding (*a*) Arbitration, Security and Reduction of Armaments,† and (*b*) the Pacific Settlement of International Disputes.‡

I have, &c.,
L. S. AMERY.

ARMS TRAFFIC CONVENTION, 1925.

(*League of Nations paper A.13, 1925, IX.*)

(1) Position of Colonies, etc., under Convention and Question of its Inter-Imperial Applicability.

Note.—In the early part of 1925 an Inter-Departmental Committee was appointed to advise as to the attitude to be adopted by the British representatives at the Arms Traffic Conference which was to be held at Geneva in May, 1925, and was to take as the basis of its discussions a draft Convention prepared by the Temporary Mixed Commission of the League of Nations. The Committee reported on the 23rd April, 1925. It recommended various modifications in the draft Convention, including the following:—

(1) The inclusion of an Article dealing with the movement of arms intended for the armed forces of the Contracting Parties (No. 24) in the following terms:—

"The provisions of this Convention are not to be interpreted as relating to

(*a*) arms, ammunition or implements of war forwarded from the territory of a high contracting party for the use of its armed forces, wherever situated; or to

(*b*) arms or ammunition in the possession either of individual members of such forces or of other persons in the service of the high contracting party and required by them by reason of their calling."

(2) The inclusion of an Article dealing with the position of Colonies in relation to the Convention (No. 25) in the following terms:—

"Any State signing or acceding to the present Convention may declare at the moment either of its signature, ratification or accession that its acceptance of Chapter II of the present Convention and of the provisions of Article 8, relating to export and transit to the Special Zones does not include any or all of its colonies, overseas possessions, protectorates or overseas territories under its sovereignty or authority or for which it is responsible by reason of the acceptance of a Mandate on behalf of the League of Nations in respect thereof (not being a colony, overseas possession, protectorate or territory situated within a Special Zone) and may subsequently adhere in conformity with the provision of Article (31) on behalf of any such colony, overseas possession, protectorate or territory, excluded by such declaration.

Denunciation may also be made separately in respect of any such colony, overseas possession, protectorate or territory, and the provisions of Article (34) shall apply to any such denunciation."

On the question of inter-Imperial applicability of the Convention, the Committee's report contained the following passage:—

"The Committee discussed also, the insertion in the re-draft of a new general Article to make it quite certain that trade in armament between different parts of the Empire would not be affected by the Convention and that

---

* 38166/25; not printed. † No. 104. ‡ Not reprinted.

no returns concerning such trade would be required by the Central International Office. It was felt, however, that to insert a specific clause to this effect in the Convention might possibly throw doubt on this aspect of other international instruments. The Committee, therefore, considered that the freedom of inter-Empire trade in armament had better be left to take care of itself, and no addition to the re-draft has consequently been made."

The Committee's Report was considered by a Cabinet Committee on the 30th April. It was agreed by the Cabinet Committee that "internal trade or movements of arms, ammunition and implements of war within the Empire were not to be regarded as governed by the regulations in the Convention."

In this connexion, the following Memorandum was prepared by Mr. H. W. Malkin (Foreign Office).

7996

No. 114.

MEMORANDUM BY MR. H. W. MALKIN, FOREIGN OFFICE.

THE so-called "British Empire Clause" runs as follows:—

"It is understood that this Statute must not be interpreted as regulating in any way rights and obligations *inter se* of territories forming part or placed under the protection of the same sovereign State, whether or not these territories are individually Members of the League of Nations."

The article was originally inserted in the Statute on Freedom of Transit and on the Régime of Navigable Waterways signed at Barcelona in 1921. It has since been inserted in the Conventions dealing with Customs Formalities, Ports, Railways, etc., signed at Geneva in 1923. It was decided not to insert it in the Convention on Workmen's Compensation negotiated at the International Labour Conference in 1924, and so far as I know has not been inserted in any of the Conventions negotiated under the auspices of the International Labour Office. It was not inserted in the Convention on the Traffic in Women and Children nor in that on Obscene Publications, and it was deliberately left out of the second Opium Convention signed in February last. The reasons for the action taken in the last case and the events in connexion therewith are described in T 1881/1881/381.

I am not personally familiar with the discussions which led up to the preparation of the article at Barcelona, but I imagine that there were two practical possibilities present to the minds of those concerned. The first was that it might be suggested, in view of the position of the Dominions as individual Members of the League of Nations, that if a dispute in connexion with a convention arose between, say, the Mother Country and a Dominion, such a dispute was bound to be referred to the Permanent Court of International Justice under the provision to that effect in the Statute. The second was that, in the absence of such a provision, it might be maintained that provisions for equality of treatment prevented the different parts of the Empire from giving to each other more favourable treatment in any of the matters dealt with by the instrument in question than they gave to foreign countries.

The first of these points must, I think, now be abandoned. For if the only thing which prevents an inter-Imperial dispute under a League convention from being brought before the Permanent Court is the insertion in the convention of the clause in question, it is obvious that the clause must be inserted in every League convention, since any convention may give rise to a question of interpretation which, under Article 13 of the Covenant, is "generally suitable for submission to arbitration"; and therefore the principle was abandoned when the clause was not inserted in the Convention on the Traffic in Women and Children and that on Obscene Publications. Ever since our acceptance of those two Conventions it has been impossible for us to maintain that it is the clause in question which keeps inter-Imperial disputes away from the Permanent Court. Nor do I think we need be afraid of this result, for it seems to me to be right. The impossibility of the Permanent Court's dealing with inter-Imperial disputes results not from the presence or absence of a particular provision in a League convention, but from the constitutional position of the British Empire; and that position, which is an internal and municipal affair, cannot be altered by the provisions of a League convention. In other words, as between the component parts of the Empire, it is the constitution of the Empire which must govern the position under a League convention, and not the latter which governs the former. It may be added that the point in question is not one, so far as I can see, in which foreign nations have any interest at all.

The second point, however, is as important as ever it was; it is a matter as to which foreign states are much concerned, and in some cases the insertion of the clause may be absolutely essential. This was for instance the case in the Customs Convention, especially as that conference had opened with a violent attack from South America on the idea of Imperial preference, which was held to be contrary to the Covenant. From this point of view, the necessity of the clause depends in each case on the provisions of the convention in question, and it is necessary to consider whether, in the absence of the clause, the convention might, in inter-Imperial relations, either prevent us from doing something which we desire to do or oblige us to do something which we do not desire to do. The latter possibility arises where a convention prescribes administrative provisions to be applied to international trade; e.g., the import certificate system (Second Opium Convention), or the licensing system (Arms Traffic Convention about to be negotiated). In such cases, however, it may well be that our intention is to apply such provisions to inter-Imperial trade; if so, it is undesirable, and likely to cause great difficulties at the Conference, to try to insert a clause which would entitle us to do just the opposite of what we intend.

Certain countries, of which the most prominent is Japan, have recently been showing increasing signs of restiveness at Geneva over the peculiar position of the British Empire. So far as I have been able to make out, their attitude, so far as the British Empire clause is involved, is in practice concerned mostly or entirely with the matters mentioned in the preceding paragraph; but it is far from being the case that the clause is accepted as one which can be inserted without question. When therefore it is considered necessary to get the clause into a convention, it is essential that the British Empire should speak with one voice and be able to explain the reasons why the insertion of the clause is necessary and justifiable in the particular case. If this cannot be done, there will be a considerable risk that the insertion of the clause will be defeated on a vote, thus causing a situation of the most acute difficulty; this, for instance, would certainly have happened if an attempt had been made to get the clause into the Second Opium Convention. From this point of view, the situation has recently been made extremely difficult by the appearance of the Irish Free State as a Dominion and a Member of the League of Nations, especially in view of the controversy about the registration of the Irish "Treaty." It is always possible, and in some cases may even be likely, that agreement could not be reached at a meeting of the British Empire Delegation on a proposal to insert the clause, and that if it were proposed in conference the Irish member would speak and vote against it. Such a situation cannot be contemplated; the very worst place to discuss inter-Imperial difficulties, especially those in which the Free State is concerned, is in public at Geneva.

In fact, the matter has now really become one as to which an inter-Imperial agreement and policy are essential. It is, of course, only part of the general question of the position of the Dominions as Members of the League, but at the moment it is the matter which is most likely to bring that question up. As things are at present, there is always a risk that a British Delegation at Geneva, which has come out to deal with some entirely technical matter and may contain no one who has any acquaintance with the subject in question, may find itself compelled to deal with it in open conference at short notice and without any instructions. Even if there is some one there who is acquainted with the matter, it is not really fair for him to have to deal on his own responsibility with a point of such importance. The matter ought to be discussed at the next Imperial Conference; the difficulties of getting agreement on a policy, especially so far as the Free State is concerned, should not be underrated, but there is at any rate more chance of reaching agreement in this way than in any other. At present we have no certainty that the general principle which underlies the clause in question is accepted by all the Dominions.

But even if an inter-Imperial policy on these lines could be agreed, there is always a risk of something going wrong at Geneva so long as the question of the insertion of the clause is left to be decided in each case on the spot and by whoever may happen to be there. If it were possible to dispose of the matter once and for all it would be better on every ground, and I have been wondering lately whether it would not be possible to do so by getting the Dominions to agree to a joint statement as to the position being made once and for all on behalf of the whole Empire in such a manner that it would be applicable to all future League conventions. The terms of such a declaration would require most careful consideration, but its general object would be to make it plain that nothing in any League convention can affect the constitutional position of the British Empire or the consequences which flow therefrom.

Once this were definitely laid down, any statement which might subsequently be necessary as to whether the administrative provisions of a particular convention would in practice be applied as between the various parts of the British Empire could be made without difficulty as and when the case arose.

H. W. MALKIN.

24th April, 1925.

Note.—When the draft Convention was discussed by the Conference, the question of its inter-Imperial applicability was raised as a result of an amendment to Article 24 proposed by the Netherlands delegation. The following correspondence shows the course taken by the discussion and the manner in which the question was finally dealt with.

22943

No. 115.

LORD ONSLOW (GENEVA) to FOREIGN OFFICE.

Transmitted by His Majesty's Consul (Geneva).

(Dated 17th May, 1925.)

TELEGRAM.

[*Answered by No.* 116.]

(Paraphrase.)

THE British draft Article 24 came before the Conference yesterday morning and drew from the Dutch an amendment which followed the lines of Article 15 of the Barcelona Convention, to the effect that shipments between "territories forming part of or placed under the protection of the same sovereign state" should not be included in the scope of the Convention.

It was decided that this was a question for separate consideration inasmuch as it was in no way related to the matter which the British Article has in view.

The American delegate was, however, moved by the Dutch proposal to inquire into its precise meaning. If it were carried, would, for instance, shipments from the United States to, say, Australia come under a system of licences, whilst those from Great Britain would be exempt? If this were so, his delegation would be strongly opposed to it, as being in conflict with the principle of the open door.

Our policy, as I understand it, is a tacit assumption that the Convention does not cover trade between the various parts of the Empire, and that we do not desire to obtain the insertion of a special article which would secure that the provisions of the Convention should not apply to transactions within the Empire.

I do not know to what length Mr. Burton is prepared to go in the matter, and whether America would necessarily refuse to participate in the Convention in the event of his failing to secure satisfaction.

If his case is based on international agreements, we might meet him by inserting an article in the sense of the Barcelona Convention, such article to commence with the words "without prejudice to any existing international agreement."

I should be glad if you would suggest any arguments which would serve to support our claim for Imperial Preference against American opposition, and I should also be grateful if you would inform me whether, if matters come to a head, it would be preferable for us to withdraw from our position as regards the licensing of inter-Imperial transactions, or to acquiesce in the refusal on the part of the United States to participate in the Convention.

In the event of your considering it necessary to make a concession on the lines indicated above I should do my best to safeguard the general position in regard to Imperial Preference. It must be recognized that complete satisfaction on this point might prove impossible to attain. Considering the matter purely from the point of view of traffic in arms our principle concern is, of course, to ensure that orders to manufacturers in Great Britain from Colonial and Dominion governments are kept free from the scope of the Convention.

Our draft Article No. 24, which appears likely to receive general approval, should in my opinion prove sufficient to secure this object.

23932

332

No. 116.

MR. AUSTEN CHAMBERLAIN to HIS MAJESTY'S CONSUL (GENEVA) FOR TRANSMISSION TO LORD ONSLOW.

(Dated 21st May, 1925.)

TELEGRAM.

WITH reference to your telegrams of 17th May* and 18th May† we cannot withdraw from our position that inter-Imperial shipments, whether made by private firms or governments, must not be included within the scope of the Convention or be subject to compulsory licensing. Departments interested view this question with the greatest concern on account of publication of statistics which would be necessary if the Convention were applicable to inter-Empire consignments even if such publication is merely confined to export returns.

Our draft Article 24 would meet our case, as in our opinion the King or possibly the British Empire is implied in the term High Contracting Party; at the same time we shall not be satisfied unless there is no doubt that Article 24 bears this interpretation. You should use your own judgment to decide whether it would be sufficient for you to make a definite pronouncement, which should be entered in the official account of the proceeding, or whether we should stand out for amending the Article.

You should use the argument that the armed forces of the Crown include those of both the Colonial and Dominion Governments, and we cannot allow any suggestion of distinction between them in this question merely because the different governments of the Empire recruit and pay them. We cannot give way at all on this point, for to do so would have serious effects on the unity of the Empire.

You will, I hope, be supported by the Dominion delegates in this question; I quite realize that the Irish delegates may not be easy to deal with, but, if they attempt to deny the King's position as head of the Empire and all its armed forces, they are undoubtedly breaking the Irish Treaty; so far as this particular question is concerned they appear to have the same interests as ourselves.

We are, however, willing to agree to apply the licensing system to shipments within the Empire to private individuals. Indeed we do this already, and there may be much to be said from our point of view in favour of the extension of the system to the colonies of foreign powers.

There will be no necessity for us, therefore, to support the Dutch amendment, if Article 24 is passed in a form which is agreeable to us. The only result of the amendment would be (1) to exclude consignments of category 2 arms to private individuals from the licensing clauses (if our draft Article 6 is accepted), (2) to sanction the traffic of category 1 arms to private destinations and (3) to exclude colonies in the special zone from the Convention. We do not know why the Dutch should try to obtain these results, which do not appear to us desirable.

It must be made clear that, if we agree even to this extent to allow trade within the Empire to come within the operation of the Convention, it must not be imagined that we have any intention of receding from our general principle that League Conventions are not applicable to inter-Imperial relations. We shall be doing what we did in the second Opium Convention, that is to say, we accept an obligation imposed by an international convention to enforce certain measures of administration with regard to inter-Imperial shipments.

In view of the position, which the United States delegate has apparently adopted, we attach importance to your taking no action, which shall in any way prejudice our case for Imperial Preference, etc. The American delegate's reference to the "open door" is meaningless, since it is his own government who is the deciding authority in the case of an American firm applying for a licence to export arms to British territory. And furthermore, I have yet to learn that we are under any obligation to the Americans in so far as the policy of the open door is concerned, and they certainly have no right to expect similar treatment in British dominions or colonies to that which is applied to other parts of the Empire.

---

* No. 115. † Not printed; it suggested that a representative of the Colonial Office might be sent to Geneva in connexion with the discussion of this question.

24857

No. 117.

MEMORANDUM BY MR. E. J. HARDING (COLONIAL OFFICE) AND MR. W. E. BECKETT (FOREIGN OFFICE).

(1) As has already been reported, the British draft Article 24 has been passed unanimously by the Legal Committee in the following form :—

" The provisions of this Convention are not to be interpreted as relating to—

(*a*) Arms, ammunition or implements of war forwarded from territory under the sovereignty, jurisdiction, protectorate or tutelage of a High Contracting Party for the use of its armed forces, wherever situated; or to

(*b*) arms or ammunition in the possession either of individual members of such forces or of other persons in the service of the High Contracting Party and required by them by reason of their calling."

It had been explained to the Legal Committee that this Article was intended and considered by us to cover purchases in the United Kingdom by Dominions for their own forces, etc. A strong disposition had been shown at the time the Article was discussed to any provision going so far. It is not known whether the United States or Japan intend to raise this question again when the Article comes before the General Committee.

The position at the moment is that this Article has been passed unanimously by the Legal Committee.

(2) The Netherlands amendment in the following terms was moved in the General Committee at the same meeting as that in which our draft Article 24 was moved, and was also referred to the Legal Committee.

" The provisions of the present Convention shall not be interpreted as applying to the despatch of arms, munitions and implements of war and to territories forming part of or placed under the protection of one and the same sovereign state or to their despatch from territory belonging to one of the High Contracting Parties for the use of its armed forces wherever they may be."

It was discussed separately from our draft Article 24, and the last three lines were considered as having been already decided by the acceptance of Article 24.

(3) The first part of the Netherlands amendment raised a very delicate situation.

There is a determined attitude on the part of several powers represented here to draw a distinction *on principle* between trade between Great Britain and the Dominions and India, members of the League, and trade between a mother country and colonial possessions which have no international status on the ground that the Dominions and India, if they come under the Convention at all are contracting parties.

In particular the United States have given their delegation precise instructions that trade in the former category must be subjected to the provisions of the Convention.

The Dutch delegate, though he had framed his amendment on the lines of the Barcelona Convention, would have been quite satisfied to accept a declaration or an article of a more limited scope covering " trade between territories part of the same state."

The British delegation were in the position—

(1) Of having to maintain absolutely inviolate our contention that on principle there was no distinction between the two classes of trade and that both as a matter of principle were outside the Convention;

(2) of being as a matter of grace perfectly willing to submit all exports from Great Britain except in cases covered by Article 24 to the operation of the Convention, and desirous if possible to get other people to do the same.

(4) Harding and Beckett had two interviews with the Dutch delegate on 24th May, and after consultation with him drew up the statement in Annex A which was shown to him, and delivered by Beckett in the Legal Committee on 25th May when the Dutch delegate brought forward his proposal.

(5) Beckett's statement seemed to create some impression, but a disposition was at once manifested by Japan to link up the question of inter-Imperial trade with the British draft Article No. 25 in relation to the exclusion of Colonies, etc., from the operation of the Convention.

The question was referred to a sub-committee composed of Beckett and representatives of the United States, Belgium and Holland.

(6) This sub-committee held two meetings at both of which the Japanese attended as an observer, and at the second of which the representative of the Irish Free State also.

It was found impossible to get the sub-committee to deal with the Dutch proposal in any satisfactory way, until something had been suggested to deal with the difficulties raised in connexion with our Article No. 25. Various proposals were made by Beckett in the course of the discussion with Harding's approval to meet this point, which are described in paragraph 11 below.

(7) The sub-committee thus became in a better position to deal with the question raised by the Dutch amendment. Beckett made it quite clear that the British delegation would not agree to anything which prejudiced the principle of unity in the matter of inter-Imperial trade or which attempted to draw a distinction between Dominion and Colonial trade, and declared that we regarded this principle as having been accepted in the preamble of the Treaty of Versailles, which is the foundation of the League, and in fact by the form of the Covenant.

(8) In view of the United States instructions, it was obvious that it was impossible to insert any provision in the Convention to which the United States and Great Britain could agree. The United States representative was, however, quite willing to co-operate with us in order to avoid raising questions of principle on which it would be impossible to find any agreement.

The Dutch delegate was willing to withdraw his amendment if he felt he had established his point of principle.

The Belgian was a theorist mainly interested in securing as few loopholes in the Convention as possible.

(9) Finally, the draft report given in Annex B was agreed to by the sub-committee, and was referred to the Legal Committee on 26th May and accepted unanimously by them with a resolution that it should be forwarded as it stood in the Report of the Legal Committee to the General Committee.

(The United States representative said unofficially to Beckett that the acceptance of the Report by the United States delegation was, of course, subject to any instructions which the delegation might later receive from the United States Government.)

(10) It is considered that the Report as it stands maintains satisfactorily our point of view and may be useful as a precedent in future conferences when similar questions arise, whether or not the United States are represented.

(11) The two alternative proposals already referred to, brought up by Beckett this morning in connexion with Article 25, are as follows :—

1. " Subject to Article 24 (*bis*) the High Contracting Parties undertake not to exclude from the application of the provisions of this Convention exports of arms, munitions and implements of war destined for other territories under their own sovereignty, jurisdiction, protection or tutelage.

2. Subject to the provisions of Article 24 (*bis*) a state signing or acceding to the present Convention engages to apply the provisions of Chapter II to the exportation of arms, ammunition and implements of war to any territory in respect of which it has made a declaration under the first paragraph of this Article so long as such declaration is in force, and to any territory in respect of which it has given notice of denunciation under the second paragraph of this Article."

(12) The first is for an article imposing on everyone with overseas possessions the obligation to do what we have already said we would do, and is in agreement with the desire expressed in Foreign Office telegram No. 3. It is the alternative which the British delegation prefer and proposes to press to secure. The United States representative on the Legal Committee has already declared in favour of it.

(13) If the first alternative cannot be secured it is thought that the second and more limited proposal would be useful, since it acts as a strong deterrent to states exempting colonies from the operation of the Convention merely for the purpose of avoiding its provisions. The British draft Article 25 as it stands would provide an opportunity for such action though designed entirely for another purpose. This point has already been raised in connexion with the draft Article by the Belgian delegate. The second alternative, of course, does not, so far as Great Britain is concerned, impose any obligation to do anything beyond that which we have already declared our intention of doing. It is appreciated by the delegation that the application of the second alternative, if adopted, would be very limited in the case of the Dominions and India.

(14) Harding has told Beckett that, in the absence of instructions to the contrary from London, he sees no objection to the Delegation proceeding with either alternative, but that he thinks that the first is the best. Both draft clauses set out in paragraph 11 have been of necessity very hastily prepared. The Delegation would appreciate any views on the form of either draft clause which the Foreign Office and Colonial Office may think it desirable to send.

(15) It should be added that Annex A was approved beforehand by Sir Percy Cox (India) and Dr. Riddell (Canada). Its purport was explained to Mr. MacWhite (Irish Free State) beforehand, and he was present when it was delivered and had no objection to it. The report of the sub-committee (Annex B) was agreed to by Mr. MacWhite at the Legal Committee, though it is doubtful whether he appreciated its bearing on the position of the Irish Free State in relation to the registration of the Articles of Agreement of 1921. But his attitude in fact has been as helpful and friendly throughout as that of Dr. Riddell (who possibly has influenced Mr. MacWhite a good deal).

Hotel Beau-Rivage, Geneva.
27th May, 1925.

Annex A.

I FULLY appreciate the reasons which led the Honourable Delegate for the Netherlands to propose the amendment, which he has just explained to the Committee. The principle underlying his amendment is one with which I think no member of this Committee will be inclined to disagree.

Speaking on behalf of the British Delegation, it is my opinion that the relations between territories to which this amendment is directed can only be regulated by the provisions of Conventions of this kind to the extent to which the High Contracting Parties mutually agree or themselves decide to apply them. On the matter of principle, therefore, the British Delegation is in complete agreement with the statement of His Excellency Mr. Van Troostwijk and with his amendment.

Mr. Van Troostwijk has explained that, though he had regarded the principle as being so clear as not to need the insertion of any express provision, he was led to propose this amendment because he thought that the proposal of the British Delegation in Article 24, which has so recently been considered and accepted by this Committee, indicated some doubt in the minds of the British Delegation, and possibly of some other delegations at the Conference, as to the applicability of the general principle in respect of the Convention, and he therefore thought it desirable that it should be expressly affirmed.

I wish therefore to explain that the British Delegation in common with others, as was clearly indicated by the President at the General Committee, had no doubt whatever as to the applicability of this general principle, but when they proposed this Article their intention was to make it clear beyond any possibility of doubt that consignments of arms for the armed forces of a High Contracting Pary were outside the provisions of the Convention even in cases where these armed forces were stationed outside the territory of the High Contracting Party. For this reason the British Delegate does not think that any principle of construction can be applied to their draft Article 24 in such a way as to throw doubt upon the applicability of this principle. This is not in itself a very substantial objection to the insertion of the amendment of the Honourable Delegate for Holland. The British Delegation, however, do not advocate that this amendment should be inserted in the text of the Convention for the following reasons:—

First, there is in Chapters III, IV and V of the Convention a special régime laid down with regard to certain territories described as "special zones." Most of such territories are under the sovereignty of High Contracting Parties. The provisions of the draft Convention which have been accepted in principle by His Majesty's Government clearly indicated an obligation on the part of the High Contracting Parties to apply the rules of the Convention with regard to all trade with the special zones, including their own trade. As it stands, therefore, the amendment seems to be in conflict with the provisions of these chapters.

Secondly, the British Delegation in the general interest of the control of the traffic in arms, which is obviously a form of trade requiring special regulation, and in order to give every possible assistance towards achieving the object of this Convention, is in fact willing to apply the licensing provisions of the Convention to the

354

export of arms overseas whatever their destination in all cases not covered by the terms of the British draft Article 24.

The British Delegation venture to suggest to the Dutch Delegation and to the delegations of other powers in a similar position the desirability of such a course being generally adopted.

Therefore, speaking entirely from the British point of view, the amendment of the Honourable Dutch delegate might be considered as containing an implication that Great Britain was not intending to do something which in fact she is prepared and intends to do, and which (so far as actual licensing is concerned) is done already.

In view of these considerations, I venture to suggest to the Honourable Delegate of Holland that his object might be more conveniently achieved by a declaration at some suitable moment maintaining the principle underlying his amendment.

Annex B.

The sub-committee, with the assistance of His Excellency Monsieur van Troostwijk, considered the amendment proposed by the Dutch Delegation.

The committee, while considering it unnecessary to formulate any exact definition, were unanimously of the opinion that the general principle to which the Dutch amendment is directed underlies international conventions.

They were further unanimously of the opinion that this principle was applicable to the present Convention, Chapters III, IV and V are framed as an exception expressly to be agreed by the High Contracting Parties, and therefore tacitly affirm the principle rather than cast doubt upon it.

In these circumstances the sub-committee came to the unanimous conclusion that it was not necessary to insert in the text of the present Convention any express affirmation of the principle, such as is the object of the Dutch amendment.

The sub-committee take occasion to point out that the existence of the principle in no way prevents the application by the High Contracting Parties of this or similar Conventions to trade which is covered by the principle.

The sub-committee take note in this connexion of the declaration regarding the intended application of the present Convention made by the British member of the Legal Committee.

28122

No. 118.

EXTRACT FROM GENERAL REPORT OF THE ARMS TRAFFIC CONFERENCE (*League of Nations paper, C.G.I.A.61, Part II*).

CONFERENCE FOR THE CONTROL OF THE INTERNATIONAL TRADE IN ARMS, MUNITIONS AND IMPLEMENTS OF WAR.

Geneva, 1st June, 1925.

GENERAL REPORT.

Rapporteurs: M. Dupriez and M. Cobian.

Article M (Article 24a).

TEXT prepared by the Drafting Committee:

The High Contracting Parties agree that the provisions of this Convention do not relate:

(*a*) To arms or ammunition or to implements of war forwarded from territory under the sovereignty, jurisdiction, protectorate or tutelage of a High Contracting Party for the use of the armed forces of such High Contracting Party, wherever situated;

(*b*) Or to arms or ammunition carried by individual members of such forces or by other persons in the service of a High Contracting Party and required by them by reason of their calling.

Report:

This Article was suggested by the British Delegation; it appears as Article 24 of the British Delegation's draft (Document C.C.I.A./10). The Netherlands Delegation submitted an amendment much to the same effect in the following terms:

"The provisions of the present Convention shall not be interpreted as applying to the despatch of arms, munitions and implements of war from and to territories forming part of or placed under the protection of one and the same sovereign

State, or to their despatch from territory belonging to one of the High Contracting Parties for the use of its armed forces wherever they may be."

The general principle underlying the Netherlands amendment—a principle which forms the basis of all international conventions—also applies to the present convention. It did not therefore seem necessary to insert it in the text.

In this connexion the British Delegation made the following declaration:

"The British Delegation, in the general interest of the control of the traffic in arms, which is obviously a form of trade requiring special regulation, and in order to give every possible assistance towards achieving the object of this Convention, is in fact willing to apply the licensing and publicity provisions of the Convention to the export of arms overseas whatever their destination in all cases not covered by the terms of the British Draft Article 24.

The British Delegation ventures to suggest to the Dutch Delegation and the Delegations of other Powers in similar position the desirability of such a course being generally adopted."

Moreover, in so far as the Netherlands proposal deals with consignments of arms, etc., for the use of the armed forces of the High Contracting Parties, it is embodied in the text adopted by the Legal Committee, the clearness of which makes all comment or explanation superfluous.

31758

No. 119.

EXTRACTS FROM ARMS TRAFFIC CONVENTION SIGNED AT GENEVA, 17TH JUNE, 1925.

* * * * * * *

Article 6.

As a preliminary to a general system of publicity for armaments irrespective of their origin, the High Contracting Parties undertake to publish, within two months of the close of each quarter, a statistical return of their foreign trade during this quarter in the articles covered by Categories I and II. This return shall be drawn up in accordance with the specimen forms contained in Annex I to the present Convention and shall show under each heading appearing in Categories I and II in Article 1 the value and the weight or number of the articles exported or imported under a licence or export declaration, allocated according to country of origin or destination.

In all cases where the consignment comes from, or is sent to, a territory possessing an autonomous Customs system, such territory shall be shown as the country of origin or destination.

The High Contracting Parties further undertake, so far as each may be concerned, to publish within the same time-limits a return containing the same information in respect of the consignments of articles covered by Categories I and II to other territories placed under their sovereignty, jurisdiction, protection or tutelage, or under the same sovereignty, jurisdiction, protection or tutelage.

The first statistical return to be published by each of the High Contracting Parties shall be for the quarter beginning on the first day of January, April, July or October, subsequent to the date on which the present Convention comes into force with regard to the High Contracting Party concerned.

The High Contracting Parties undertake to publish as an annex to the above-mentioned return the text of the provisions of all statutes, orders or regulations in force within their territory dealing with the export and import of articles covered by Article 1, and to include therein all provisions enacted for the purpose of carrying out the present Convention. Amendments and additions to these provisions shall be likewise published in annexes to subsequent quarterly returns.

* * * * * * *

Article 28.

Abyssinia, desirous of rendering as effective as possible the supervision of the trade in arms and ammunition and in implements of war, which is the subject of the present Convention, thereby undertakes, in the free exercise of her sovereign rights, to put into force, so far as concerns her own territory, all regulations which may be necessary to fulfil the provisions of Articles 12 to 18 inclusive of the said Convention relating to exports, imports and the transport of arms, ammunition and implements of war.

395

The High Contracting Parties take note of the above undertaking, and, being in full sympathy with the desire of Abyssinia to render as effective as possible the supervision of the trade in arms and ammunition and in implements of war, hereby undertake to conform to the provisions of the above-mentioned Articles so far as concerns Abyssinian territory, and to respect the regulations put into force in accordance with the said undertaking, by Abyssinia as a sovereign State.

If a State, at present included in the special zones, should at the moment of its accession to the present Convention assume with respect to its own territory the same undertakings as those set forth in the first paragraph of this Article, and also, when such State possesses a sea-coast, those contained in Articles 19 to 26 inclusive in so far as the same are applicable, the High Contracting Parties hereby declare that they will consider such State as excluded from the said zones from the date that its accession becomes effective as specified in Article 41 and that they will accept as regards such State the obligations set forth in the second paragraph of the present Article, and also, when the State excluded possesses a sea-coast, the obligations of Articles 19 to 27 inclusive in so far as they are applicable.

* * * * * * *

Article 32.

The High Contracting Parties agree that the provisions of the present Convention do not apply:

(*a*) To arms or ammunition or to implements of war forwarded from territory under the sovereignty, jurisdiction, protection or tutelage of a High Contracting Party for the use of the armed forces of such High Contracting Party, wherever situated, nor

(*b*) To arms or ammunition carried by individual members of such forces or by other persons in the service of a High Contracting Party and required by them by reason of their calling, nor

(*c*) To rifles, muskets, carbines and the necessary ammunition therefor, carried by members of rifle clubs for the sole purpose of individual use in international competitions in marksmanship.

* * * * * * *

Article 36.

Any High Contracting Party may declare that its signature or ratification or accession does not, as regards the application of the provisions of Chapter II and of Articles 13, 14 and 15 of the present Convention, bind either all or any one of the territories subject to its sovereignty, jurisdiction or protection, provided that such territories are not situated in the special zones as defined in Article 12.

Any High Contracting Party which has made such a declaration may, subsequently, and in conformity with the provisions of Article 37, adhere entirely to the present Convention for any territories so excluded. Such High Contracting Party will use its best endeavours to ensure, as soon as possible, the accession of any territories so excluded.

Any High Contracting Party may also, as regards the application of the provisions of Chapter II and of Articles 13, 14 and 15 of the present Convention, and in conformity with the procedure laid down in Article 38, denounce the present Convention separately in respect of any territory referred to above.

Any High Contracting Party which shall have availed itself of the option of exclusion or of denunciation provided for in the preceding paragraphs undertakes to apply the provisions of Chapter II to consignments destined for territories in respect of which the option has been exercised.

35845

No. 120.

MR. W. E. BECKETT (FOREIGN OFFICE) to MR. E. J. HARDING (DOMINIONS OFFICE).

DEAR HARDING, Foreign Office, 4th August, 1925.

I AM just back from a month's leave. Hence the delay in answering your letter.* I can understand your difficulty in gathering from the Reports of the

* 27914/25: not printed; it asked for a statement of developments at Geneva subsequent to No. 117.

General Committee what happened with regard to the British proposals at Geneva and British Imperial questions generally.

These matters were kept out of the General Committee pretty successfully all the time. The legal and drafting committees got the benefit of all of them.

I am assuming in replying that you have before you :—

(*a*) The final text of the Convention CCI.A 91 (2).

(*b*) The reports of the General Committee.

(*c*) Our joint report of the 27th May.

(1) *Article* 32 (Old draft Article 24) passed without further discussion or amendment except the addition of (*c*), which does not concern the matters in which you are particularly interested.

The proposal contained in paragraph (11) (1) of our joint report was accepted and incorporated in a modified form in the Convention. See Article 6, paragraph 3. Everyone has undertaken to apply publicity (except in the cases covered by Article 32) to "inter-imperial trade in arms" though not the licensing system. "Other territories" is not a well-defined expression. There was a general agreement that it meant "other territories possessing a separate customs system," but I failed to secure the addition of these words in the Drafting Committee. I think that you will notice with satisfaction that consignments to Canada for example are not described in the Convention as *exports* but merely as consignments, drawing a distinction between inter-Imperial trade and foreign trade (cp., Article 36, paragraph 4).

(2) *Article* 36 (old draft Article 25).—This Article continued to give rise to the greatest amount of dissatisfaction and opposition after you left particularly from Belgium and Japan.

We adopted the most conciliatory attitude.

(*a*) In the first place—to please the others—we dropped our own formula and on telegraphic authority from home adopted the formula contained in paragraph 1 of Article 36, drafted by the French. It is wider than anything we had asked for—as the United States realized before the end of the Conference when at the last minute they wanted to get us to substitute the formula we had at first proposed : and we rather turned the tables on them.

The present formula does not contain the limitation to "overseas" territories and leaves what is a "territory" entirely undefined.

(*b*) The second sentence of paragraph 2 was carried by Japan against me in the Legal Committee. I had declared that we preferred the insertion of the provision in the Final Act. In view of the explanation which we had given of the necessity of this Article, i.e., that we could not coerce the colonies, it was difficult to advance any argument against a provision binding people to use their "best endeavours," except that such a provision is by its character only suited for insertion in the Final Act. However, I suppose it means that we must "press" the colonies to accept the Convention.

(*c*) The fourth paragraph is in fact our proposal in paragraph 11 (2) of our report.

I had put forward 11 (1) and 11 (2) as alternatives. As 11 (1) had been accepted. I dropped 11 (2). However it was adopted and passed on the proposals of the United States and Belgium. I did not oppose it. It goes a little further than Article 6, paragraph 3, to which I have already referred, as all the provisions of the Convention —not merely the publicity provisions—have to be applied to consignments to excepted territories. However we always intended to do this.

(*d*) In the original draft the word "tutelage" came in paragraph 1 after the words "jurisdiction, protection." It was inserted in order to include mandated territories amongst those which might be excluded from the operation of the Convention. This was opposed mainly by Japan on the ground that the mandates all contained in one form or another an obligation to apply the principles of the Convention or the Convention itself to mandated territories.

The only shadow of a reason we had for wishing to maintain the power to exclude mandated territories was to enable South Africa to accede to the Convention without South-West Africa—a rather unjustifiable use of this Article, since South-West Africa is governed as an integral part of the Union. In any case it is thought that the word jurisdiction certainly covers B and C mandates and 'Iraq is in the special zone (though now, I understand, it is intended to utilize Article 28, paragraph 3, to save 'Iraq the indignity of being put in the special zone. This paragraph originated in a United States proposal to meet the case of Liberia, and we got it amended so as

to be able to use it for the benefit of 'Iraq—not without difficulty). So we met Japan on this point and agreed to the cutting out of the word "tutelage."

(*e*) I had to give my undertaking to the United States that the British Government did not consider that anything in Article 36 in any way affected the inclusion or non-inclusion of Dominions who were Members of the League in the signature of the British delegate.

They quite accepted my good faith, but, when I showed them the declaration which Lord Onslow made at the time of signing that his signature did not bind India or any Dominion a Member of the League unless they separately signed,* etc., they were honestly puzzled. I showed them the report of Monsieur Hanotaux, President of the Barcelona Conference, on which this procedure is based, which only silenced opposition without carrying intellectual conviction.

(*f*) There is only one other matter, which I remember—the slight alteration of the preamble of the Convention—i.e., the omission of the word *with* and the brackets after the British Empire. I shall not go into this matter now as it will probably come before you and be the subject of discussion later.

Yours sincerely,

W. E. BECKETT.

---

(2) Exclusion of South West Africa from "Special Zone" under the Convention.

Note.—The draft Convention considered by the Inter-Departmental Committee contained, in addition to provisions for the control of the Arms Traffic generally, provisions for special measures of control in certain areas in Africa and the Middle East designated "special zones." The Committee recommended that the African zone should consist of "the whole of the African Continent with the exception of Egypt, Libya, Algeria, the Spanish ports of North Africa, the Union of South Africa including the mandated territory of South-West Africa, and Southern Rhodesia."

The following correspondence took place as to the proposal that South-West Africa should be excluded from the zone.

24348

No. 121.

HIS MAJESTY'S CONSUL (GENEVA) to FOREIGN OFFICE.

(Dated 25th May, 1925.)

TELEGRAM.

[*Answered by No.* 122.]

(No. 144. (R).)

FOLLOWING from Lord Onslow :—Special zones. Drafting sub-committee in preparing suggestions for Geographical Committee were anxious to include in mandated territories and raised the question of South-West Africa which it was pointed out was partly in Brussels zone and was contiguous to Portuguese territory included in special zone. I did not raise objections at this stage reserving right to do so if necessary at meeting of full Geographical Committee later.

French have asked for inclusion of Morocco in special zone, Spanish agree.

Suggested area special zones for consideration of Geographical Committee now settled as follows :—

(A) Arabian Peninsula.

(B) All Africa except Spanish Moroccan ports, Algeria, Tunis, Libya, Egypt, Southern Rhodesia, Union of South Africa, Bechuanaland, Swaziland, Basutoland.

(C) All African mandated territories, Palestine, Syria, Lebanon, Irak.

(D) Socotra, Principe, St. Thomas, Annobon.

---

* The declaration was as follows: "I declare that my signature does not bind India or any British Dominion which is a separate Member of the League of Nations and does not separately sign or adhere to the Convention."

24537

No. 122.

FOREIGN OFFICE to MR. LONDON (GENEVA).

(Dated 27th May, 1925.)

TELEGRAM.

[*Answered by No.* 125.]

(No. 111. (R).)

YOUR telegram No. 144.* Following for Lord Onslow:—The inclusion of South-West Africa in the special zone would be most unwelcome to the Government of the Union. When point was discussed in connexion with the Convention of Saint Germain, Union Government maintained† that although English text merely mentioned "the Union of South Africa" as excluded from the prohibited zone, South-West Africa was also excluded. They based that view not only on the French text of the Convention, which refers to "territories de l'Union Sud Africaine" as excluded, but also on the provisions of Articles 2 and 3 of the Mandate for South-West Africa, whose position is different from that of other mandated territories in Africa inasmuch as the Mandate expressly provides that South-West Africa is to be administered "as an integral portion of the Union of South Africa."

We trust that when position is explained to full Geographical Committee they will see force of these arguments and will not press the point further.

24687

No. 123.

HIS MAJESTY'S CONSUL (GENEVA) to FOREIGN OFFICE.

(Dated 28th May, 1925.)

TELEGRAM.

(No. 154. (R).)

FOLLOWING from Lord Onslow. South-West Africa. Portuguese delegate is disturbed about this question and has telegraphed for instructions. He says that long frontier between South-West Africa and Portuguese territory makes arms smuggling easy. I did my best to reassure him saying that South-West Africa was integral part of Union and that Union Government would therefore use every effort to prevent illicit trade.

Harding, fully informed of situation, reaches London to-day.

25144

No. 124.

HIS MAJESTY'S CONSUL (GENEVA) to FOREIGN OFFICE.

(Dated 1st June, 1925.)

TELEGRAM.

[*Answered by No.* 127.]

(No. 175. (R).)

MY telegram No. 154.‡ Following from Lord Onslow. I should be glad of any arguments available to meet objections of Portugal which may be raised to-morrow.

25723

No. 125.

LORD ONSLOW (GENEVA) to FOREIGN OFFICE.

(Dated 2nd June, 1925.)

TELEGRAM.

[*Answered by No.* 126.]

YOUR telegram of 27th May.§

Portuguese delegate told me last night that he had precise instructions to oppose exclusion of South-West Africa strongly though he had himself asked to be allowed to accept our proposal.

Matter may therefore come up in general committee and I would therefore suggest action at Lisbon as Portuguese delegate here can do nothing more to influence his Government.

---

* No. 121. † No. 57 in Dominions No. 81. ‡ No. 123. § No. 122.

25273

No. 126.

FOREIGN OFFICE to MR. LONDON (GENEVA).

(Dated 2nd June, 1925.)

TELEGRAM.

(No. 128. (R).)

YOUR telegram No. 185 of 2nd June.* Exclusion of South-West Africa from special zone.

We have taken action at Lisbon as suggested.

25449

No. 127.

FOREIGN OFFICE to MR. LONDON (GENEVA).

(Dated 3rd June, 1925.)

TELEGRAM.

[*Answered by No.* 129.]

(No. 129. (R).)

YOUR telegram No. 175, 1st June.† Exclusion of South-West Africa from special zone.

Following for Lord Onslow. Fears of Portuguese delegate as to possible smuggling of arms from South-West Africa into Angola are based on misapprehension. There is already in existence in South-West Africa a most complete code of law with regard to the control of arms traffic. No arms may be imported or exported except by licence from the administration: application for licences may be refused at discretion. Export to neighbouring territories not allowed except on proof that government of importing country allows importation and same arrangement applies as regards transit. Licences required for possession and acquisition of arms and for dealing in arms. Generally speaking the restrictions imposed by the law are as wide and drastic as those contemplated for special zone. There is thus no greater probability that arms will be smuggled from South-West Africa into Angola than that arms will be smuggled from Angola into South-West Africa.

You might add if you think fit that the representations made by the Union Government in 1922 with regard to smuggling of liquor from Angola to South-West Africa constitute evidence that Union Government attach highest importance to suppression of illicit traffic across the border.

Attached 24537

No. 128.

HIS MAJESTY'S CONSUL (GENEVA) to FOREIGN OFFICE.

(Dated 4th June, 1925.)

TELEGRAM.

(No. 198. (R).)

FOLLOWING from Lord Onslow.

Geographical Committee this morning adopted last paragraph of Article 13 T.M.C. draft without first but with second British amendment and certain United States amendments, only one of real importance being substitution of "may" for "shall" towards end, on which we reserved the right of further consideration.

South-West Africa was excluded from special zone. Portuguese delegate made a reservation and said he would report my (? explanation)s including substance of your telegram No. 129‡ to his government.

Article 10 and Article 11 T.M.C. adopted in form putting detailed regulations in annex.

---

* No. 125. † No. 124. ‡ No. 127.

26339

No. 129.

MR. LONDON (GENEVA) to FOREIGN OFFICE.

(Dated 8th June, 1925.)

TELEGRAM.

[*Answered by No.* 131.]

(No. 217. (R).)

YOUR telegram No. 129.*

Following from Onslow. South-West Africa. Portuguese delegate tells me that he will maintain his opposition in General Committee.

Addressed to Foreign Office No. 217. Repeated to Lisbon.

26696

No. 130.

SIR L. CARNEGIE (LISBON) to FOREIGN OFFICE.

(Dated 9th June, 1925.)

TELEGRAM.

(No. 15. (R).)

YOUR telegram No. 18 of 2nd June.

Portuguese Government are unwilling to withdraw opposition to exclusion of South-West Africa from special zone.

Portuguese Government point out that when Arms Traffic Convention of 1919 was concluded at St. Germain, Union of South Africa had not received authority to administer South-West Africa which was conferred by mandate of 17th December, 1920. The "territories" referred to in French text of Convention could not therefore be included in South-West Africa. They refer also to paragraph 2 Article 3 of mandate as an indication that South-West Africa was not included in exceptions mentioned in Article 6 of Convention.

They state that besides being unable to accept arguments put forward by Union of South Africa they are guided by primary desire to prevent as far as possible importation into their African territories of arms and ammunition. Their long southern frontier in Angola with its sparse population at a great distance from civilized centres cannot be rigorously supervised and free importation of arms into South-West Africa would have as a result greater facilities for importation of arms into Portuguese territories.

Translation of note by post.

27091

No. 131.

FOREIGN OFFICE to MR. LONDON (GENEVA).

(Dated 11th June, 1925.)

TELEGRAM.

(No. 160. (R).)

YOUR telegram No. 217.† Exclusion of South-West Africa from special zone.

Following for Lord Onslow: In view of Lisbon telegram No. 15‡ it seems useless to pursue discussions at Lisbon, but in case Portuguese delegate uses arguments contained in it, following comments may help you.

(1) Allocation of B and C Mandates was made at meeting of Supreme Council at Versailles 7th May, 1919, and form of C Mandates settled in July, 1919, by special commission appointed by Supreme Council. Statement on which first argument of Portuguese Government is based is therefore incorrect.

(2) Paragraph 2 Article 3 of South-West Africa Mandate appears in other C Mandates also which relate to territories outside prohibited zone of 1919 Convention. See also my telegram No. 111.§

* No. 127. † No. 129. ‡ No. 130. § No. 122.

(3) Arguments as to smuggling were dealt with in my telegram No. 129.*

We hope you will be able to persuade Portuguese delegate not to carry opposition to a vote. If, however, he does and inclusion of South-West Africa is carried against you please refer at once for instructions as, in that event, question would arise whether we could possibly authorize signature of Convention with definition of special zone in form counter to known wishes of Union Government even though latter are not represented at Conference.

26841

No. 132.

HIS MAJESTY'S CONSUL (GENEVA) to FOREIGN OFFICE.

(Dated 11th June, 1925.)

TELEGRAM.

(No. 249.)

YOUR telegram No. 153.

South-West Africa excluded by unanimous vote including that of Portuguese delegate.

Attached 26696

No. 133.

MR. LONDON (GENEVA) to FOREIGN OFFICE.

(Dated 13th June, 1925.)

TELEGRAM.

[*Answered by No.* 134.]

(No. 257. (R).)

MY telegram No. 249.†

Following from Lord Onslow: Portuguese delegate is still disturbed about South-West Africa. He says he will have to refer again to it at plenary session. He begged me to give him some assurance that Union Government would co-operate with Angola Government in stopping smuggling. Could I give him some kind of message to reassure Portuguese Government.

27467

No. 134.

FOREIGN OFFICE to MR. LONDON (GENEVA).

(Dated 15th June, 1925.)

TELEGRAM.

(No. 166. (R).)

YOUR telegram No. 257.‡

Following for Lord Onslow: We know General Hertzog attaches great importance to principle that Union Government as Mandatory Power are solely responsible for administration of South-West Africa and expects us not to take any action which might be construed as derogating from it. Consequently while we were entitled to insist on exclusion of South-West Africa from special zone in accordance with known wishes of Union Government and are very glad that your efforts to secure this have been so successful we think it essential that you should avoid in plenary session any statement in the nature of a formal assurance as this could only be given by the Union Government. Suggest that if you find public statement necessary you should confine yourself to saying that your understanding as to the control of the arms traffic between South-West Africa and Angola is as set out in first part of my telegram No. 129* adding that it will of course be for Union Government to consider the question of further action in regard to the frontier

* No. 127. † No. 132. ‡ No. 133.

traffic on receipt of the proceedings of the Conference but that it would seem to you that the details of any special measures for controlling such traffic would be most appropriately discussed direct between Angola Government and Union Government.

Note.—For the statements made by the Portuguese and British delegates on this subject at the 23rd Meeting of the General Committee of the Conference on the 11th June, see pages 372-374 of League of Nations paper A.13, 1925, X.

---

(3) Signature of Convention on behalf of Canada.

40845

No. 135.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.15 p.m., 5th September, 1925.)

TELEGRAM.

5TH SEPTEMBER. Honourable Raoul Dandurand, Senior Canadian Delegate to the sixth Assembly of the League of Nations, has been authorized to sign Arms Traffic Instrument(s).—GOVERNOR-GENERAL.

AUSTRIA.

(1) Commercial Treaty, 1924.

(Treaty Series 1925, No. 21.)

22273

No. 136.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada. / Commonwealth of Australia. / New Zealand. / Union of South Africa. / Irish Free State. / Newfoundland. / Southern Rhodesia. No. 174.) — Dominions No. 219.)

[MY LORD,] [SIR,] Downing Street, 25th May, 1925.

WITH reference to my predecessor's despatch [Dominions No. 323] [No. 261] of the 19th of July, 1924,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of a Treaty Series Paper, No. 21 of 1925, Cmd. 2411, containing the Treaty of Commerce and Navigation with Austria and accompanying Declaration, signed at London on the 22nd of May, 1924.

[*Not to New Zealand or Irish Free State:* 2. Further copies are being sent in Library despatch.]

I have, &c.,
L. S. AMERY.

31578

No. 137.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

(No. 257.)

SIR, Downing Street, 21st July, 1925.

WITH reference to your despatch No. 276 of the 1st of September, 1924,† I have the honour to transmit to you, for the information of your Ministers, copies

* 33432/24: not printed; it enclosed copies of Cmd. 2176 which contained the text of the Treaty and Declaration. † No. 51 in Dominions No. 93.

of notes exchanged between His Majesty's Minister at Vienna and the Austrian Government, and of a translation of the Austrian Government's note of the 18th of June, regarding the accession of Southern Rhodesia to the Treaty of Commerce and Navigation with Austria signed on the 22nd of May, 1924.

I have, &c.,
L. S. AMERY.

Enclosure 1 in No. 137.

British Legation, Vienna,
8th June, 1925.

MONSIEUR LE MINISTRE,

WITH reference to the Anglo-Austrian Treaty of Commerce and Navigation signed at London on 22nd May, 1924, I have the honour, in accordance with instructions received from His Majesty's Principal Secretary of State for Foreign Affairs, to notify to you the accession of the Government of Southern Rhodesia to the Treaty under Article 24 thereof.

I avail, &c.,
A. AKERS DOUGLAS.

Herrn
Dr. Mataja,
Federal Minister for Foreign Affairs,
Vienna.

Enclosure 2 in No. 137.

Bundeskanzleramt,
Auswärtige Angelegenheiten.

13.873/18.

HERR GESANDTER, Wien, am 18. Juni, 1925.

ICH beehre mich, Euer Exzellenz den Empfang der Note vom 8. Juni 1. J., womit mir Euer Exzellenz im Auftrage Seiner Majestät Staatssekrstär für Auswärtige Angelegenheiten den Beitritt der Regierung von Süd-Rhodesia zu dem zwischen der Republik Oesterreich und Grossbritannien abgeschlossenen Handels- und Schiffahrtsvertrag gemäss Artikel 24 dieses Vertrages notifizieren, ergebenst zu bestätigen.

Genehmigen, Herr Gesandter, den Ausdruck meiner vollkommensten Rochachtung.

Für den Bundesminister,
PETER.

Seiner Exzellenz
Honourable Aretas Akers Douglas,
königlich grossbritannischer Gesandter,
Wien.

Enclosure 3 in No. 137.

Translation.

Federal Chancellery,
Department for Foreign Affairs.

13.873/18.

MONSIEUR LE MINISTRE, Vienna, 18th June, 1925.

I HAVE the honour to acknowledge the receipt of the Note of the 8th June, 1925, in which, in accordance with instructions received from His Majesty's Secretary of State for Foreign Affairs, Your Excellency gives notice of the accession of the Government of Southern Rhodesia to the Treaty of Commerce and Navigation concluded between the Republic of Austria and Great Britain under Article 24 of that Treaty.

Please accept, Monsieur le Ministre, the expression of my highest consideration.

For the Federal Minister,
PETER.

His Excellency
The Honourable Aretas Akers Douglas,
Vienna.

---

(2) Agreement relating to Commercial Travellers' Samples.

(*Treaty Series* 1925, *No.* 27.)

1564

No. 138.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 12th January, 1925.)

(No. 338.)

SIR, Governor-General's Office, Melbourne, 4th December, 1924.

WITH reference to your predecessor's despatch dated 5th June, 1924, Dominions No. 252,* on the subject of the extension to the Dominions of the Agreement between the British and Austrian Governments of 28th March, 1923, respecting the Customs Clearance of Commercial Travellers' Samples, I have the honour to inform you that I am advised by my Prime Minister that the Commonwealth Government does not desire to enter into any formal agreement with the Austrian Government.

The present practice in Australia is substantially in conformity with that set out in the despatch under reference as having been adopted between the British and Austrian Governments, and is as follows:—

Travellers' samples dutiable under the Tariff are admitted on deposit of duty for six months (Section 162 Customs Act).

The importer makes application to deposit in accordance with Form 47† (in duplicate) of the Customs Regulations, a copy of which is attached.

If the goods are liable to *ad valorem* duties, documentary evidence of value must be produced.

The goods will be examined by an officer before delivery.

The importer may obtain a triplicate copy of Form 47, which will be impressed with a stamp, as follows:—

Travellers' Samples.

The importer may obtain a refund of this deposit on exportation of the goods at any port in Australia within six months, on identification of the samples, and surrender of this document, and the passing of our Export Entry.

My Prime Minister adds that the practice of the Commonwealth applies, of course, to commercial travellers' samples imported from all countries, and consequently samples imported from Austria will be dealt with in accordance with this practice.

I have, &c.,
FORSTER,
Governor-General.

20746

No. 139.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(New Zealand. No. 85.)
(Union of South Africa. No. 91.)
(Irish Free State. No. 197.)
(Newfoundland. No. 50.)
(Southern Rhodesia. No. 158.)

[MY LORD,] [SIR,] Downing Street, 16th May, 1925.

WITH reference to [Viscount Jellicoe's despatch No. 147 of the 28th of July, 1924,‡] [Your Excellency's despatch No. 340 of the 16th of July, 1924,§] [Your Excellency's despatch No. 327 of the 19th of August, 1924,‖] [your despatch No. 76

* No. 52 in Dominions No. 93. † Not printed here. ‡ No. 58 in Dominions No. 93. § No. 54 in Dominions No. 93. ‖ No. 50 in Dominions No. 93.

400

of the 21st of July, 1924,*] [your despatch No. 246 of the 8th of August, 1924,†] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of correspondence with the Austrian Minister respecting the accession of [New Zealand] [the Union of South Africa] [the Irish Free State] [Newfoundland] [Southern Rhodesia] to the Agreement of the 28th of March, 1923, between the British and Austrian Governments respecting the Customs clearance of Commercial Travellers' Samples.

I have, &c.,
L. S. AMERY.

[7029]

Enclosure 1 in No. 139.

Foreign Office, S.W.1,
11th February, 1925.

SIR,

I HAVE the honour to refer to your note No. Z1. 782, of 12th May last, in which you informed my predecessor that the Austrian Government were anxious that the agreement signed at Vienna on 28th March, 1923, between His Majesty's Government and themselves, respecting the Customs clearance of commercial travellers' samples should be extended to the British Dominions, Colonies, Possessions and India.

2. Certain of the Governments of His Majesty's Dominions, Colonies and Possessions have, in reply to the invitation which has been addressed to them, expressed their willingness to accede to the above agreement, and, subject to the concurrence of the Austrian Government, it is proposed that such accession may be effected by means of a formal exchange of notes recording the accession. It would be understood that the agreement applies reciprocally to the acceding British Dominions, Colonies and Possessions in the same manner and on the same conditions as it applies to Great Britain.

3. I have the honour, therefore, to notify that the Dominion of New Zealand, the Union of South Africa, the Irish Free State, Newfoundland, Southern Rhodesia and Malta and also India accede to the above-mentioned agreement. In the case of the Union of South Africa it is nevertheless understood that the amount of duty payable on the samples must be deposited in cash with the Customs authorities, and cannot be refunded until these samples have actually been exported, which must take place within one year of the date of importation, since under existing law it is not permissible to allow a refund of duty on their being placed in bond.

4. In the event of any other of His Majesty's Dominions, Colonies and Possessions desiring to accede to the agreement in future, His Majesty's Government hereby agree that a similar formal notification of their accession to the Austrian Government, and the acceptance of such accession by the latter, will suffice for the purpose.

5. If the above course meets with the approval of the Austrian Government, I would suggest that the present note and your reply thereto should be regarded as placing on record the understanding arrived at in the matter.

I have, &c.,
(For the Secretary of State),
MILES W. LAMPSON.

Monsieur Georg Franckenstein,
&c., &c., &c.

Enclosure 2 in No. 139.

(No. 1026.)

Austrian Legation, 18, Belgrave Square, London, S.W.1.
23rd April, 1925.

SIR,

I HAVE the honour to acknowledge receipt of your Note of the 11th February, 1925, and, in conformity with instructions received from the Austrian Federal Government, to take note that the Dominion of New Zealand, the Union of South Africa, the Irish Free State, Newfoundland, Southern Rhodesia and Malta and also India accede to the agreement signed at Vienna on the 28th March, 1923, between His Majesty's Government and the Austrian Government, respecting the Customs clearance of commercial travellers' samples.

* No. 55 in Dominions No. 93. † No. 57 in Dominions No. 93.

In the case of the Union of South Africa it is understood that the amount of duty payable on the samples must be deposited in cash with the Customs authorities and cannot be refunded until these samples have actually been exported, which must take place within one year of the date of importation. It is further understood that the agreement applies reciprocally to the acceding British Dominions, Colonies and Possessions in the same manner and on the same conditions as it applies to Great Britain.

In the event of any other of His Majesty's Dominions, Colonies and Possessions desiring to accede to the agreement in future, the Austrian Federal Government hereby agree that a similar formal notification of their accession to the Austrian Government and the acceptance of such accession by the latter will suffice for the purpose.

I have, &c.,
G. FRANCKENSTEIN,
Austrian Minister.

The Right Honourable
Austen Chamberlain, M.P.,
His Majesty's Principal Secretary of State for Foreign Affairs,
&c. &c., &c.
Foreign Office, Downing Street,
London, S.W.1.

Note:—These notes were published in Treaty Series 1925, No. 27 (Cmd. 2422), of which copies were sent to the Dominions and Southern Rhodesia in despatches of the 5th June, 1925.

BELGIUM.

(1) Abrogation of the Treaties of 1839, Establishing the Status of Belgium.

15327

No. 140.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 9.35 p.m., 1st April, 1925.)

TELEGRAM.

[*Answered by No.* 144.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

1ST APRIL. Confidential. Following on discussions which took place in connexion with Peace Settlement as regards Treaties of 1839 establishing status of Belgium (see Article 31, Treaty of Versailles), Governments of Belgium and Netherlands have now agreed upon Treaty to replace Treaty between these countries of 19th April, 1839 (see pages 356 to 366 of Hertslet's Treaties, Volume V). New Treaty provides for abrogation of Article 7, 1839 Treaty, in so far as relates to Belgian neutrality, and Article 14, under which Antwerp was to be solely port of commerce. Accordingly Governments of Belgium and Netherlands have asked His Majesty's Government and French Government to agree to formal abrogation of Multilateral Treaties of 19th April, 1839, with Belgium and Holland, to which Great Britain was party (see pages 26 to 28 and 354 to 356 of Hertslet, Volume V). Provisions of new Treaty under examination. If they are satisfactory reply contemplated (which will be settled in consultation with French Government) is to

401

effect that His Majesty's Government have, in common with Allies, already placed on record opinion that 1839 Treaties no longer conform to requirements of situation; that it is therefore matter of great satisfaction to them that Governments of Belgium and Netherlands should have been able to agree as to lines on which settlement of 1839 should be revised; that they are in agreement with proposed revision, and are therefore ready, in so far as they are concerned, to proceed to abrogation of 1839 Treaties; and that they will at once consult French, Belgian and Netherlands Governments as to necessary instrument.—SECRETARY OF STATE FOR THE COLONIES.

15327

No. 141.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Confidential.)

SIR, Downing Street, 2nd April, 1925.

I HAVE the honour to transmit to Your Excellency, to be laid before your Ministers, a copy of a telegram* to the other self-governing Dominions regarding the proposed abrogation of the Treaties of the 19th April, 1839, establishing the status of Belgium.

I have, &c.,
(for the Secretary of State),
W. ORMSBY GORE.

23576

No. 142.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 3.30 p.m., 23rd May, 1925.)

TELEGRAM.

[*Answered by Nos.* 143, 144, 145 *and* 146.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)

23RD MAY. Confidential. My telegram 1st April.† Treaties of 1839 establishing status of Belgium. Notes were sent to Belgian and Netherlands Governments in terms foreshadowed and draft treaty to abrogate multilateral Treaties of 1839 has now been prepared. Terms of new Treaty are being telegraphed separately.‡ This form of instrument has been adopted in preference to simple exchange of notes as it was considered that act of abrogation could only be effected by instrument equal in weight and character with those to be abrogated.

Precise manner in which ex-enemy Powers are to be associated in new instrument is still under discussion, but as soon as this is settled it is desired to proceed at once with remaining formalities as Belgian and Netherlands Governments are pressing for conclusion of Treaty in time to enable it to be ratified by Netherlands Parliament before adjournment at end of May, and Secretary of State for Foreign Affairs wishes, if possible, to meet this request on grounds both of diplomatic courtesy and of expediency of not losing present opportunity of regularizing anomalous situation which has obtained since Peace Conference as a result of inability hitherto of Belgian and Netherlands Governments to settle basis of new arrangement.

As regards procedure for signature of new Treaty, agreement of Powers that 1839 settlement no longer conformed to situation has already been placed on formal

---

* No. 140. † No. 140. ‡ 23576/25: not printed; it quoted the terms of the draft Treaty.

record at Peace Conference (see Article 31 Treaty of Versailles). Hence it is considered desirable that act of abrogation should be performed with as little formality as is compatible with legal validity and accordingly proposed that signature should be limited to those of Principal Allied and Associated Powers who were parties to 1839 Treaties.

In view of reference in Article 31 Treaty of Versailles to conventions to be "entered into by the Principal Allied and Associated Powers," and fact that British Empire is described as Principal Allied and Associated Power in preamble to that Treaty new instrument has as matter of form been drawn in name of British Empire rather than Great Britain which was party to 1839 Treaties. As, however, new instrument merely terminates existing obligation entered into by Great Britain under 1839 Treaties without imposing new obligations of any kind either on Great Britain or on other parts of Empire, and as Treaty between Belgium and Netherlands to which assent is given by new instrument contains nothing concerning other than those two Powers apart from provisions relating to abrogation of neutrality of Belgium, abolition of restriction on use of port of Antwerp and provisions relating to navigation of Scheldt which are considered satisfactory, it would seem to be in accordance with principles underlying Resolution of Imperial Conference, 1923, regarding negotiation, signature and ratification of Treaties, that new Treaty should be signed, so far as British Empire concerned, only by His Majesty's Representative at The Hague, and it is proposed to proceed accordingly.

In view of extreme urgency of matter His Majesty's Government would be obliged if, in event of your Ministers having any observations on procedure described above, they could be communicated before Wednesday, 27th May.—SECRETARY OF STATE FOR THE COLONIES.

23892

No. 143.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1.30 p.m., 25th May, 1925.)

TELEGRAM.

25TH MAY. Confidential. Your telegram of 23rd May.* Abrogation of Treaties of 1839 establishing status of Belgium. My Prime Minister informs me that New Zealand Government has no observations to make on the subject and is content to leave the whole matter absolutely to the discretion of His Majesty's Government.—FERGUSSON.

24255

No. 144.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5.41 p.m., 26th May, 1925.)

TELEGRAM.

26TH MAY. Confidential. Your telegram of 1st April, Confidential,† and your telegram of 23rd May, Confidential,* regarding the proposed Treaty to effect the abrogation of the Multilateral Treaties of 1839 establishing *inter alia* neutrality of Belgium. Ministers state that they concur as to the proposed form of instrument and that in so far as the Union of South Africa is concerned they are agreeable to His Majesty's representative at The Hague signing the proposed treaty on behalf of the Union.—ATHLONE.

24247

No. 145.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 9.45 p.m., 26th May, 1925.)

TELEGRAM.

26TH MAY. Your Confidential telegram of 23rd May.* My Ministers have no objection to offer.—ALLARDYCE.

---

* No. 142. † No. 140.

24295

402

No. 146.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.5 a.m., 27th May, 1925.)

TELEGRAM.

26TH MAY. Your telegram of 23rd May* regarding the Belgian Treaty. My advisers appreciate the full statement of the situation and under the circumstances desire to avoid raising any question as to the procedure suggested. In view of the scope and antecedents of the agreement, they are of the opinion that the United Kingdom of Great Britain might have been expected as indicating (?) party to the Treaty, but if it is felt necessary to utilize Article 31 of the Treaty of Versailles to secure German adherence they consider that might constitute sufficient grounds for using same term "The British Empire" as in the preamble of Treaty of Versailles. It will doubtless be agreed that term required in this case would not involve precedent under different circumstances. It is recognized that certain amount of verbal ambiguity or inconsistency is difficult to avoid where Treaties framed at different periods are involved.—BYNG.

24294

No. 147.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 11.38 a.m., 27th May, 1925.)

TELEGRAM.

27TH MAY. Your telegram dated 23rd May, Confidential.* Status of Belgium. My Ministers concur in the procedure proposed and have no observations to offer.—FORSTER.

24397

No. 148.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.10 p.m., 27th May, 1925.)

TELEGRAM.

[*Answered by No.* 149.]

CONFIDENTIAL. 27th May. With reference to your telegram of the 23rd May.* Telegram does not make it quite clear that term British Empire in paragraph 4 is not intended to include self-governing Dominions, but on this assumption Ministers have no observations to offer except that they presume that paragraph (*a*) of Imperial Conference Resolution regarding signature of Treatie will be followed.—HEALY.

26842

No. 149.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Confidential.)

SIR, Downing Street, 26th June, 1925.

I HAVE the honour to acknowledge the receipt of Your Excellency's telegram of the 27th May† regarding the abrogation of the Treaties of the 19th April, 1839, establishing the status of Belgium.

2. As indicated in my telegram of the 23rd May,* the proposed new Treaty on the one hand terminates an existing obligation by abrogating entirely the Multi-

---

* No. 142. † No. 148.

lateral treaties of the 19th April, 1839, Article II of which provided that the Treaty of the same date between Belgium and the Netherlands should be placed under the guarantee of the parties to those treaties, and, on the other hand, imposes no new obligations upon the Dominions or indeed upon Great Britain.

3. Accordingly, neither paragraph 2 (*a*) nor paragraph 2 (*b*) of Part I of the Resolution of the Imperial Conference of 1923 regarding the Negotiation, Signature and Ratification of Treaties (which refer respectively to Treaties imposing obligations upon one part of the Empire and to Treaties imposing obligations upon more than one part of the Empire) seems to be literally applicable to the case, but it would appear to follow from the principles underlying the Resolution that, as the Treaty has been negotiated by His Majesty's Government, it should be signed only by His Majesty's Representative at The Hague.

4. The reference to the British Empire rather than Great Britain was made as a matter of form owing to the wording of Article 31 of the Treaty of Versailles.

5. His Majesty's Government are glad to learn that your Ministers have no observations on the proposed procedure other than those to which the foregoing paragraphs reply. I may add that the procedure has now been accepted by all the other Dominions.

I have, &c.,
L. S. AMERY.

28389

No. 150.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
— Dominions No. 277. Confidential.)

[MY LORD,] [SIR,] Downing Street, 4th July, 1925.

WITH reference to my telegrams of the 23rd of May* regarding the draft treaty for the abrogation of the Treaties of 1839 establishing the status of Belgium, I have the honour to request [Your Excellency] [you] to inform your Ministers that, owing to the unexpected prolongation of the political crisis in Belgium, it was found impossible to complete the remaining formalities by the desired date.

2. His Majesty's Government and the French Government have arrived at agreement as to the form of the instrument, and copies of the French and English texts† are enclosed herewith. The only outstanding question is whether the treaty should be drawn up in French only or in French and English. As soon as this question is settled, His Majesty's Government propose to concert with the French Government in communicating the text to the Belgian and Netherlands Governments in order that they may have an opportunity of expressing their views before the ex-enemy Governments are called upon to instruct their representatives to take part in the execution of the instrument.

3. His Majesty's Government much appreciate the action of the Dominion Governments in replying so speedily to the telegrams of the 23rd of May, especially in view of the insistent nature of the appeals being made at the time by the Belgian and Netherlands Governments.

I have, &c.,
L. S. AMERY.

---

* Nos. 142 and 23576/25 (not printed) which quoted the terms of the draft Treaty. † Not printed here.

403

38022

No. 151.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
— Dominions No. 375. Confidential.)

[MY LORD,] [SIR,] Downing Street, 28th August, 1925.

WITH reference to my Confidential despatch Dominions No. 277 of the 4th of July,* I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, the accompanying copies of despatches to His Majesty's representatives at Brussels and The Hague, dated the 7th of July, and of a despatch to His Majesty's Representative at Paris, dated the 17th of August, relative to the draft Treaty to replace the Multilateral Treaties of the 19th of April, 1839, establishing the status of Belgium.

I have, &c.,
L. S. AMERY.

Enclosure 1 in No. 151.

(Confidential.)

MR. AUSTEN CHAMBERLAIN to SIR G. GRAHAME (BRUSSELS, No. 791) AND to SIR C. MARLING (THE HAGUE, No. 309), *mutatis mutandis*.

SIR, Foreign Office, 7th July, 1925.

WITH reference to my despatch No. 423 of the 3rd April last, I transmit herewith the text, drafted in agreement with the French Government, of the treaty† approving the revision of the Treaties of the 19th April, 1839, in accordance with the agreement recently concluded between the Belgian and Netherlands Governments.

2. I request that Your Excellency will concert with your French colleague in communicating this text to the Belgian Government.

3. Similar instructions are being addressed to His Majesty's Minister at The Hague.

I am, &c.,
AUSTEN CHAMBERLAIN.

Enclosure 2 in No. 151.

(No. 2776.)

SIR, Foreign Office, S.W. 1, 17th August, 1925.

WITH reference to my despatches to Sir G. Grahame and Sir C. Marling, Nos. 791 and 309 respectively of the 7th ultimo, I transmit herewith copies of notes from the Belgian and Netherlands representatives in London, stating that the two Governments are not prepared to agree to the Franco-British draft recently submitted to them of a treaty to be substituted for the 1839 Treaties. The French Government have received similar notes from the Belgian and Netherlands representatives at Paris, and the French Ambassador here has shown me semi-officially a draft of the reply which the French Government propose to address to them. In this reply the French Government limit themselves to asking for "des précisions" in regard to the objections of the two Governments.

2. I entirely agree that the Belgian and Netherlands Governments must be pressed to formulate in writing the exact nature of their objections. Without such a statement it would be difficult to make any progress in the consideration of the question. At the same time, however, I think it would be desirable to suggest that the matter should, in the first instance, be discussed by the legal representatives of the four Powers concerned at Geneva in September next. The agenda of the Assembly is comparatively short, and I have no doubt time could be found for this purpose. It is self-evident that such preliminary discussions would materially

* No. 150. † Not printed here.

shorten the duration of a subsequent Conference. The note might terminate by an acceptance of the invitation to a Conference at The Hague in October next at the earliest, provided that the Belgian and Netherlands Governments are ready on their side to accept the Franco-British proposals, i.e., formulation in writing of their objections and preliminary discussion at Geneva.

3. I understand that the French Government, whose desire for concerted action in this matter I entirely share, are anxious to reply as soon as possible to the Belgian and Netherlands notes. I request, therefore, that you will communicate with them at once in the sense of the present despatch.

I am, &c.,
G. H. VILLIERS.

E. C. E. Phipps, Esq., C.M.G., C.V.O.,
&c., &c., &c.

(No. 2155.)

Ambassade de Belgique,
Londres, le 7 août, 1925.

MONSIEUR LE SECRÉTAIRE D'ETAT,

PAR un office en date du 13 de ce mois, le Chargé d'Affaires du Gouvernement de Sa Majesté britannique à Bruxelles, a bien voulu informer le Gouvernement du Roi des négociations qui sont poursuivies entre les Gouvernements britannique et français en vue de l'élaboration du nouveau Traité collectif destiné à remplacer les traités signés à Londres le 18 avril, 1839, entre les grandes Puissances et respectivement la Belgique et les Pays-Bas. M. Wingfield a communiqué en même temps le texte du projet de Traité sur lequel le Gouvernement britannique et le Gouvernement de la République se sont mis d'accord, en demandant au Gouvernement du Roi s'il était disposé à accepter ce projet.

Le Gouvernement belge ne peut, à son vif regret, accepter ce projet de Traité, qui s'écarte complètement des suggestions présentées par le Cabinet de Bruxelles et de La Haye, à la veille de la signature du Traité hollando-belge d'avril, 1925.

Ce projet ne cadre pas davantage avec celui qui avait été élaboré par la Commission des XIV et qui avait pourtant rencontré l'approbation des Puissances en 1920.

Le Gouvernement belge se permet de rappeler à cette occasion la proposition qu'il avait faite au mois d'avril dernier, d'accord avec le Gouvernement hollandais: réunir à La Haye des représentants de la France, de la Grande-Bretagne, de la Belgique et des Pays-Bas, en vue d'examiner en commun la manière la plus opportune de constater l'abrogation des traités de garantie. Il estime qu'il sera plus aisé de trouver les bases d'un accord dans des échanges de vue et des négociations verbales, qu'en traitant cette affaire par voie de communication officielle.

Je saisis, etc.,
B. MONCHEUR.

Son Excellence
The Right Honourable Austen Chamberlain, M.P.,
Secrétaire d'Etat Principal pour les Affaires Etrangères,
&c., &c., &c.

(No. 1073.)

Londres, le 7 août, 1925.

MONSIEUR LE SECRÉTAIRE D'ETAT,

LE Ministre des Affaires Etrangères à la Haye a pris connaissance avec intérêt du projet de traité désigné à remplacer les traités collectifs de 1839 qui lui a été remis de la part de Votre Excellence par le Ministre Britannique à la Haye. Il m'a chargé d'informer Votre Excellence que par ce document même, dont il a apprécié la remise, il se voit toutefois confirmé dans sa conviction que la meilleure voie à suivre pour résoudre la question de l'abolition des dits traités est celle d'une réunion de délégués des différents Gouvernements intéressés ainsique je m'étais permis de le proposer à Votre Excellence dans ma note du 6 avril dernier No. 513.

De l'avis de Monsieur de Karnebeek il est douteux que dans la rédaction du projet présenté il ait été suffisamment tenu compte des résultats où ont mené les délibérations de la Commission des XIV et le projet semble se baser sur une conception erronée des rapports juridiques entre les Pays Bas et les autres Puissances.

Pour ces raisons le projet en question pourrait difficilement servir de base aux délibérations ultérieures et le Gouvernement de la Reine, d'accord avec le Gouvernement Royal de Belgique, le juge opportun de renouveler la proposition transmise dans ma lettre précitée du 6 avril et à laquelle Votre Excellence s'était ralliée en principe.

Comme Monsieur de Karnebeek regretterait un trop grand délai j'ai été chargé de prier Votre Excellence de bien vouloir me faire savoir si le mois d'octobre Lui conviendrait pour la réunion proposée.

Veuille agréer, Monsieur le Secrétaire d'Etat, l'assurance renouvelée de la plus haute considération avec laquelle j'ai l'honneur d'être, etc.

R. DE MAREES VAN SWINDEREN.

The Right Honourable Austen Chamberlain, M.P.,
&c., &c., &c.

Note.—Negotiations on this subject had not been completed at the end of 1925.

---

(2) Convention relating to Legal Proceedings in Civil and Commercial Matters.
(*Treaty Series* 1924, *No.* 13.)

3604

No. 152.

NEWFOUNDLAND.

THE GOVERNOR to the SECRETARY OF STATE.

(Received 26th January, 1925.)

[*Answered by No.* 153.]

(No. 4.)

Government House, St. John's, 7th January, 1925.

SIR,

I HAVE the honour to acknowledge the receipt of your predecessor's despatch No. 171 of the 6th November last,* on the subject of the Anglo-Belgian Civil Procedure Convention, and to inform you that my Ministers are prepared to accept the reservations contained in the Note, and desire that the Belgian Ambassador shall be informed in reply that it is agreed that the arrangements shall take effect one month from the date of such notification.

I have, &c.,
W. L. ALLARDYCE.

5652

No. 153.

NEWFOUNDLAND.

THE SECRETARY OF STATE to the GOVERNOR.

(No. 15.)

Downing Street, 19th February, 1925.

SIR,

I HAVE the honour to acknowledge the receipt of your despatch No. 4 of the 7th of January,† and to transmit to you, for the information of your Ministers, the accompanying copy of a Note to the Belgian Ambassador regarding the extension to Newfoundland of the Anglo-Belgian Civil Procedure Convention.

I have, &c.,
L. S. AMERY.

Enclosure in No. 153.

Foreign Office, S.W.1, 4th February, 1925.

YOUR EXCELLENCY,

WITH reference to your Note No. 2330 of the 26th September last, respecting the extension to Newfoundland of the Anglo-Belgian Civil Procedure Convention,

---

* No. 83 in Dominions No. 93. † No. 152.

I have the honour to inform Your Excellency that the Newfoundland Government are prepared to accept the reservations contained in your Note under reference and agree that the arrangements shall take effect one month from the date of this notification.

I have, &c.,
AUSTEN CHAMBERLAIN.

His Excellency
Baron Moncheur, G.C.V.O.,
&c. &c., &c.

9603

No. 154.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2nd March, 1925.)

(No. 70.)

SIR, Government House, Ottawa, 17th February, 1925.

WITH reference to your despatch No. 559 of the 29th December last,* regarding the extension to Canada of the Convention between the United Kingdom and Belgium respecting Legal Proceedings in Civil and Commercial Matters, I have the honour to inform you that this matter having been referred for the consideration of the Governments of the various Provinces, the replies now received show that, while some of them are prepared to accept the Convention, a number of them desire to have the matter considered by the Board of Commissioners for the Promotion of Uniformity of Legislation in Canada. It might be explained that this Board is a Committee of the Canadian Bar Association whose aims towards the assimilation of the laws of the various Provinces on similar matters are indicated by its title, and that, while without official standing, its views carry considerable weight with the Provincial authorities. For the purpose of consideration of the question by this body, it is desired that thirty additional copies of the Convention may be supplied and my Government will be grateful if these copies can be furnished.

I have, &c.,
BYNG OF VIMY.

9333

No. 155.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

(No. 77.)

SIR, Downing Street, 4th March, 1925.

WITH reference to my despatch No. 507 of the 9th of December last,† I have the honour to transmit to you, for the information of your Ministers, the accompanying copies of correspondence with the Belgian Ambassador relating to the extension to Southern Rhodesia of the provisions of the Anglo-Belgian Civil Procedure Convention.

I have, &c.,
L. S. AMERY.

[5661]

Enclosure 1 in No. 155.

(No. 262.)

Ambassade de Belgique, Londres,
le 27 janvier, 1925.

MONSIEUR LE SECRÉTAIRE D'ETAT,

ME référant à la lettre de Votre Excellence en date du 2 décembre dernier, j'ai l'honneur de Lui faire connaître que, sous les réserves formulées ci-après, le Gouvernement du Roi acquiesce volontiers à la demande du Gouvernement de la

* 42061/24: not printed; reminder. † No. 84 in Dominions No. 93.

405

Rhodésie du Sud de voir étendre à cette colonie l'application de la convention anglo-belge du 21 juin, 1922, sur la transmission des actes judiciaires et l'établissement des preuves.

Le Consul de Belgique à Salisbury sera chargé d'assurer la transmission des actes judiciaires et des commissions rogatoires au "Registrar" de la Haute Cour de la Rhodésie du Sud.

Toutefois, la question des traductions des communications et documents à transmettre à cette autorité judiciaire soulève les mêmes remarques que celles dont j'ai eu l'honneur de faire part à Votre Excellence par ma lettre en date du 26 septembre dernier, No. 2330, à propos de l'extension de la convention dont il s'agit à la Colonie de Terre-Neuve et à la Palestine.

Mon Gouvernement propose que l'application à la Rhodésie du Sud de la convention du 21 juin, 1922, ait lieu un mois après la date de la communication par laquelle Votre Excellence aura bien voulu me marquer l'accord du Gouvernement de Sa Majesté Britannique au sujet des considérations que j'ai été chargé de lui soumettre.

Je saisis, &c.,
B. MONCHEUR.

Son Excellence
The Right Honourable
Austen Chamberlain,
Secrétaire d'Etat pour les
Affaires Etrangères,
Foreign Office, S.W.1.

Enclosure 2 in No. 155.

Foreign Office, S.W.1,
25th February, 1925.

YOUR EXCELLENCY,

WITH reference to your note of the 27th ultimo, regarding the extension of the provisions of the Anglo-Belgian Civil Procedure Convention to Southern Rhodesia, I have the honour to inform you that, as no suggestion was made by the Government of Southern Rhodesia itself regarding the supply of English translations of legal documents, it is not anticipated that any difficulty will arise as to acceptance by that Government of the reservations referred to by Your Excellency. In the circumstances there appears to be no reason to delay the application of the Convention to Southern Rhodesia.

I have, &c.,
AUSTEN CHAMBERLAIN.

His Excellency
Baron Moncheur, G.C.V.O.,
&c., &c., &c.

9466

No. 156.

NEWFOUNDLAND.

THE SECRETARY OF STATE to THE GOVERNOR.

(No. 22.)

SIR, Downing Street, 13th March, 1925.

WITH reference to my despatch No. 15 of the 19th of February,* I have the honour to transmit to you, for the information of your Ministers, the accompanying copy of an extract from the *Moniteur Belge* of the 20th of February, notifying the extension to Newfoundland of the Anglo-Belgian Civil Procedure Convention.

I have, &c.,
L. S. AMERY.

---

* No. 153.

Enclosure in No. 156.

EXTRACT FROM *Moniteur Belge* OF 20TH FÉVRIER, 1925.

LOIS, ARRÊTÉS ROYAUX ET ACTES DU GOUVERNEMENT.

Ministère des Affaires Etrangères et Ministère de la Justice.

Convention anglo-belge du 21 juin 1922 concernant la transmission des actes judiciaires et extra-judiciaires et l'établissement des preuves (1).

CONFORMÉMENT à l'article 14b de la Convention anglo-belge du 21 juin 1922 concernant la transmission des actes judiciaires et extra-judiciaires et l'établissement des preuves, le Gouvernement belge et le Gouvernement britannique se sont mis d'accord pour étendre à la Colonie de Terre Neuve l'application de la dite convention.

Cette extension entrera en vigueur le 4 mars 1925.

Certifié par le Secrétaire Général
du Ministère des Affaires Etrangères,
H. COSTERMANS.

12903

No. 157.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

(No. 107.)

SIR, Downing Street, 26th March, 1925.

WITH reference to my despatch No. 77 of the 4th of March,* I have the honour to transmit to you, for the information of your Ministers, the accompanying copy of a further note from the Belgian Ambassador relative to the extension to Southern Rhodesia of the provisions of the Anglo-Belgian Civil Procedure Convention.

I have, &c.,
(for the Secretary of State),
W. G. ORMSBY-GORE.

Enclosure in No. 157.

(No. 713.)

Ambassade de Belgique, Londres,
le 12 mars 1925.

MONSIEUR LE SECRÉTAIRE D'ETAT,

ME référant à la lettre de Votre Excellence en date du 25 février dernier, j'ai l'honneur de porter à Sa connaissance que mon Gouvernement est d'accord pour étendre à la Rhodésie du Sud la Convention Anglo-Belge du 21 juin 1922, concernant la transmission des actes judiciaires et extrajudiciaires et l'établissement des preuves; cette extension entrera en vigueur le 25 de ce mois.

Je saisis, etc.,
B. MONCHEUR.

Son Excellence
The Right Honourable Austen Chamberlain, M.P.,
Secrétaire d'Etat Principal pour les Affaires Etrangères.

15608

No. 158.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

(No. 123.)

SIR, Downing Street, 14th April, 1925.

WITH reference to my despatch No. 107 of the 26th of March,† I have the honour to transmit to you, for the information of your Ministers, the accompanying copy of an extract from the *Moniteur Belge* of the 20th of March containing a notification of the extension of the Anglo-Belgian Civil Procedure Convention to Southern Rhodesia.

I have, &c.,
(for the Secretary of State),
W. ORMSBY-GORE.

---

* No. 155. † No. 157.

406

Enclosure in No. 158.

EXTRACT FROM *Moniteur Belge* OF 20TH MARCH, 1925.

Ministère des Affaires Etrangères et Ministère de la Justice.

Convention anglo-belge du 21 juin 1922 concernant la transmission des actes judiciaires et extra-judiciaires et l'établissement des preuves (1).

Conformément à l'article 14b, de la Convention anglo-belge du 21 juin 1922, concernant la transmission des actes judiciaires et extra-judiciaires et l'établissement des preuves, le Gouvernement belge et le Gouvernement britannique se sont mis d'accord pour étendre à la Rhodésie du Sud l'application de la dite Convention.

Cette extension entrera en vigueur le 25 mars 1925.

Certifié par le Secrétaire Général
du Ministère des Affaires Etrangères,
H. COSTERMANS.

---

(3) Commercial Convention with Canada.

(*Treaty Series* 1925, *No.* 7.)

3471

No. 159.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 24th January, 1925.)

(No. 5.)

SIR, Government House, Ottawa, 13th January, 1925.

WITH reference to your despatch No. 547 of the 16th ultimo,* inquiring whether it was the desire of the Canadian Government that the Commercial Convention between Canada and the Economic Union of Belgium and Luxemburg should be included amongst the Conventions which His Majesty's Government communicate to the League of Nations for registration under Article 18 of the Covenant, my Government have asked me to express to you their obligations to His Majesty's Government for their kind services in hitherto making the arrangements for the registration of treaties with the League of Nations on behalf of Canada, but to add that they are of opinion that, as a Member of the League, Canada should herself hereafter undertake the registration of any treaties or conventions which have been negotiated, signed and ratified by or at the instance of the Canadian Government, and that, accordingly, steps for the registration of the Belgo-Canadian Treaty will be taken here.

I have, &c.,
BYNG OF VIMY.

---

(4) Proposed Agreement relating to Legalization of Documents.

39478

No. 160.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 356.)

} Dominions No. 401.)

[MY LORD,] [SIR,] Downing Street, 9th September, 1925.

I HAVE the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a note, with enclosure, addressed

* No. 72 in Dominions No. 93.

by the Belgian Minister for Foreign Affairs, on the 23rd of October, 1924, to His Majesty's Ambassador at Brussels, regarding a proposed Anglo-Belgian agreement for dispensing with the legalization of certain official documents and powers of attorney.

2. A draft form of Agreement (a copy of which is enclosed) has been prepared and sent to His Majesty's Ambassador at Brussels for communication to the Belgian Government.

I have, &c.,
L. S. AMERY.

[25608]

Enclosure 1 in No. 160.

Ministère Des Affaires Etrangères,
Direction C2, No. 9180 Pr.
2ème Section. 3ème Bureau.
1 Annexe,
Bruxelles.
le 23 octobre, 1924.

MONSIEUR L'AMBASSADEUR,

LORS d'une démarche effectuée le 20 courant dans mes bureaux, M. E. V. Millington-Drake, Premier Secrétaire de l'Ambassade de Sa Majesté Britannique, fut amené à envisager les sérieux avantages que présenterait pour la Grande-Bretagne et la Belgique la suppression de la légalisation des extraits d'actes de l'etat civil délivrés dans l'un de ces pays et produits dans l'autre.

J'ai l'honneur de confirmer à Votre Excellence cet entretion, qui mit en lumière l'utilité evidente que présenterait cette réforme. Sans insister sur les démarches et déplacements onéreux qu'éviterait aux ressortissants des deux pays l'adoption de pareille mesure, il importe de considérer avant tout que la suppression entre la Grande Bretagne et la Belgique des légalisations actuellement exigées en matière d'extraits d'actes de l'état civil trouverait sa justification pleine et entière dans la fréquence des relations de voisinage existant entre les deux pays, relations que l'après-guerre n'a fait que développer et étendre.

De plus cette simplification aurait pour effet certain de ne plus occasionner aux parties intéressées les pertes de temps et les retards souvent préjudiciables auxquels donne nécessairement lieu le régime actuel.

C'est en tenant compte d'avantages de l'espèce que le Gouvernement du Roi a procédé à l'échange de déclarations concernant la suppression de la légalisation des extraits d'actes de l'état civil avec la France (Déclaration du 29 novembre, 1922) le Grand-Duché de Luxembourg (Déclaration du 6 juin, 1923) la Principauté de Monaco (Déclaration du 28 mars, 1924) et les Pays-Bas (Déclaration du 2 mai, 1924).

Ces déclarations visent la suppression de la légalisation des expéditions d'actes de l'état civil délivrés dans l'un des deux pays signataires et produits dans l'autre *quel que soit l'usage auquel ils sont destinés.*

L'application journalière de ces conventions n'a à ma connaissance, donné lieu à aucun abus du inconvénient d'ordre quelconque, mais a démontré au contraire les heureux résultats du nouveau régime.

Votre Excellence voudra bien trouver sous ce pli le texte de la declaration échangée en cette matière entre la Belgique et les Pays-Bas, texte qui se rapproche sensiblement de celui qui a été adopté par les parties contractantes lors de la signature des autres arrangements de l'espèce.

Je serais oblige a Votre Excellence de vouloir bien soumettre au bienveillant examen de Son gouvernement la question de savoir s'il n'estime pas, en présence des considérations qui précèdent qu'il aurait également intérêt à réaliser, par voie de convention entre la Grande Bretagne et la Belgique, la simplification dont il s'agit.

Au cas ou le gouvernement de Sa Majesté Britannique ferait bon accueil aux suggestions du Gouvernement du Roi, je serais désireux de connaître les propositions des autorités anglaises en ce qui concerne le texte de la déclaration à échanger.

A cet égard, il me serait indispensable d'obtenir des renseignements précis et détaillés sur les dispositions légales et réglementaires anglaises en matière de délivrance d'extraits authentiques d'actes de l'état civil.

Je crois utile d'ajouter, qu'en Belgique les expéditions d'actes de l'état civil certifiées conformes par le dépositaire des registres et revêtués du sceau de l'administration communale de la localité où ils ont été dressés ou du sceau du tribunal par le greffe duquel ils ont été délivrés font foi jusqu'à inscription de faux.

Je saisis, etc.,
HYMANS.

Son Excellence
le Très Honorable Sir George Grahame,
Ambassadeur de Sa Majesté Britannique à Bruxelles.

MINISTÈRE DES AFFAIRES ETRANGÈRES.

DÉCLARATION échangée entre la Belgique et les Pays-Bas concernant la suppression de la légalisation des extraits d'actes de l'état civil délivrés dans l'un de ces pays et devant etre produits dans l'autre quel que soit l'usage auquel ils sont destinés.

Le Gouvernement de Sa Majesté le Roi des Belges, et
Le Gouvernement de Sa Majesté la Reine des Pays-Bas,
voulant supprimer la légalisation des extraits

d'actes de l'état civil délivrés dans l'un de ces pays et devant être produits dans l'autre. quel que soit l'usage auquel ils sont destinés.

Son convenus de ce qui suit :

Article 1er.—Les extraits d'actes de l'état civil dressés dans l'un de ces pays ne devront être munis d'aucune légalisation pour faire foi dans l'autre, à la condition qu'ils soient certifiés conformes par le dépositaire des registres ou son délégue et sous réserve que leur authenticité ne puisse être mise en doute. Les expéditions d'actes de l'état-civil établies en Belgique seront, de plus, revêtues du sceau de l'administration communale de la localité ou elles ent été dressées ou du sceau du tribunal par le greffe duquel elles ont été délivrées.

Article 2.—La présente declaration entrera en vigueur le 15 mai, 1924.

En foi de quoi, les soussignés, savoir :

Mr. le Prince Albert de Ligne, Envoyé Extraordinaire et Ministre Plénipotentiare de Sa Majesté le Roi des Belges à La Haye; et Mr. le Jonkheer H. A. van Karnebeek, Ministre des Affaires Etrangères de Sa Majesté la Reine des Pays-Bas, dûment autorisés à cet effet, ont signé la présente déclaration qu'ils ont revêtue de leur cachet.

Fait à La Haye, le 2 mai, 1924, en double exemplaire, en langues francaise et néerlandaise.

PRINCE ALBERT DE LIGNE.
KARNEBEEK.

Enclosure 2 in No. 160.

AGREEMENT BETWEEN THE BRITISH AND BELGIAN GOVERNMENTS TO DISPENSE WITH THE LEGALISATION OF CERTAIN OFFICIAL DOCUMENTS AND POWERS OF ATTORNEY.

His Britannic Majesty's Government, and

The Government of His Majesty the King of the Belgians, desiring to dispense with the legalisation of certain official documents and powers of attorney issued in Great Britain or Northern Ireland for use in Belgium and vice versa for any purpose, have agreed as follows:—

Article I.

Extracts from registers kept by registrars-general, local superintendent registrars and registrars of births, deaths and marriages (actes de l'état-civil), documents certifying patents, judgments and decrees of courts, and powers of attorney, drawn up in one of these countries need not be furnished, to be valid in the other, with any further legalisation than is afforded by their certification as in conformity with the original by the registrar or any person duly delegated by him or by the other qualified persons as hereinafter set forth, provided that they bear *prima facie* evidence of authenticity.

Article II.

(*a*) Records of civil acts (actes de l'état-civil) drawn up in Belgium will bear the seal of the communal administration concerned, or the seal of the tribunal from which they emanate.

(*b*) In Great Britain and Northern Ireland extracts from registers of births, deaths and marriages will bear the seal of the registrar-general of England, Scotland or Northern Ireland respectively, or the signature of the local superintendent registrar or registrar of births, deaths and marriages, and similarly with any other extracts from registers which are or may hereafter be kept by the registrars-general; documents proceeding from His Britannic Majesty's Patent Office will bear the seal of that department; copies of decrees of divorce or other judgments or decrees of His Britannic Majesty's Courts of Justice will bear the seal of the court responsible for the decree or judgment signed by the proper officer of the court where such decree or judgment was obtained.

(*c*) In both countries a power of attorney will bear the seal of the notary public before whom it was executed, or an authenticating certificate attached by such notary public.

Article III.

This agreement shall come into force on

In witness whereof the undersigned have signed the present agreement and have affixed thereto their seals.

Done in duplicate at Brussels.

BRITISH SUBJECTS.

Position of, under Commercial Treaties.

Note.—For previous correspondence on this subject see under "Esthonia Commercial Treaty."

52824

No. 161.

FOREIGN OFFICE to DOMINIONS OFFICE.

[*Answered by No.* 162.]

SIR, Foreign Office, S.W.1, 23rd November, 1925.

I AM directed by Mr. Secretary Chamberlain to transmit to you herewith a copy of a memorandum by the Legal Adviser of the Foreign Office on the question of the best manner of introducing into the text of a commercial treaty or convention between this country and a foreign power such a modification as will exclude from its operation British subjects who are connected with those parts of the Empire which are not bound by it.

2. I am to suggest that, subject to the concurrence of Mr. Secretary Amery, an Interdepartmental Conference should meet in Mr. Montgomery's room at the Foreign Office at 3 p.m. on Friday, 4th December, for the purpose of considering this question in its various aspects, and that a representative of your department should be present at such a conference.

3. A similar letter is being addressed to the Department of Overseas Trade, Board of Trade, Colonial Office and India Office.

I am, &c.,
G. R. WARNER.

Enclosure in No. 161.

MEMORANDUM.

ON 6th May the Secretary of State called for a memorandum on the question of trying to secure a modification of the language employed in treaties, such as commercial conventions, etc., so as to exclude from their operation British subjects who are connected with parts of the Empire which are not bound by the treaty.

408

The problem is one of very old standing, and was the subject of exhaustive inter-departmental discussion in 1909, but the discussion only resulted in inter-departmental disagreement. Attention had been called to it in connexion with the operation of the Anglo-Japanese Treaty of 1894 which came into force some six or seven years later, but the question had also arisen in connexion with various other treaties.

The common phraseology of a commercial treaty confers various rights on British subjects, e.g., such a treaty usually provides that there shall be reciprocal freedom of commerce and navigation between the territories of the two contracting parties; and then goes on to provide that the "subjects of each of the two contracting parties" shall have liberty freely to come with their ships and cargoes to all places, etc., in the territories of the other to which subjects of the other are allowed to come, and shall enjoy all the rights, etc., in matters of commerce, etc., which are enjoyed by the subjects of that contracting party (e.g., national treatment). There are other clauses as well which regulate the position of British subjects. A later clause usually provides that the stipulations of the treaty shall not be applicable to any part of the British territories outside the United Kingdom unless His Majesty gives notice of accession on behalf of that territory.

A person not versed in the intricacies of the constitution of the British Empire would naturally assume that, if the treaty was not to be applicable to a non-acceding portion of the British Empire, the inhabitants of that portion of the Empire would get no rights under it in the territories of the other party. But that is not so. The practice of His Majesty's Government, following various opinions given by the Law Officers of the Crown, is to maintain that every individual who owes allegiance to the Crown is a British subject wherever he resides or whatever is his domicile: consequently if a treaty confers rights on a British subject as such, it makes no difference whether the part of the Empire from which he comes accedes to the treaty or not—he is equally entitled to the benefits conferred by the treaty on British subjects. So far, therefore, as a commercial convention concluded by the Government in London with a foreign Power confers a right, let us say, on the subjects of each of the contracting parties in the territories of the other to acquire and hold land, Canadians, Australians and Indians will be entitled to exercise that right in the territory of the other party just as much as Englishmen, and that whether Canada, Australia and India accede to the convention or not. Consequently a commercial convention negotiated by the Government in London couched in the normal terms confers rights on the people of the whole Empire and affects the position both of them and, indirectly, of their Governments.

Meanwhile, the right of all the self-governing Dominions to conclude their own commercial arrangements with foreign Powers without reference to the Government in London is fully recognized, and is acted on, as is also their right to enact laws defining the classes of individuals who shall enjoy the citizenship of that Dominion. The Irish Constitution defines the persons who shall enjoy Irish citizenship; Canada has defined Canadian citizenship by her legislation, and South Africa is in process of doing the same. It may be assumed that in so far as any commercial arrangement is concluded by any of those Governments providing for rights to be enjoyed by individuals, they will be limited to individuals who are entitled to the citizenship of that Dominion.

The principle underlying the Treaty Resolutions adopted by the Imperial Conference of 1923 was that no part of the Empire was to negotiate treaties affecting other parts of the Empire without prior communication with them, and without affording an opportunity to other parts of the Empire whose interests were affected to participate in the negotiations. Conversely, for matters affecting exclusively one part of the Empire, the Government of that part of the Empire was free to conclude what treaties it pleased.

It would be unreasonable that His Majesty's Government should be obliged to negotiate their commercial conventions in consultation with the Dominion Governments or be forced to regard those conventions as affecting the interests of the Dominions. It is also undesirable that any ground should exist for a Dominion complaint that His Majesty's Government are not acting fully up to the spirit of the Resolutions of 1923. Some change must be made if His Majesty's Government desire to maintain unhampered their right to negotiate commercial conventions for the United Kingdom.

There are two ways by which these difficulties may be avoided. One would be to retain the use of the term "British subject," but to exclude from the benefits of the convention British subjects whose connexion is with a part of the Empire to which the convention does not apply. The difficulty of defining such persons is considerable but probably not insuperable. The second would be to separate the clauses in a commerical convention which denote the regime to be applied in a particular territory (e.g., customs dues, most-favoured-nation treatment in matters of commerce, etc.), from those which confer personal rights, and to embody the latter in conventions which could be negotiated Imperially or after due consultation with the Dominions, while the former would be dealt with in conventions negotiated by each Government for itself.

C. J. B. H.

52824

No. 162.

DOMINIONS OFFICE to FOREIGN OFFICE.

Sir, Downing Street, 2nd December, 1925.

I am directed by Mr. Secretary Amery to acknowledge the receipt of your letter of the 23rd November,* suggesting that an Interdepartmental Conference should be held to consider the possibility of altering the text of commercial treaties with foreign countries, so as to exclude from the benefits conferred by such treaties British subjects connected with parts of the Empire which are not bound by the treaties.

2. This matter has formed the subject of discussion on more than one occasion (see in particular the correspondence ending with your letter of the 25th April, 1922†). Mr. Amery shares the view held by successive Secretaries of State for the Colonies that a discussion of this question involves the most important issues of Imperial policy. He is arranging for the preparation of a memorandum dealing with the question, and in the circumstances he would much prefer that the suggested Interdepartmental Conference should be postponed until there has been time for the memorandum, after completion, to be considered by the various Departments concerned.

3. Copies of this letter are being sent to the Board of Trade, Department of Overseas Trade and India Office.

I am, &c.,
H. F. BATTERBEE.

BULGARIA.

Commercial Agreement, 1925.

(Treaty Series 1925, No. 53.)

39942

No. 163.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 360.) — Dominions No. 410.)

[My Lord,] [Sir,] Downing Street, 11th September, 1925.

I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the draft of two notes to be exchanged between His Majesty's

* No. 161. † No. 106 in Dominions No. 87.

Government and the Bulgarian Government, which His Majesty's Minister at Sofia has been instructed to present to the Bulgarian Government, for their consideration, with a view to regularizing the commercial relations between Great Britain and Bulgaria.

2. In view of the fact that certain provisions of the Treaty of Neuilly relating to most-favoured-nation treatment expired on the 9th of August, His Majesty's' Government considered it desirable that some *modus vivendi* should be arranged to cover the period from the 9th of August until the date when a full commercial treaty with Bulgaria shall have been negotiated. In their opinion, such an arrangement would most conveniently take the form of an exchange of notes providing mainly for reciprocal most-favoured-nation treatment of goods and national treatment of vessels and of subjects in regard to taxation.

3. The presentation of the notes will be deferred until the ratifications of the Anglo-German Commercial Treaty are exchanged, as the former Enemy Aliens (Disabilities Removal) Act, which will remove the disabilities to which Bulgarian nationals are still subject in this country, does not take effect until that date.

4. His Majesty's Minister has also been instructed to inquire when the Bulgarian Government would be prepared to commence negotiations for a full treaty of commerce and navigation with Great Britain.

I have, &c.,
L. S. AMERY.

[36935]

Enclosure in No. 163.

Notes to be Signed by the [Bulgarian Government's Representative.]
[Representative of His Majesty's Government.]

Sir,

It being the desire of our respective Governments to make provision for the commercial relations between His Britannic Majesty's territories and Bulgaria, pending the conclusion of a treaty of commerce and navigation, I have the honour to inform you that my Government is prepared to undertake on condition of reciprocity that, [British] [Bulgarian] subjects and goods, the produce or manufacture of [the territories of His Britannic Majesty] [Bulgaria] shall enjoy in [Bulgaria] [the territories of His Britannic Majesty] treatment which, subject to the special reservations referred to in paragraph 5 of this Note, shall be at least as favourable in all respects as that accorded to the nationals of, and goods, the produce or manufacture of, the most favoured foreign country. This treatment shall be accorded in all matters of commerce and navigation and as regards importation, exportation and transit, and in general in all that concerns customs duties and formalities and commercial operations, the establishment of [British] [Bulgarian] subjects in [Bulgaria,] [the territories of His Britannic Majesty,] the exercise of commerce, industries and professions and the payment of taxes.

2. [British] [Bulgarian] vessels shall enjoy in the ports, rivers and territorial waters of [Bulgaria] [the territories of His Britannic Majesty] treatment not less favourable than that accorded to [Bulgarian] [British] vessels or the vessels of the most favoured foreign country, subject, however, to the right of [the Bulgarian] [His Britannic Majesty's] Government to reserve the coasting and internal trade to [Bulgarian] [British] vessels.

3. [The Bulgarian] [His Britannic Majesty's] Government further undertake on condition of reciprocity, to accord freedom of transit to persons, goods, vessels, carriages, wagons and mails in transit to or from [the territories of His Britannic Majesty] [Bulgaria] over [Bulgarian] [British] territory including territorial waters, and to treat them at least as favourably as [Bulgarian] [British] persons, goods, vessels, carriages, wagons and mails respectively, or those of any other more favoured nationality, origin, importation or ownership as regards facilities, charges, restrictions and all other matters.

4. The foregoing stipulations will not be applicable to India or to any of His Britannic Majesty's self-governing Dominions, Colonies, Possessions or Protectorates or to any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Britannic Majesty, unless notice of accession to this arrangement shall have been given on behalf of India or any such Dominion.

Colony, Possession, Protectorate or Mandated Territory by His Britannic Majesty's representative at Sofia. Nevertheless, goods, the produce or manufacture of India or of any of His Britannic Majesty's self-governing Dominions, Colonies, Possessions and Protectorates, or of any Territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Britannic Majesty, will enjoy in Bulgaria complete and unconditional most-favoured-nation treatment, so long as India or such self-governing Dominion, Colony, Possession, Protectorate or Mandated Territory accords to goods the produce or manufacture of Bulgaria, treatment as favourable as that accorded to goods produced or manufactured in any other foreign country.

5. It is understood that nothing in this Agreement shall be held to confer any right or impose any obligation upon either party which might be in conflict with any general international convention to which the Bulgarian or His Britannic Majesty's Government is, or hereafter may be, a party.

6. Effect will be given immediately to the undertaking contained in this Note, and will continue to be so given until the conclusion of a definitive Treaty of Commerce and Navigation between the two countries, subject, however, to the right of either party at any time to give notice to the other to terminate the arrangement, which shall then remain in force until the expiration of six months from the date on which such notice is given.

As regards India and the British self-governing Dominions, Colonies, Possessions, Protectorates and Mandated Territories which may have acceded to this arrangement in virtue of the provisions of paragraph 4, it may be terminated separately at any time on six months' notice to that effect being given either by or to His Britannic Majesty's representative at Sofia.

I have, &c.,

53030

No. 164.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 470.) — Dominions No. 522.)

[MY LORD,] [SIR,] Downing Street, 11th December, 1925.

WITH reference to my despatch [Dominions No. 410] [No. 360] of the 11th of September,* I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, the accompanying copies of Notes† exchanged between His Majesty's Minister at Sofia and the Bulgarian Minister for Foreign Affairs on the 12th of November providing for the provisional regulation of commercial relations with Bulgaria.

I have, &c.,
L. S. AMERY.

56602

No. 165.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 489.) — Dominions No. 541.)

[MY LORD,] [SIR,] Downing Street, 22nd December, 1925.

WITH reference to my despatch [Dominions No. 522] [No. 470] of the 11th of December,‡ I have the honour to transmit to [Your Excellency,] [you,] for the

* No. 163. † See Cmd. 2556. ‡ No. 164.

410

information of your Ministers, copies of Treaty Series paper No. 53 of 1925 (Cmd. 2556) containing Notes exchanged on the 12th of November between His Majesty's Minister at Sofia and the Bulgarian Minister for Foreign Affairs providing for the provisional recognition of Commercial Relations between the United Kingdom and Bulgaria.

[*Not to New Zealand and Irish Free State:* 2. Further copies are being sent in Library despatch.]

I have, &c.,
L. S. AMERY.

CHINA.

(1) Ratification of Washington Treaties.

(*Treaty Series* 1925, *Nos.* 42 *and* 43.)

36706

No. 166.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 1.45 p.m., 13th August, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

13TH AUGUST. My despatch 9th September, 1922, Dominions 342.* Ratifications of two treaties relating to China were deposited by representatives of nine Powers concerned at State Department, Washington, 5th August.—AMERY.

36706

No. 167.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 317.)

SIR, Downing Street, 14th August, 1925.

WITH reference to paragraph 2 of Mr. Thomas's despatch No. 104 of the 18th February, 1924,† I have the honour to request Your Excellency to inform your Ministers that His Majesty's Chargé d'Affaires at Washington has reported that the ratifications of the Treaties relating to China and the Chinese Customs Tariff negotiated at the Washington Disarmament Conference (*vide* pages 42-52 of Cmd. 1627) were deposited by the representatives of the nine Powers concerned at the State Department, Washington, on the 5th August.

2. The Governments of the other self-governing Dominions have been informed by telegraph.

I have, &c.,
L. S. AMERY.

---

* No. 422 in Dominions No. 87. † No. 207 in Dominions No. 93.

40468

No. 168.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada. / Commonwealth of Australia. / New Zealand. / Union of South Africa. / Irish Free State. / Newfoundland.) Dominions No. 412.)

[MY LORD,] [SIR,] Downing Street, 14th September, 1925.

WITH reference to my [*Not to Irish Free State:* telegram of the 13th of August,*] [*To Irish Free State:* despatch No. 317 of the 14th of August,†] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers [*To Canada, Australia, New Zealand, and Union of South Africa:* certified copies] [*To Irish Free State and Newfoundland:* copies] of the *procès-verbaux* recording the deposit of the ratification by the Signatory Powers of

(*a*) the Treaty relating to Principles and Policies to be followed in matters concerning China; and

(*b*) the Treaty relating to the Chinese Customs Tariff, concluded at Washington on the 6th of February, 1922.

I have, &c.,
L. S. AMERY.

Enclosure in No. 168.

PROCÈS-VERBAL OF DEPOSIT OF RATIFICATIONS OF THE TREATY BETWEEN THE UNITED STATES OF AMERICA, BELGIUM, THE BRITISH EMPIRE, CHINA, FRANCE, ITALY, JAPAN, THE NETHERLANDS, AND PORTUGAL, RELATING TO PRINCIPLES AND POLICIES TO BE FOLLOWED IN MATTERS CONCERNING CHINA, CONCLUDED AT WASHINGTON, 6TH FEBRUARY, 1922.

IN conformity with Article IX of the Treaty between the United States of America, Belgium, the British Empire, China, France, Italy, Japan, the Netherlands, and Portugal, relating to principles and policies to be followed in matters concerning China, concluded at Washington, 6th February, 1922, the undersigned representatives of the United States of America, Belgium, the British Empire, China, France, Italy, Japan, the Netherlands, and Portugal, this day met at the Department of State at Washington to proceed with the deposit with the Government of the United States of the instruments of ratification of the said Treaty by the Governments they represent.

The instruments of ratification produced having been found upon examination to be in due form, are entrusted to the Government of the United States of America to be deposited in the archives of the Department of State.

In Witness whereof, the present *procès-verbal*, of which a certified copy will be sent by the Government of the United States of America to each of the Powers signatory to the said Treaty, is signed.

Done at Washington, 5th August, 1925, at 12 o'clock.

For the United States of America:
Frank B. Kellogg. (Seal.)
For Belgium:
R. Tilmont. (Seal.)
For the British Empire:
H. G. Chilton. (Seal.)
For China:
Sao-Ke Alfred Sze. (Seal.)
For France:
E. Daeschner. (Seal.)

* No. 166. † No. 167.

411

For Italy:
G. de Martino. (Seal.)
For Japan:
T. Matsudaira. (Seal.)
For the Netherlands:
H. Van Asch Van Wyck. (Seal.)
For Portugal:
Alte. (Seal.)

Certified to be a true copy of the signed original.

FRANK B. KELLOGG,
Secretary of State of the United States of America.

Enclosure 2 in No. 168.

PROCÈS-VERBAL OF DEPOSIT OF RATIFICATIONS OF THE TREATY BETWEEN THE UNITED STATES OF AMERICA, BELGIUM, THE BRITISH EMPIRE, CHINA, FRANCE, ITALY, JAPAN, THE NETHERLANDS, AND PORTUGAL, RELATING TO THE CHINESE CUSTOMS TARIFF, CONCLUDED AT WASHINGTON, 6TH FEBRUARY, 1922.

IN conformity with Article X of the Treaty between the United States of America, Belgium, the British Empire, China, France, Italy, Japan, the Netherlands, and Portugal, relating to the Chinese Customs Tariff, concluded at Washington, 6th February, 1922, the undersigned representatives of the United States of America, Belgium, the British Empire, China, France, Italy, Japan, the Netherlands, and Portugal, this day met at the Department of State at Washington to proceed with the deposit with the Government of the United States of the instruments of ratification of the said Treaty by the Governments they represent.

The instruments of ratification produced having been found upon examination to be in due form, are entrusted to the Government of the United States of America to be deposited in the archives of the Department of State.

In Witness whereof, the present *procès-verbal*, of which a certified copy will be sent by the Government of the United States of America to each of the Powers signatory to the said Treaty, is signed.

Done at Washington, 5th August, 1925, at 12 o'clock.

For the United States of America:
Frank B. Kellogg. (Seal.)
For Belgium:
R. Tilmont. (Seal.)
For the British Empire:
H. G. Chilton. (Seal.)
For China:
Sao-Ke Alfred Sze. (Seal.)
For France:
E. Daeschner. (Seal.)
For Italy:
G. de Martino. (Seal.)
For Japan:
T. Matsudaira. (Seal.)
For the Netherlands:
H. Van Asch Van Wyck. (Seal.)
For Portugal:
Alte. (Seal.)

Certified to be a true copy of the signed original.

FRANK B. KELLOGG,
Secretary of State of the United States of America.

44488

No. 169.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 388.) — Dominions No. 443.)

[MY LORD,] [SIR,] Downing Street, 9th October, 1925.

[*Not to Southern Rhodesia:* With reference to my] [*Not to Irish Free State or Southern Rhodesia:* telegram of the 13th August,*] [*To Irish Free State only:* despatch No. 317 of the 14th August,†] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of Treaty Series papers containing the text of Treaties signed at Washington on the 6th February, 1922, between the United States of America, Belgium, the British Empire, China, France, Italy, Japan, the Netherlands, and Portugal relating to

(*a*) Principles and Policies to be followed in Matters concerning China, and

(*b*) the Chinese Customs Tariff.

[*Not to New Zealand or Irish Free State:* 2. Further copies are being sent in Library despatch.]

I have, &c.,
L. S. AMERY.

---

(2) Customs Tariff Conference, 1925-26.

39517

No. 170.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 7.10 p.m., 1st September, 1925.)

TELEGRAM.

[*Answered by Nos.* 174, 176.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

1ST SEPTEMBER. Secret. My telegram 21st August.‡ His Majesty's Government have now accepted invitation of Chinese Government to be represented at Tariff Conference and have agreed to 26th October as date for formal opening.

Sir R. Macleay, His Majesty's Minister at Peking, who is returning to China via Canada 19th September, will be Chief Delegate, and he will be assisted by Lieutenant-Colonel The Hon. Sidney Peel as financial adviser, Mr. Basil Newton, Foreign Office, and Mr. F. H. Fox, C.M.G., Commercial Counsellor to His Majesty's Legation, Peking, as commercial adviser. Composition of delegation is, however, not necessarily final and other additions may be made.

Main objects of Conference as defined in Washington Treaty are—

(*a*) to prepare way for abolition of likin on basis provided for in previous Treaties with China.

(*b*) to determine date, purposes and conditions for imposition of surtax of 2½ per cent. *ad valorem* on imports with surtax not exceeding 5 per cent. on certain luxuries.

* No. 166. † No. 167. ‡ 38145/25: not printed; it dealt with the general situation in China.

412

Chinese Government have also proposed that question of tariff autonomy for China should be brought up at Conference. His Majesty's Government have replied that they are willing either at Conference or at a subsequent time to consider and discuss any reasonable proposal that may be made by Chinese Government for revision of treaties on subject of tariff.

Please inform your Prime Minister. Should he wish to send representative to Conference please let me know at once.

Similar telegram sent to other Dominions.—AMERY.

39517

No. 171.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 177.]

(Secret.)

SIR, Downing Street, 2nd September, 1925.

WITH reference to my Secret despatch of the 22nd August,* I have the honour to transmit to Your Excellency, for communication to the President of the Executive Council, a copy of a telegram† to the other self-governing Dominions regarding the forthcoming Conference on the Chinese Customs Tariff.

2. Should Mr. Cosgrave desire to send a representative to the Conference, I should be glad to be informed as soon as possible.

I have, &c.,
L. S. AMERY.

39517

No. 172.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. — Dominions No. 406.)

[MY LORD,] [SIR,] Downing Street, 11th September, 1925.

WITH reference to my [*To all except Irish Free State:* telegram of the 13th of August,‡] [*To Irish Free State only:* despatch No. 317 of the 14th of August,§] I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, the accompanying copies of correspondence with the Chinese Chargé d'Affaires on the subject of the Conference on the Chinese customs tariff which is to meet at Peking on the 26th of October.

I have, &c.,
L. S. AMERY.

Enclosure 1 in No. 172.

(F.O. 25/49.)
(F. 4034/190/10.)

YOUR EXCELLENCY. Chinese Legation, London, W.1, 19th August, 1925.

IN accordance with Article XI of the Treaty between the United States of America, Belgium, British Empire, China, France, Italy, Japan, Netherlands and Portugal, relating to Chinese Customs Tariff, signed at Washington, 5th February, 1922, a special Conference shall meet in China within three months after coming into force of this Treaty, on a day and at a place to be designated by the Chinese

* 38145/25: not printed; it enclosed a copy of a telegram to the other Dominions dealing with the general situation in China. † No. 170. ‡ No. 166. § No. 167.

Government, with a view to continuing and completing the work of the Washington Conference relative to Chinese Customs questions. In connexion with the said Treaty, it may be recalled that on 5th January, 1922, at the 17th Meeting of the Committee on Pacific and Far Eastern questions of the Washington Conference, the Chinese Delegation, in giving their assent thereto, declared that it was their intention to bring up again the question of restoration to China of her tariff autonomy for consideration on all appropriate occasions in future. In pursuance of the above declaration, the Chinese Government propose that the said question be also brought up at the forthcoming Conference, and expect that some arrangement will be made to remove tariff restrictions hitherto imposed upon China.

The said Treaty, as it has been provided in Article X thereof, takes effect on 5th August, 1925, being date of deposit at Washington of all ratifications of the Treaty. Accordingly, the Chinese Government in pursuance of the said Article XI of the Treaty referred to above have the honour to state that they intend to have the special Conference meeting on 26th October, 1925, at the City of Peking, in which His Britannic Majesty's Government are hereby invited to participate. I have the honour to request Your Excellency to be good enough to take note of the above invitation and to communicate to Wai-Chiao-Pu, Peking, the names and titles of the representatives of the British Government.

I have, &c.,
CHAO HSIN CHU,
Chargé d'Affaires *ad interim*.

The Right Honourable
Austen Chamberlain, M.P.,
H.B.M.'s Principal Secretary of State for Foreign Affairs,
Foreign Office, S.W. 1.

Enclosure 2 in No. 172.

(No. F. 4034/190/10.)

SIR, Foreign Office, S.W. 1, 28th August, 1925.

I HAVE the honour to acknowledge your note F.O. 25/49 of 19th August, which conveys the invitation of your Government for the special Tariff Conference, summoned in accordance with Article XI of the China Customs Tariff Treaty, signed at Washington on 5th February, 1922, to meet at the city of Peking on 26th October, 1925.

2. His Majesty's Government have much pleasure in accepting the invitation of your Government and will furnish the names and the titles of their representatives as soon as these have been definitely appointed.

3. With regard to your Government's intention of bringing before the Conference a reconsideration of the question of tariff autonomy for China, His Majesty's Government are willing, either at the Conference or at a subsequent time, to consider and discuss any reasonable proposal that may be made by your Government for a revision of the treaties on the subject of the tariff.

I have, &c.,
(For the Secretary of State),
B. C. NEWTON.

Monsieur Chao Hsin Chu,
&c., &c., &c.

39517

No. 173.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 383.)

MY LORD, Downing Street, 11th September, 1925.

WITH reference to my despatch Dominions No. 406 of the 11th September,* regarding the forthcoming Conference on the Chinese Customs Tariff, I have the

* No. 172.

honour to request Your Excellency to inform your Ministers that Sir R. Macleay, the Chief British Delegate to the Conference, and certain other members of the Delegation are proceeding to China via Canada. 413

2. The party will consist of Sir Ronald and Lady Macleay, Lieutenant-Colonel the Hon. Sidney Peel and Lady Delia Peel, Mr. B. C. Newton (Foreign Office), Mr. van Ergnde (servant to Sir R. Macleay). They will leave England by the s.s. "Empress of Scotland" on the 19th September and are due to arrive at Quebec on the 26th September. They will leave Vancouver by the s.s. "Empress of Canada" on the 1st October.

3. I shall be obliged if all necessary facilities can be given in Canada.

I have, &c.,
L. S. AMERY.

42124

No. 174.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9.15 p.m., 15th September, 1925.)

TELEGRAM.

[*Answered by No.* 175.]

15TH SEPTEMBER. Your telegram of 1st September.* Chinese Customs Conference. Canadian Government is interested in the Conference and will name representative if suitable man available. Please advise whether Sir Robert Macleay is passing through Ottawa.—BYNG.

42124

No. 175.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 11.30 a.m., 18th September, 1925.)

TELEGRAM.

18TH SEPTEMBER. Your telegram 15th September.† Chinese Tariff Conference. Macleay due to arrive Quebec by "Empress of Scotland" 26th September, and to leave Vancouver 1st October by "Empress of Canada." Hence feared no time to break journey but he could of course be consulted *en route*. Train due to pass through Ottawa 1.15 a.m. 27th September.—AMERY.

43518

No. 176.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 12.9 p.m., 26th September, 1925.)

TELEGRAM.

26TH SEPTEMBER. Your telegram of 1st September.* My Government does not desire to be separately represented at Chinese Tariff Conference.—FERGUSSON.

---

* No. 170. † No. 174.

45661

No. 177.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9th October, 1925.)

(Secret.)

SIR, Vice Regal Lodge, Dublin, 8th October, 1925.

I HAVE the honour to refer to your Secret despatch of the 2nd September* regarding the forthcoming Conference on the Chinese Customs Tariff, and to inform you that my Ministers do not propose to send a representative to the Conference.

I have, &c.,

T. M. HEALY.

45630

No. 178.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1.22 p.m., 9th October, 1925.)

TELEGRAM.

9TH OCTOBER. Your telegram of 19th September.† Chinese Customs Tariff. Commonwealth Government has decided not to send a representative but would be glad to receive in due course as full information as possible of the proceedings.—STONEHAVEN.

44958

No. 179.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 8.0 p.m., 13th October, 1925.)

TELEGRAM.

[*Answered by No.* 180.]

13TH OCTOBER. Your telegram 15th September, my telegram 18th September.‡ Chinese Customs Tariff Conference. Should be glad to learn whether it was found possible to discuss matter with Macleay, and also what decision has been reached as regards nomination of representative on behalf of Canada.—AMERY.

47387

No. 180.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.45 p.m., 20th October, 1925.)

TELEGRAM.

[*Answered by No.* 181.]

20TH OCTOBER. Your telegram of 13th October§ regarding Chinese Customs Conference. Arrangements were made for joining Macleay from Montreal to Ottawa but he changed route, possibly due to the lateness of the boat's arrival, and no interview took place. As regards representation, my Government desire information as to whether the Dominion(s) specifically invited to participate and as to what basis representation has been contemplated for the Dominion. Also the position of other Dominions on the matter.—BYNG.

---

* No. 171. † 42950/25: not printed; reminder. ‡ Nos. 174 and 175. § No. 179.

47387

No. 181.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 3.40 p.m., 23rd October, 1925.)

TELEGRAM.

[*Answered by No.* 182.]

23RD OCTOBER. Your telegram 20th October.* Invitation to participate in Chinese Customs Tariff Conference was contained in note from Chinese Chargé d'Affaires enclosed in my despatch 11th September, Dominions 406.† It will be observed that invitation was stated to be issued in pursuance of Article 2 Washington Treaty relating to Chinese Customs Tariff which provided that Conference should be composed of representatives of the signatory Powers as well as of such other Powers as might desire to participate and might adhere to that Treaty. Accordingly it had been assumed that should Dominions desire to send delegates their representatives would form part of a single British Empire delegation as at Washington Conference.

As regards position of other Dominions, Governments of Commonwealth of Australia, New Zealand and Irish Free State have stated that they do not propose to send representatives to Conference. No replies to telegram of 1st September‡ received from Governments of Union of South Africa and Newfoundland.—AMERY.

48520

No. 182.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.47 p.m., 26th October, 1925.)

TELEGRAM.

26TH OCTOBER. Your telegram of 23rd October.§ Under all circumstances my Ministers do not desire name representative(s) at Customs Conference.—BYNG.

48666

No. 183.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 6.10 p.m., 27th October, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

27TH OCTOBER. Secret. My telegram 24th October.‖

The British Minister, Peking, telegraphs that Customs Tariff Conference was opened on 26th October by Chinese Chief of Executive who referred to Article I of Nine Power Principles and Policies Treaty agreeing to respect sovereignty, etc., of China and based thereon renewal of claim to tariff autonomy. This was subsequently developed by Chinese delegate, C. T. Wang, who made following specific proposals:—

(1) Participating Powers to agree to removal of all tariff restrictions in existing treaties.

(2) China to agree to abolish likin sumultaneously with enforcement of a new Chinese tariff law to come into force not later than 1st January, 1929.

No. 180. † No. 172. ‡ No. 170. § No. 181. ‖ 48113/25: not printed; it dealt with the situation in China.

(3) Previous to enforcement of above law an interim surtax of 5 per cent. on ordinary goods, 30 per cent. on wine and tobacco and of 20 per cent. on other luxuries to be levied in addition to existing tariff.

(4) Levy of above surtax within three months of signature.

After election of Chinese Minister for Foreign Affairs as Chairman the heads of each delegation in alphabetical order were invited to address the meeting. Japanese chief delegate in lengthy speech declared readiness to consider tariff autonomy, but made it clear that it could only be reached by stages. He emphasized precedent of Japan, pointing out that latter had only reached complete tariff autonomy after winning confidence of foreign Powers by effecting drastic internal re-organization over a period of fifty-three years.

British Minister declared our willingness to discuss tariff autonomy either at the Conference or at a later date. He laid stress on the importance of abolition of likin, etc., and necessity of providing funds for requirements of provinces as well as central government. All other speeches were formal, United States Minister being markedly guarded and confining himself to expressing willingness of his Government to carry out terms of Washington Treaty.

Please inform your Prime Minister.—AMERY.

Note.—Copy sent to Irish Free State by despatch, 28th October.

48958

No. 184.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 6.40 p.m., 29th October, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

29TH OCTOBER. Secret. My telegram 27th October.*

Previous to the meeting of the Tariff Conference, the Chinese Government submitted the following provisional agenda to the Legations concerned in Peking, but it was not accepted by them :—

A. *Tariff autonomy.*

(1) Adoption by Chinese Government of Chinese general customs tariff. (For practical convenience a period to be agreed upon within which to make preparations for coming into force of tariff autonomy and application of Chinese general customs tariff.)

(2) Abolition of likin.

B. *Provisional measures to be taken during interim period.*

(1) Levy of an interim surtax.

(2) Levy of ports surtax on articles of luxury.

(3) Arrangements to unify rates of customs duties at land and maritime frontiers.

(4) Valuation of commodities.

Related matters :—

(1) Arrangement to ascertain country of origin of imported goods or produce.

(2) Depositing of customs revenue. (Maritime Customs have since 1911 been deposited after collection with certain specified foreign banks. Chinese will claim that these revenues should be spread over other banks including Chinese.)

His Majesty's Minister in Peking now reports that when the committee of chief delegates met on 27th October, under the chairmanship of Wang, the latter immediately proposed the appointment of committees to deal with various items of this provisional agenda as if it had already been approved by governments. This

* No. 183.

assumption was emphatically challenged, but Wang objected strongly to any modification in agenda and threatened to postpone further progress for reference to Chinese Government. Eventually it was decided to accept agenda with formal understanding that disposal of proceeds of surtaxes and conditions to be attached would be dealt with by Committee on B items. When question of Board of Reference (see Resolution on page 52 of Cmd. 1627) was mentioned, Wang said that it had been deliberately excluded as the Chinese Government and people strongly objected to it. The Japanese delegate stated that he was prepared to postpone the subject to suit convenience of Chinese Government. United States delegate made a general reservation of right of dealing with all questions referred to Conference by Washington Conference, and Sir R. Macleay associated himself with this reservation.

Sir R. Macleay considers the outlook is unsatisfactory. Wang and the Extremists have exploited the political situation and the Central Government's fear of Feng, in order to obtain control of Chinese delegation. Sir R. Macleay fears that it may now be very difficult to keep the questions of likin and tariff autonomy separate, and further that it is Wang's intention to make extravagant and impossible demands regarding tariff autonomy, in total disregard of original objects and scope of Washington Treaty, and then to throw the odium of breaking up the Conference upon the Powers.

Please inform your Prime Minister.—AMERY.

Note.—Copy sent to Irish Free State by despatch, 30th October.

49884

No. 185.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 8.50 p.m., 4th November, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

4TH NOVEMBER. Secret. My telegram 29th October.*

On 3rd November the United States delegation submitted a new list of proposals to the Chinese Tariff Conference. These proposals, which have been fully reported in the Press, provide for the granting of tariff autonomy to China in 1929 on the condition that by that date likin shall have been abolished. A Conference will be called, if desired by a majority of the powers, on 1st May, 1928, for the purpose of deciding whether likin has been abolished.

The British delegation, in expressing general agreement with these proposals as a basis for discussion, drew attention to the importance of obtaining the acceptance of the various provinces of China, and of developing other sources of revenue, such as railways, etc.

The British delegation are conscious of the desirability of inducing the Chinese to make proposals on their own initiative, and they have been instructed to keep in close touch with the Japanese, who have proposals of their own, and show a disposition to insist upon further safeguards.

At a subsequent meeting the British delegate thought it advisable to make the following declaration in order to make the attitude of His Majesty's Government quite clear :—

> "The British delegation, recognizing inherent right to all independent and sovereign states to tariff autonomy and considering that fulfilment of provisions of Treaty of Washington of 6th February, 1922, will constitute a step towards attainment by China of such autonomy, formally declare that in

* No. 184.

addition to carrying out of terms of that Treaty they are willing to submit to ratification of their Government such further measures as may be desired and agreed upon at this conference, with a view to ensuring within a reasonable period full realization of China's claim to complete liberty of action in matters relating to her tariff."

This declaration also has been published in the Press.

Please inform your Prime Minister.—AMERY.

Note.—Copy sent to Irish Free State by despatch, 5th November.

49884

No. 186.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNOR.

(Sent 2.0 p.m., 24th November, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

24TH NOVEMBER. Secret. My telegram 4th November.* The following resolution regarding Chinese tariff autonomy was adopted by the Tariff Conference in Peking, 19th November :—

"The delegates of the Powers assembled at this Conference resolve to adopt the following article relating to tariff autonomy with a view to incorporating it, together with other matters to be hereafter agreed upon, in a treaty which is to be signed at this Conference :—

Article.

The contracting Powers other than China hereby recognize China's right to enjoy tariff autonomy; agree to remove tariff restrictions which are contained in existing treaties between themselves respectively and China; and consent to the going into effect of a Chinese national tariff law on 1st January, 1929.

The Government of the Republic of China declares that likin duties shall be abolished simultaneously with the enforcement of the Chinese national tariff law; and further declares that the abolition of likin duties shall be effectively carried out by the first day of first month of eighteenth year of Republic of China (1st January, 1929)."

The situation thus created is described by British Minister in Peking as follows :—

It was necessary to agree to the resolution in order to avoid a breakdown in the Conference. There are two safeguards against the concession being used to vitiate the treaty which the Conference is attempting to draw up. In the first place the resolution will form merely one article in the treaty which can only be successfully concluded after agreement on other matters which are still open.

Secondly, the treaty would be subject to ratification. The British Minister hopes indeed that it may be possible to introduce into other parts of the treaty satisfactory guarantees that Chinese tariff autonomy will only come into force when the likin or Chinese Provincial tariffs have been abolished. He points out, moreover, that although the Chinese will try to make capital out of assertions that the abolition of likin is to be undertaken on their own initiative and not as the chief condition precedent to tariff autonomy, they have, in fact, by what has been said at the Conference, definitely committed themselves to the abolition of likin not at the same time as they received tariff autonomy, but before they received it.

Please inform your Prime Minister.—AMERY.

Note.—Copy sent to Irish Free State by despatch, 25th November.

---

* No. 185.

54410

No. 187.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNOR.

416

(Sent 4.20 p.m., 3rd December, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

3RD DECEMBER. Secret. My telegram of 24th November.* Situation at Chinese Tariff Conference causes His Majesty's Government some concern, for probability is that, notwithstanding safeguards mentioned by Sir R. Macleay, China will secure tariff autonomy on 1st January, 1929, giving little or nothing in return. To safeguard British interests change of ground may be necessary, and following suggestions have therefore been put to British Delegation for their observations :—

Begins: (*a*) Complete abolition of likin being probably unrealizable should not now be insisted upon as *sine qua non* for tariff autonomy. Even paper abolition, partially effective, would be of some value and is probably best we can hope for.

(*b*) It is essential that before Powers take responsibility of signing tariff autonomy treaty, Peking Government shall have made arrangements to allocate part of surplus revenues to provinces. Concentration of whole of new revenue in hands of Central Government would provoke an outburst among the provinces, new civil wars, possible attacks on foreign-staffed Customs machinery and fresh anti-foreign movement. This point should be clearly put to the Chinese at the Conference either by the British Delegation acting alone or by the Delegations of the participating Great Powers in concert if they will adopt suggestion.

(*c*) Application of general Chinese Tariff law especially if attended by only partial abolition of likin would endanger our export trade. Best remedy would be to follow Japanese example and try to negotiate outside the conference for signature at same time as general treaty a bilateral commercial treaty fixing maximum tariff on principal manufactures of United Kingdom. Our bargaining power is small, but only by this means can effects of tariff autonomy be mitigated. *Ends.*

Please inform your Prime Minister.—AMERY.

Note.—Copy sent to Irish Free State by despatch, 4th December.

57100

No. 188.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNOR.

(Sent 1.10 p.m., 19th December, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

19TH DECEMBER. Secret. My telegram 3rd December.† His Majesty's Government are still in consultation with Sir R. Macleay upon the situation created by the provisional consent of the Powers to Chinese tariff autonomy as from 1st January, 1929. They are examining the possibility of making a declaration

---

* No. 186. † No. 187.

on the principle of provincial participation in the customs revenues and are considering whether such participation might not best be secured by modifying the existing system, under which customs revenues after collection are controlled by foreign custodian banks, the Inspector-General of Customs and the Diplomatic Body.

The British Delegation consider the conclusion of a bilateral commercial treaty to be the logical consequence of tariff autonomy and ask for an indication of the lines on which such a treaty should be framed.

The proceedings of the Conference are being impeded by the disturbed political and military situation, but the Conference is still in being and sub-committees are meeting. The following brings the record of the proceedings up to date:—

Likin.—All Delegations except the British are lukewarm on this question. The British Delegation favour the levy of a special customs surtax in lieu of likin, the proceeds to go to the Provinces. His Majesty's Government approve generally. Sir F. Aglen, Inspector-General of Customs, has placed a somewhat similar proposal before the Chinese Delegation, whose own plan for likin abolition is impracticable. The Chinese have undertaken three months after Conference to abolish coast-trade duties, one of many imposts under heading of likin.

Interim surtaxes.—Chinese have submitted proposals for customs surtaxes as follows: (*a*) ordinary goods 5 per cent.; (*b*) "B" grade luxuries (152 articles representing 20 per cent. of total foreign imports and including practically every import of importance except cotton goods, metals, machinery and oils) 20 per cent.; (*c*) "A" grade luxuries (wines and tobacco only) 30 per cent. These are much in excess of 2½ per cent. on ordinary goods and 5 per cent. on luxuries authorized by Washington Treaty. British Delegation consider, and His Majesty's Government after consulting trade interests here agree, that trade can bear new rates if proposed surtaxes include likin surtax and if internal taxation is satisfactorily abolished, but not otherwise. His Majesty's Government defer further comment until they have examined schedule of "B" grade luxuries now received. Copy will be sent by mail. British Delegation will try to secure reductions on woollens and sugar. Other Delegations take a similar view except Japanese who will oppose surtaxes higher than those fixed at Washington.

Please inform your Prime Minister.—AMERY.

Note.—Copy sent to Irish Free State by despatch, 21st December.

57567

No. 189.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 6.10 p.m., 24th December, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

24TH DECEMBER. Confidential. In connexion with suggested negotiations for a bilateral commercial treaty with China steps are at present being taken, in consultation with trading interests in this country principally concerned, to collect material necessary for preparation of list of goods to be considered for special tariff treatment in China in any such treaty. Should there be any articles of special concern to Dominions which Dominion Governments would desire to be borne in mind in this connexion it would be convenient if particulars could be supplied as soon as possible.

Similar telegram sent to other Dominions.—AMERY.

57567

No. 190.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Confidential.)

SIR, Downing Street, 29th December, 1925.

I HAVE the honour to transmit to Your Excellency, to be laid before your Ministers, a copy of a telegram* to the other self-governing Dominions regarding the suggested negotiations for a bilateral commercial treaty with China.

I have, &c.,
L. S. AMERY.

---

(3) Commission on Extra-Territorial Jurisdiction.

41145

No. 191.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 10.30 a.m., 9th September, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

9TH SEPTEMBER. Confidential. My telegram 13th August.† His Majesy's Government are now taking preparatory steps with a view to setting up of Commission to inquire into present practice of extra-territorial jurisdiction in China contemplated in Resolution of Washington Conference, page 53 of Cmd. 1627. In view of importance of political and administrative as well as legal consequences of Commission's work, Secretary of State for Foreign Affairs proposes appointment of his legal adviser, Mr. H. W. Malkin, and association with him of some Consular Officer with thorough knowledge and experience of Chinese judicial matters.—AMERY.

41145

No. 192.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Confidential.)

SIR, Downing Street, 9th September, 1925.

WITH reference to my despatch No. 317 of the 14th August,‡ I have the honour to transmit to Your Excellency, to be laid before your Ministers, a copy of a telegram§ to the other self-governing Dominions with regard to the setting up of the Commission on extra-territorial jurisdiction in China contemplated in the Resolution adopted by the Washington Disarmament Conference on the 10th December, 1921.

I have, &c.,
L. S. AMERY.

---

* No. 189. † No. 166. ‡ No. 167. § No. 191.

52333

No. 193.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 11.45 a.m., 26th November, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

26TH NOVEMBER. Confidential. My telegram 9th September.* It has been arranged that Commission on extra-territoriality in China should meet Shanghai 19th December. Proposal that Malkin should be appointed to Commission was based on assumption that Sir Skinner Turner, Judge of His Majesty's Supreme Court for China, who would otherwise have been nominated, would be coming on leave. But it has since been ascertained that Turner's services will be available, and accordingly it is proposed that he and not Malkin should be appointed.

Following is abstract of instructions which are being issued to Turner :—

Begins: (1) It is very unlikely that Commission will find conditions in China justify abandonment of vital principle that a British subject in China must be tried in the Courts and by the law of his own country, but His Majesty's Government anticipate a gradual lessening and eventual disappearance of objections to abolition of extra-territoriality. Commission should recommend proposals which will assist China to attain this goal.

(2) Probably Commission will find that present system of extra-territoriality presents certain features which can be modified forthwith. His Majesty's Government would welcome early elimination of abuses.

(3) Commission should submit recommendations under following heads: (*a*) As to steps to be taken for improvement of Chinese judicial system and conditions which would justify complete transference to Chinese Courts of jurisdiction for foreigners; (*b*) as to what particular portions of the jurisdiction now exercised by foreign Courts might be progressively transferred to Chinese Courts, *pari passu* with what particular improvements in administration of Chinese justice; (*c*) as to measures to be put in force immediately with a view to remedying abuses of present system and unnecessary encroachments upon China's sovereign rights. *Ends.*

The scope of the inquiry is limited to the terms of the Extra-territoriality Resolution of the Washington Conference (pages 53-54 of Cmd. 1627). No definite action can be taken on the results of inquiry until Commission's report is submitted to the respective governments. The inquiry is expected to last for some months.

Complete text of the letter of instructions and the confidential notes for Turner's guidance are being forwarded by mail.—AMERY.

52333

No. 194.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Confidential.)

SIR, Downing Street, 26th November, 1925.

WITH reference to my Confidential despatch of the 9th September,† I have the honour to transmit to Your Excellency, to be laid before your Ministers, a copy of a telegram‡ to the other self-governing Dominions regarding the Commission on extra-territorial jurisdiction in China contemplated in the Resolution adopted by the Washington Disarmament Conference on the 10th December, 1921.

I have, &c.,
L. S. AMERY.

---

* No. 191. † No. 192. ‡ No. 193.

CUSTOMS TARIFFS.

International Convention for the Publication of

418

8514

No. 195.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6.35 a.m., 23rd February, 1925.)

TELEGRAM.

[*Answered by No.* 196.]

23RD FEBRUARY. Your despatch of 29th December, No. 244.* My Ministers have again very carefully considered the question of withdrawing from the International Convention for the publication of Customs Tariffs as from the 31st March, 1926, but regret that, for the reason given in my despatch of 5th September, No. 185,† they cannot see their way to alter their decision. Arrangements will be made for the Bureau to be advised of all changes made in the customs tariffs of New Zealand. This Dominion is also willing to purchase as a regular subscriber one copy of each tariff published by the Bureau.—FERGUSSON.

10485

No. 196.

NEW ZEALAND.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 46.)

SIR, Downing Street, 12th March, 1925.

WITH reference to Your Excellency's telegram of the 23rd of February,‡ I have the honour to transmit to you, for the information of your Ministers, the accompanying copy of a note to the Belgian Ambassador relating to the decision of the Government of New Zealand to withdraw from the International Union for the Publication of Customs Tariffs.

I have, &c.,
L. S. AMERY.

Enclosure in No. 196.

YOUR EXCELLENCY, Foreign Office, S.W.1, 4th March, 1925.

WITH reference to your note of 8th December last, I have the honour to inform Your Excellency that the Government of New Zealand have very carefully reconsidered the question of withdrawing from the International Union for the Publication of Customs Tariffs. They regret that, for the reason given in my note of 23rd October last, they cannot see their way to alter their decision to withdraw from the Union as from 31st March, 1926. Arrangements will, however, be made for the Bureau to be advised of all changes made in the customs tariff of New Zealand, and the Government of the Dominion are also willing to purchase, as a regular subscriber, one copy of each tariff published by the Bureau.

I have, &c.,
(For the Secretary of State),
G. H. VILLIERS

His Excellency
Baron Moncheur, G.C.V.O.,
&c., &c., &c.

---

* No. 92 in Dominions No. 93. † No. 88 in Dominions No. 93. ‡ No. 195.

26419

No. 197.

COMMONWEALTH OF AUSTRALIA.

COLONIAL OFFICE to OFFICE OF THE HIGH COMMISSIONER.

[*Answered by No.* 199.]

Sir, Downing Street, 18th June, 1925.

With reference to the letter from this Office of the 29th December* I am directed by Mr. Secretary Amery to transmit to you, to be laid before the High Commissioner, the accompanying copy of a note from the Belgian Ambassador regarding the withdrawal of the Commonwealth Government from the International Union for the Publication of Customs Tariffs.

I am, &c.,
E. J. HARDING.

Enclosure in No. 197.

(No. 1512.)

Ambassade de Belgique, Londres,

Monsieur le Secrétaire d'Etat, le 30 mai, 1925.

Par Sa lettre du 15 mai, No. W 4221/153/4, Votre Excellence a bien voulu me faire savoir que les Iles Falkland avaient pris la décision de retirer, à partir du 31 mars 1926, leur participation à l'Union Internationale pour la publication des Tarifs Douaniers.

Monsieur le Ministre des Affaires Etrangères m'informe aujourd'hui qu'il a attendu pour donner acte de la notification faite par le Gouvernement de Sa Majesté Britannique, tant en ce qui concerne les Iles Falkland que les autres Colonies qui ont pris une détermination analogue, que le délai prévu pour les notifications de l'espèce fût écoulé, de manière à pouvoir faire connaître aux Colonies et Dominions intéressés dans quelle mesure les Gouvernements associés ont usé de la faculté de dénoncer la Convention du 5 juillet 1890 à l'occasion de l'expiration du septennat en cours.

Il en résulte que seuls ont manifesté l'intention de se retirer de l'Union Internationale les pays désignés ci-après :—

Australie, Chine, Iles Falkland, Nouvelle-Zélande, Terre-Neuve.

Après la date du 1er avril 1926 la presque totalité des pays du monde continuera donc à faire partie de l'Union.

Il a paru à Monsieur le Ministre des Affaires Etrangères que, quelles que fussent les considérations qui ont déterminé les pays cités plus haut à annoncer leur intention de se retirer de l'Union Internationale à la date du 31 mars 1926, peut-être ces pays se résoudraient-ils à renoncer à leur projet en présence de la continuation de concours décidée par tous les autres Etats associés.

Comme il a été constaté précédemment, le fonctionnement du Bureau International repose en quelque sorte sur une collaboration mondiale, la tâche du Bureau restant la même quel que soit le nombre des Etats participants; cette tâche comporte, en effet, en tout état de cause, la publication de *tous* les tarifs douaniers du monde, dans des langues déterminées.

Il y a dès lors, au point de vue des charges financières de l'Institution, un intérêt primordial à ce que le nombre des Etats adhérents soit aussi élevé que possible.

Ainsi que le constate le Président du Bureau International dans le Rapport qu'il a adressé au Gouvernement Belge au sujet du fonctionnement du Bureau de Bruxelles pendant l'exercice 1924-1925—rapport qui sera transmis prochainement aux Gouvernements intéressés—les Etats contractants pourraient, en organisant sur leur territoire la vente des collections qui leur sont remises comme contre-partie de leur cotisation, récupérer l'entièreté du chiffre de celle-ci tout en servant ainsi l'intérêt des commerçants des pays respectifs.

* 58889/24 : not printed. It enclosed a copy of a Note to the Belgian Ambassador giving the substance of No. 91 in Dominions No. 93.

Mon Gouvernement serait reconnaissant si Votre Excellence voulait bien attirer sur ce point l'attention des Etats qui ont manifesté l'intention de se retirer de l'Union Internationale, dans la pensée que des considérations d'ordre financier n'ont pas été étrangères à leur détermination.

Je saisis, &c.,
B. Moncheur.

Son Excellence
The Right Honourable Austen Chamberlain, M.P.,
Secrétaire d'Etat Principal pour les Affaires Etrangères,
Foreign Office, S.W.1.

26419

No. 198.

The SECRETARY OF STATE to the GOVERNOR-GENERAL and GOVERNOR.

[*Answered by No.* 200.]

(New Zealand. No. 112.)
(Newfoundland. No. 62.)

Sir, Downing Street, 19th June, 1925.

With reference to [my despatch No. 46 of the 12th March*] [Mr. Churchill's despatch No. 104 of the 5th July, 1921,†] I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, the accompanying copy of a note‡ from the Belgian Ambassador regarding the withdrawal of the Government of [New Zealand] [Newfoundland] from the International Union for the Publication of Customs Tariffs.

I have, &c.,
L. S. AMERY.

43436

No. 199.

COMMONWEALTH OF AUSTRALIA.

OFFICE OF THE HIGH COMMISSIONER to DOMINIONS OFFICE.

Australia House, Strand, London, W.C.2,
Sir, 25th September, 1925.

With reference to your letter of the 18th June,§ forwarding copy of a note from the Belgian Ambassador regarding the withdrawal of the Commonwealth Government from the International Union for the Publication of Customs Tariffs, I desire to inform you that the matter was duly referred to the authorities in Australia from whom advice has now been received that the representations of the Belgian Ambassador have been fully reconsidered by the Commonwealth Government, and that the decision already given to withdraw from membership of the International Customs Bureau cannot be varied.

I am, &c.,
GEO. J. HOGBEN,
Official Secretary.

46360

No. 200.

NEW ZEALAND.

The GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 14th October, 1925.)

[*Answered by No.* 201.]

(No. 193.)

Sir, Government House, Wellington, 4th September, 1925.

I have the honour to acknowledge the receipt of your despatch No. 112 of the 19th June,‖ transmitting a copy of a Note from the Belgian Ambassador

* No. 166. † 31658/21 : not printed. ‡ Enclosure in No. 197. § No. 197. ‖ No. 198.

regarding the withdrawal of the Government of New Zealand from the International Union for the Publication of Customs Tariffs.

2. My Ministers advise me that they have again given careful consideration to this question, but they regret that they cannot see their way to depart from their previous decision to withdraw from the Union.

3. It is found that there is no demand on the part of the mercantile portion of the community of New Zealand for the publications of the Bureau.

I have, &c.,
CHARLES FERGUSSON.
Governor-General.

48064

No. 201.

NEW ZEALAND.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 195.)

SIR, Downing Street, 28th October, 1925.

I HAVE the honour to acknowledge the receipt of Your Excellency's despatch No. 193 of the 4th September* and to transmit to you, for the information of your Ministers, the accompanying copy of a note to the Belgian Ambassador regarding the withdrawal of the Government of New Zealand from the International Union for the Publication of Customs Tariffs.

I have, &c.,
L. S. AMERY.

Enclosure in No. 201.

YOUR EXCELLENCY, Foreign Office, S.W.1, 23rd October, 1925.

I HAVE the honour to inform you that the Government of New Zealand have given careful consideration to the arguments set forth in Your Excellency's note of 30th May last regarding the withdrawal of certain members from the International Customs Tariff Union. They regret that they cannot see their way to modify their previous decision to withdraw from the Union; it has been found that there is no demand on the part of the mercantile community in New Zealand for the publications of the Bureau.

I have, &c.,
(For the Secretary of State),
R. H. CAMPBELL.

His Excellency
Baron Moncheur, G.C.V.O.,
&c., &c., &c.

CZECHOSLOVAKIA.

(1) Commercial Treaty, 1923.

(*Treaty Series* 1924, *No.* 35.)

23496

No. 202.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 181.) } Dominions No. 227.)

[MY LORD,] [SIR,] Downing Street, 29th May, 1925.

WITH reference to my predecessor's despatch [Dominions No. 477] [No. 419] of the 30th of September, 1924,† I have the honour to transmit to [Your Excellency,]

* No. 200. † 40489/24: not printed; it enclosed copies of Treaty Series 1924, No. 35.

420

[you,] to be laid before your Ministers, the accompanying copy of a memorandum from the Commercial Secretary to the British Legation at Prague regarding the position of the Dominions in relation to the Commercial Treaty with Czechoslovakia.

2. It is being explained to the Czechoslovak Government that they are under a misapprehension in supposing that goods produced or manufactured in any of the Dominions or Colonies could only obtain the benefits of the proposed new Conventional Tariff if the Dominion or Colony concerned had acceded to the Treaty, seeing that the second paragraph of Article 9 of the Treaty provides for the grant of most-favoured-nation treatment to goods produced or manufactured in any of the Dominions or Colonies (subject to the reservation contained in Article 4) so long as the Dominion or Colony concerned in fact grants similar treatment to Czechoslovak goods.

I have, &c.,
L. S. AMERY.

[17234]

Enclosure in No. 202.

IN conversation with Dr. Dvoracek, the head of the Commercial Section of the Czech Ministry of Foreign Affairs, a few days ago, he asked me what action was going to be taken by the British Dominions overseas regarding ratification of the existing Commercial Treaty between the United Kingdom and Czechoslovakia.

He mentioned specifically in this regard the Governments of Canada, Australia, South Africa and New Zealand, and evidently hoped that His Majesty's Government would be able to see their way to lay the matter before the Governments of the respective Dominions in order that if possible their adhesion to the Commercial Treaty could be secured.

He told me that there would shortly be in course of preparation a new Customs Tariff for Czechoslovakia based upon the principle of duality, i.e., one scale of duties (General Tariff) for all countries with which no commercial treaty embodying the most-favoured-nation clause had been signed, and a second scale of duties (Conventional Tariff) which would be applied to the product and manufactures of countries with whom a commercial treaty containing most-favoured-nation clause had been signed. He went on to express the hope that goods coming from the British Dominions could be included under the Conventional Tariff, but stated that of course this would not be possible unless their adhesion to the existing Treaty were secured.

From other sources of information I am led to suppose that the question of Czechoslovak goods entering Canada is not foreign to the matter, and, of course, the adhesion of Canada to the Commercial Treaty would automatically bring Czechoslovakia into the ranks of those countries entitled to receive most-favoured-nation treatment as regards Canadian import duties.

The total amount of produce and goods coming from the Dominions to Czechoslovakia is not very large, but perhaps I might venture to suggest that the above points be brought to the notice of the Dominion Governments concerned in order that they may take whatever action may seem to them advisable.

ALEXANDER ADAMS.

1st April, 1925.

39711

No. 203.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

[*Answered by No.* 204.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 357.) } Dominions No. 402.)

[MY LORD,] [SIR,] Downing Street, 11th September, 1925.

WITH reference to my despatch [Dominions No. 227] [No. 181] of the 29th of May,* I have the honour to transmit to [Your Excellency,] [you,] to be laid before

* No. 202.

your Ministers, the accompanying copy of a despatch from His Majesty's Minister at Prague forwarding a copy of a note from the Czechoslovak Ministry for Foreign Affairs regarding the position of the Dominions in relation to the Commercial Treaty with Czechoslovakia.

[*To Australia only:* 2. With regard to paragraph 2 of Sir G. Clerk's despatch, I should be glad to learn what reply your Ministers would wish to be returned to the Czechoslovak Government.

3. It is observed that no reference is made in the Czechoslovak note to the note sent by the Foreign Office to the Czechoslovak Legation in London on the 7th of July, 1924, as a result of your despatch No. 117 of the 13th of May, 1924.* A copy of this note is enclosed.]

[*To New Zealand only:* 2. It is observed that no reference is made in the Czechoslovak note to the position in the case of New Zealand and Western Samoa which was explained to the Czechoslovak Government in the note sent by the Foreign Office to the Czechoslovak Minister in London on the 16th of April, 1924, a copy of which was enclosed in Mr. Thomas's despatch No. 78 of the 7th of May, 1924.†]

[*To Newfoundland only:* 2. With regard to paragraph 2 of Sir George Clerk's despatch, I should be glad to learn what reply your Ministers would wish to be returned to the Czechoslovak Government. In this connexion I would invite reference to Mr. Thomas's despatch No. 67 of the 7th of May, 1924.‡]

I have, &c.,
L. S. AMERY.

Enclosure 1 in No. 203.

(No. 279.)

SIR, British Legation, Prague, 19th August, 1925.

WITH reference to your despatch No. 206 of the 20th May last, I have the honour to transmit herewith copy of a note which I have received from the Czechoslovak Ministry of Foreign Affairs, from which it will be seen that they are in agreement with the views expressed by His Majesty's Government.

2. The note goes on to ventilate the question of the formal adhesion of certain of the Dominions to the existing Commercial Treaty, and asks for information regarding the treatment which Australia gives to Czechoslovak imports. At the same time information is requested regarding the Newfoundland Law of the 16th October, 1923, respecting "a preferential tariff on products of Spain."

3. Perhaps the question of most importance to Czechoslovakia is that of coming to some arrangement with Canada under which Czechoslovak goods would be granted "most-favoured-nation" treatment, and it will be seen that this point is the one first mentioned in the note transmitted.

4. It may be of interest to state that the question of the import into Czechoslovakia of wool from Cape Colony has recently formed the subject of correspondence between the Commercial Secretary and the Department of Overseas Trade, and the High Commissioner for the Union of South Africa. Apparently the import of Cape wool to Czechoslovakia is hampered by the fact that a special permit from the Ministry of Agriculture is required. This permit is stated to be necessary for the import of animal raw material coming from countries infected with cattle disease. The question will, I understand, be investigated by a member of the High Commissioner's staff who is coming to Czechoslovakia personally.

5. Another point which has formed the subject of correspondence with the Commercial Commissioner for the Union of South Africa, whose office is in Milan, is that of the Czechoslovak luxury tax of 12 per cent. levied on the importation of ostrich feathers. According to the Commercial Commissioner in question the sole source of ostrich feathers is the South African Union, and such a tax hits particularly at this industry.

6. Recently another question has arisen regarding the import into Czechoslovakia of Australian apples. The note transmitted asks for information regarding the treatment which Australia gives to Czechoslovak imports, and the two questions seem to be related, for the importer of the apples in question told my Commercial Secretary that according to the local Ministry of Commerce the apples could only be admitted to duty at the most favourable rate if and when he could produce some evidence that Australia admitted Czechoslovak goods under most-favoured-nation terms. The competent official at the Ministry and also the section

* No. 98 in Dominions No. 93. † 18608/24: not printed; it embodied the substance of No. 96 in Dominions No. 93. ‡ No. 97 in Dominions No. 93.

421

head at the Ministry of Foreign Affairs were seen by the Commercial Secretary. Both stated that the apples must pay duty at the higher rate because, so far as they were aware, Australia did not grant "most-favoured-nation" treatment to Czechoslovak goods.

7. I mention the above as some of the points which have arisen between the British Dominions and Czechoslovakia and as illustrating in some measure the desire of the Czechoslovak Government to clear up the vagueness at present surrounding their trade position with more especially Canada and Australia.

8. I should be grateful for instructions as to the reply which I am to return to the Czechoslovak Ministry of Foreign Affairs.

I have, &c.,
GEORGE R. CLERK.

The Right Honourable
Austen Chamberlain, M.P.,
&c., &c., &c.

EN accusant réception de la Note No. 79 en date due 28 mai, 1925, le Ministère des Affaires Etrangères a l'honneur de porter à la connaissance de la Légation de Sa Majesté Britannique ce qui suit :—

1. Tous les dominions, colonies, possessions ou protectorats britanniques qui accordent aux produits d'origine tchécoslovaque le traitement de la nation la plus favorisée, jouissent pour leurs importations en Tchécoslovaquie du régime prévu à l'alinéa 2 de l'article IX du Traité de Commerce du 14 juillet, 1923.

Conformément aux communications parvenues au Gouvernement tchécoslovaque par la voie diplomatique le régime susdit est accordé aux produits des territoires britanniques suivants :—

Inde Britannique (note du Foreign Office du 19 novembre, 1923).

"Colonies not possessing responsible Government," protectorats britanniques et territoires sous mandats A et B (note du Foreign Office du 13 décembre, 1923).

Etat libre d'Irlande (note du Foreign Office du janvier, 1924).

Union Sud-Africaine, Afrique du Sud-Ouest et Rhodésie du Sud (note du Foreign Office du 13 février, 1924).

Terre-Neuve (note du Foreign Office du 9 avril, 1924).

Le Gouvernement tchécoslovaque est donc d'avis que l'application donnée de sa part à l'alinéa 2 de l'article IX du Traité de Commerce, ne diffère en rien du point de vue qu'occupe à ce sujet le Gouvernement britannique.

2. L'entretion de Monsieur Dvoracek, Chef de la Section Economique de ce Ministère, dont il est fait mention dans la note No. 79, a touché la question d'une adhésion formelle éventuelle—si celle—ci répondait aux vues du Gouvernement britannique—au Traité du 14 juillet, 1923 (conformément à l'article IX alinéa 1), de certains des territoires britannique dont la position est dès maintenant déterminée par les dispositions de l'article IX alinéa 2 du Traité précité, ainsi que la possibilité d'un arrangement au sujet de territoires qui jusqu'à présent n'accordent pas aux produits tchécoslovaques le régime de la nation la plus favorisée, comme Canada (voir la Note du Foreign Office No. C.555/143/12 du 16 janvier, 1924). En ce qui concerne l'Australie, le Ministère des Affaires Etrangères n'est pas encore en possession de renseignements exacts sur le régime qui est réservé dans le Commonwealth aux importations tchécoslovaques en comparaison aux autres provenances européennes et serait particulièrement reconnaissant de toute information á ce sujet.

En informant de ce qui précède la Légation de Sa Majesté Britannique, le Ministère des Affaires Etrangères a en même temps l'honneur de remarquer que la Terre-Neuve a voté, le 16 août, 1923, une loi appelée "An Act respecting a Preferential Tariff on Products of Spain." Le Ministère des Affaires Etrangères serait reconnaissant de pouvoir apprendre si les dispositions de cette loi ont un charactère préférential et s'ils sont encore en vigueur.

Le Ministère des Affaires Etrangères saisit l'occasion pour renouvelar à la Légation de Sa Majesté Britannique les assurances de sa haute considération.

Praha, le 4 août, 1925.

[32426]

Enclosure 2 in No. 203.

(To Australia only.)

SIR, Foreign Office, S.W.1, 7th July, 1924.

IN continuation of my note of the 28th ultimo, respecting customs duties and import and export duties in British Dominions and Colonies and Mandated Territories, I have the honour to transmit to you herewith, copies of the documents* referred to in the enclosed list, respecting the Commonwealth of Australia, Papua, Norfolk Island and New Guinea.

2. With regard to Papua, Norfolk Island and New Guinea, I have the honour to add that goods are accorded treatment in these territories as favourable as that accorded to goods produced or manufactured in any other foreign country.

I have, &c.,
(For the Secretary of State),
S. GASELEE.

Dr. Vojtech Mastny, K.B.E.,
etc., etc., etc.

52497

No. 204.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 23rd November, 1925.)

(No. 108.)

SIR, Government House, St. John's, 9th November, 1925.

I HAVE the honour to acknowledge the receipt of your despatch Dominions No. 402 of the 11th September,† on the subject of the position of the Dominions in relation to the Commercial Treaty with Czechoslovakia and to inform you, with reference to paragraph 2 of Sir George Clerk's despatch,‡ that the Treaty between Newfoundland and Spain was a special arrangement with respect to the duty on fish following the special agreement between Norway and Spain on the same subject.

2. A similar arrangement could not be made with Czechoslovakia as that country does not take any quantity of fish or other products of Newfoundland, neither would this Colony be able to obtain from Czechoslovakia any of the fruits salt or other products which are now obtained from Spain.

I have, &c.,
W. L. ALLARDYCE.

---

(2) Convention respecting Legal Procedure in Civil and Commercial matters.

12546

No. 205.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 17th March, 1925.)

(No. 97.)

SIR, Government House, Ottawa, 28th February, 1925.

WITH reference to your despatch No. 550 of the 27th November last,§ regarding the extension to Canada of the Convention with Czechoslovakia respecting legal proceedings in civil and commercial matters, and to my own despatch No. 214 of the 16th May, 1924,‖ regarding the similar question in respect of the similar Convention between the United Kingdom and France, I have the honour to inform you that it is proposed to submit the question of such extension to the Board of Commissioners for the Promotion of Uniformity of Legislation in Canada, referred

* Not printed. † No. 203. ‡ Enclosure in No. 203. § No 104 in Dominions No. 93.
‖ No. 189 in Dominions No. 93.

422

to in my despatch No. 70 of the 17th instant* on the subject of the extension to Canada of the similar Convention between the United Kingdom and Belgium.

My Government will be grateful if thirty additional copies of the Convention with Czechoslovakia and also of the Convention with France can be furnished for this purpose.

I have, &c.,
BYNG OF VIMY.

DOMINICAN REPUBLIC.

Proposed Commercial Treaty.

31606

No. 206.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 261.) — Dominions No. 313.)

[MY LORD,] [SIR,] Downing Street, 24th July, 1925.

I HAVE the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, the accompanying copy of a draft Treaty† of Commerce with Dominica, which His Majesty's Representative at San Domingo has been instructed to present to the Dominican Government for their consideration.

I have, &c.,
L. S. AMERY.

ESTHONIA.

Commercial Treaty, 1926. Position of British subjects under Commercial Treaties.

55601

No. 207.

COLONIAL OFFICE to FOREIGN OFFICE.

[*Answered by No.* 208.]

SIR, Downing Street, 2nd January, 1925.

I AM directed by Mr. Secretary Amery to acknowledge the receipt of your letter of the 25th of November‡ forwarding a revised draft of the proposed treaty of commerce and navigation between this country and Esthonia.

2. The altered form of the wording of the instrument leaves a certain ambiguity as to the categories of British subjects for whom the rights under the treaty can be claimed, and, if it is intended that it should be possible, in accordance with the established practice, to claim rights for all British subjects irrespective of the part of the Empire with which they are connected, the wording seems, in Mr. Amery's opinion, open to serious objection. The "country" referred to, on the British side, is presumably Great Britain and Northern Ireland, and to argue that the expressions "British subjects" and "subjects or citizens of Great Britain and Northern Ireland" were equivalent would be most unacceptable to the Dominion Governments. It will be remembered that one of the reasons why the Government of the Irish Free State did not wish Free State citizens to be described as "British subjects" on passports, was that this expression is interpreted in certain quarters in the Irish Free State as connoting a "subject of Great Britain."

* No. 154. † Not printed: it was in the usual form. ‡ No. 120 in Dominions No. 93.

3. Mr. Amery would be glad to learn whether there would be any insuperable objection to making the treaty one between His Majesty and "the Esthonian Republic" (in somewhat the same way as there have been in the past Treaties between His Majesty and "the United States of America" and certain South American Republics). This course would presumably make it possible to adhere more closely in the wording of the treaty when completed to the terms of the model draft commercial treaty. I am to suggest that, if this is considered not to be possible, it might be better, whilst retaining His Britannic Majesty's Government as the contracting party, to use the phrases "territories of His Britannic Majesty" and "territories of the Esthonian Republic," as far as possible, throughout the treaty, making the other necessary consequential alterations in wording and in particular referring throughout to "British subjects" and to "Esthonian citizens."

4. In this connexion I am to invite reference to the correspondence with the Governor-General of Canada as to the meaning of the expression "British nationals" in the Treaties with the Soviet Union, where the Contracting Party was "Great Britain and Northern Ireland" (see Colonial Office letters of the 6th of August, the 12th of August and the 19th of August*). I am also to observe that the Resolution of the Imperial Conference of 1923 on the subject of the Negotiation, Signature and Ratification of Treaties, implies that the normal form of Treaty (except in the case of agreements of a technical or administrative character) is in His Majesty's name, and that every instance in which His Majesty's Government conclude a formal Treaty otherwise than in His Majesty's name would make it more difficult to press a Dominion Government to conclude its Treaties in His Majesty's name, if for any reason it were disposed to adopt a different form.

5. Copies of this letter are being sent to the Board of Trade and the India Office.

I am, &c.,
E. J. HARDING.

15471

No. 208.

FOREIGN OFFICE to COLONIAL OFFICE.

(Received 4th April, 1925.)

[*Answered by No.* 209.]

Sir, Foreign Office, S.W.1, 3rd April, 1925.

I am directed by Mr. Secretary Chamberlain to refer to your letter of the 2nd January,† regarding the proposed treaty of commerce and navigation between this country and Esthonia, and to state that careful consideration has been given to the questions raised therein.

2. A decision as to the final form of the treaty has been delayed owing to the knowledge that certain changes are impending in the Esthonian constitution which will give the President of the Esthonian Republic treaty-making powers.

3. His Majesty's Minister at Riga now reports, however, that the date on which the change will be made is a matter of considerable doubt; and, in view of the inadvisability of delaying the matter further, Mr. Chamberlain proposes to proceed with the conclusion of the treaty as between His Majesty the King and the Esthonian Republic, a form which meets the view of Mr. Secretary Amery expressed in paragraph 3 of your letter under reference.

4. The treaty will accordingly be put in the form of a final draft and transmitted in due course to you for such observations as Mr. Secretary Amery may wish to offer.

5. Although in the present instance, in view of the urgent necessity of concluding a commercial treaty with Esthonia without further delay, the questions raised in paragraphs 2 and 4 of your letter have been left undecided by the adoption of the form mentioned in the preceding paragraph, Mr. Chamberlain considers that the time has now come for a careful re-examination of the question of the extent to which all British subjects should henceforth benefit under the terms of commercial treaties concluded with foreign States on behalf of Great Britain and Northern

* 37172/24, 37172/24 and 39351/24: not printed; they enclosed copies of Nos. 625, 630, 631 and 636 in Dominions No. 93. † No. 207.

Ireland. It is therefore proposed that this matter should form the subject of discussion at an early date between representatives of the Foreign Office and of the other departments concerned.

I am, &c.,
J. D. GREGORY.

15471

No. 209.

COLONIAL OFFICE to FOREIGN OFFICE.

Sir, Downing Street, 7th April, 1925.

I am directed to acknowledge the receipt of your letter of the 3rd April* regarding the proposed commercial treaty with Esthonia.

2. As regards the general question mentioned in paragraph 5 as to the position of British subjects in relation to commercial treaties, I am to invite reference to the correspondence relating to the Commercial Treaties with Latvia and Finland ending with your letter of the 25th April, 1922.†

I am, &c.,
E. J. HARDING.

36290

No. 210.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. } Dominions No. 365.)

(Southern Rhodesia. No. 324.)

[My Lord,] [Sir,] Downing Street, 19th August, 1925.

I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, the accompanying copy of a draft Treaty‡ of Commerce and Navigation with Esthonia.

2. His Majesty's Representative at Riga has been instructed to present the draft to the Esthonian Government and to request their observations or approval.

I have, &c.,
L. S. AMERY.

Note.—For subsequent correspondence on the general question see under "British subjects."

EXPLORATION OF THE SEA, INTERNATIONAL COUNCIL FOR THE
Admission of the Irish Free State.

8406

No. 211.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 21st February, 1925.)

[*Answered by No.* 212.]

(No. 61.)

Sir, Vice Regal Lodge, Dublin, 20th February, 1925.

With reference to your despatch No. 685 of the 6th December last,§ relative to the proposed admission of the Irish Free State to representation on the International Council for the Exploration of the Sea, I have the honour to inform you

* No. 208. † No. 166 in Dominions No. 87. ‡ Not printed; the draft Treaty was expressed as one between His Majesty the King and the Esthonian Republic; its provisions were on the usual lines. § No. 124 in Dominions No. 93.

that my Government are willing to enter the Council, as from the commencement of the next financial year (21st July, 1925), on the basis of the payment of a contribution of 10,000 kroner per annum.

I have, &c.,
T. M. HEALY.

10615

No. 212.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 91.)

SIR, Downing Street, 16th March, 1925.

WITH reference to Your Excellency's despatch No. 61 of the 20th February,* I have the honour to transmit to Your Excellency, for the information of your Ministers, a copy of a Note to the Danish Minister regarding the admission of the Irish Free State to the International Council for the Exploration of the Sea.

I have, &c.,
L. S. AMERY.

Enclosure in No. 212.

SIR, Foreign Office, S.W.1, 6th March, 1925.

I HAVE the honour to refer to your Note of 23rd June last, and to inform you that His Majesty's Government assent to the admission of the Irish Free State to the International Council for the Exploration of the Sea as from 21st July, 1925, on payment of a contribution of ten thousand Danish kroner per annum.

I have, &c.,
(For the Secretary of State),
J. D. GREGORY.

Count P. Ahlefeldt Laurvig,
&c., &c., &c.

25725

No. 213.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 226.)

SIR, Downing Street, 13th June, 1925.

WITH reference to my despatch No. 91 of the 16th March,† I have the honour to transmit to Your Excellency, for the information of your Ministers, a copy of a Note from the Danish Minister regarding the admission of the Irish Free State to the International Council for the Exploration of the Sea.

I have, &c.,
L. S. AMERY.

Enclosure in No. 213.

SIR, Danish Legation, London, 2nd June, 1925.

I HAVE the honour to refer to your Note of 6th March, 1925, and according to instructions to inform you that the Irish Free State has been admitted to the International Council for the Exploration of the Sea on payment of a contribution of ten thousand Danish kroner per annum.

I have, &c.,
P. AHLEFELDT LAURVIG.

The Right Honourable
Austen Chamberlain, M.P.,
Secretary of State for Foreign Affairs.

---

* No. 211. † No. 212.

EXTRADITION TREATIES.

(1) Albania.

44972

No. 214.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. } Dominions No. 448.)

[MY LORD,] [SIR,] Downing Street, 10th October, 1925.

WITH reference to Mr. Thomas's despatch Dominions No. 47 of the 6th February, 1924,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a despatch to His Majesty's Chargé d'Affaires at Durazzo regarding the postponement of the negotiations for the conclusion of an extradition treaty with Albania.

I have, &c.,
L. S. AMERY.

Enclosure in No. 214.

(No. 158.)

Foreign Office, S.W.1.
SIR, 2nd October, 1925.

WITH reference to your telegram No. 46 of the 20th ultimo and previous correspondence regarding the proposed extradition treaty with Albania, I have to observe, for your personal information, that the point has recently arisen whether, having regard to the fact that in theory capitulatory rights still exist in that country, it would be expedient at the moment to conclude a treaty of this nature, which might be held to imply on the part of His Majesty a surrender of such rights.

2. It seems on the whole undesirable to waive any advantage which may result from the existing position till an opportune time arrives for dealing with it comprehensively, and as in the circumstances the proposed treaty would involve the question of the capitulations, the principle of which His Majesty's Government do not at present desire to abandon, I shall be glad if you will take no further action in the matter and allow it to drop for the present.

I am, &c.,
(For the Secretary of State),
G. R. WARNER.

R. Parr, Esq.,
&c., &c., &c.

---

(2) Belgium.

(*Treaty Series* 1924, *No.* 1.)

9782

No. 215.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2nd March, 1925.)

(No. 43.)

Governor-General's Office, Cape Town,
SIR, 9th February, 1925.

I HAVE the honour to transmit to you herewith, with reference to your despatch No. 388 of the 29th December, 1924,† copy of Minute from Ministers on

---

* No. 125 in Dominions No. 93. † No. 129 in Dominions No. 93.

the subject of extradition arrangements between the Belgian Congo and the Union of South Africa.

I have, &c.,
ATHLONE,
Governor-General.

Enclosure in No. 215.

Prime Minister's Office, 4th February, 1925.

MINUTE No. 92.

MINISTERS have the honour to acknowledge the receipt of His Excellency the Governor-General's Minute No. 55/608 of the 22nd instant and to say that on further consideration they do not think it necessary for the present to pursue their proposal referred to in paragraph three of the despatch No. 388 of the 29th ultimo* from the Secretary of State for the Colonies.

J. B. M. HERTZOG.

---

(3) Brazil.

36282

No. 216.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.

Dominions No. 361. Confidential.)

[MY LORD,] [SIR,] Downing Street, 18th August, 1925.

WITH reference to Mr. Thomas's Confidential despatch Dominions No. 351 of the 30th of July, 1924,† I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, the accompanying copies of correspondence with His Majesty's representative at Rio de Janeiro on the subject of the proposed extradition treaty with Brazil.

I have, &c.,
L. S. AMERY.

[56798]

Enclosure 1 in No. 216.

(No. 236.)

SIR, 31st October, 1924.

I HAVE the honour to refer to your despatch No. 126 of 30th June last transmitting the observations of His Majesty's Government on the Brazilian counter-draft of the proposed extradition treaty between the United Kingdom and Brazil.

2. I have now received from the Ministry of Foreign Affairs the reply of the Brazilian Government to the amendments proposed by His Majesty's Government, and I enclose herein a copy of the Note in question, together with a translation thereof.

3. It will be observed that, with the exception of that part of Article 2 of the British draft which enumerates the crimes in respect of which extradition shall be granted, all the amendments proposed by His Majesty's Government have been found acceptable by the Brazilian Government.

4. In regard, however, to the first paragraph of Article 2 of the British draft we appear to have arrived at a deadlock. According to the Home Office letter of

* No. 129 in Dominions No. 93. † No. 130 in Dominions No. 93.

425

24th March to the Foreign Office, British Extradition Law, allows the surrender of persons accused of certain crimes only, for which reason it is usual for "extraditable" crimes to be enumerated in the treaty to be concluded. On the other hand, according to the Ministry for Foreign Affairs' note, the difficulty consists, not in finding an appropriate translation of the crimes enumerated in the British draft, but in the fact that the sole criterion in Brazilian law of an extraditable crime lies in the gravity of the punishment to which it is liable.

5. Two divergent principles accordingly presented themselves, but it seemed to me that if it could be shown that all or at least the majority of the crimes enumerated in the British draft were punishable in Brazilian law with a heavier penalty than one year's imprisonment a compromise might be found.

6. Mr. Howe accordingly discussed the matter by my directions, unofficially, with a subordinate of the Department concerned.

7. Mr. Howe was informed that Brazilian Extradition Treaties had indeed in the past contained a clause enumerating the crimes for which extradition could be demanded, but on the re-organization of the Penal Code this clause had been the source of such embarrassment to the Brazilian Government that the Treaties had been denounced in 1912, since when no Brazilian Extradition Treaty had ever contained any specification of crimes. The Ministry of Justice were resolutely opposed to the idea of specification.

8. Roughly speaking, Brazilian criminal law distinguishes two kinds of offences—crimes and delinquencies; the penalty for the former being imprisonment for more than one year; for the latter imprisonment up to one year, and it is the circumstances of the offence which determine whether it shall be treated as a crime or a delinquency. Consequently, it is almost impossible, for the purpose of an extradition treaty, to lay down a sufficiently definite dividing line. To do so, it was stated, would require the citation of three-quarters of the Brazilian Penal Code.

9. In these circumstances I fear I do not see how the difficulty can be overcome.

I have, &c.,
ERNEST SCOTT.

The Right Honourable
J. Ramsay MacDonald, M.P.,
His Majesty's Principal Secretary of State for Foreign Affairs.

(Translation.)
(PE/432/25.)

Ministry for Foreign Affairs, Rio de Janeiro,
MONSIEUR LE CHARGÉ D'AFFAIRES, 11th October, 1924.

I HAVE the honour to acknowledge the receipt of the note No. 120 of 25th August last in which Sir John Tilley communicated to me the observations of His Britannic Majesty's Government on the counter-draft of the extradition treaty which I forwarded to the Embassy.

For greater clearness I shall expose to Your Excellency, point by point, the views of the Brazilian Government in regard to each of those observations.

(*a*) *Article* 2.

It was not the difficulty which exists, but which, as His Excellency said, is not insuperable, of appropriately translating the crimes enumerated in the British draft, which caused this Ministry not to make that enumeration. The specification in a treaty of crimes for which extradition may be demanded is not executable (exequivel) in Brazilian law, whose sole criterion is the gravity of the punishment with which the crime is punished by its legislation, being included attempted crime, collusion (co-autoria), and complicity; and this appears to be the greatest obstacle to the negotiation of an extradition treaty between the two countries.

The modification which the Embassy proposes in the sole paragraph of this same article is perfectly acceptable and could be translated as follows: "The Brazilian Government shall be able at its discretion (a sua criterio) to refuse to deliver an extraditable person (extraditando) when the punishment to which he may be liable is death or corporal punishment."

(*b*) *Article* 11.

In the interests of an extradition treaty with Great Britain, Brazil would be disposed to accept the elimination of the sole paragraph of this Article, although this is contrary to the principle of international assistance (assistencia internacional), so it would be preferable to modify the first words of that paragraph as follows: "Persons not nationals of the High Contracting Parties accused or convicted, etc." Thus the difficulty in English law which His Excellency mentions would be avoided.

(*c*), (*d*) *and* (*e*). *Articles* 17, 18 *and* 19.

The Brazilian Government will have no hesitation in including the proposed modifications in the text of a treaty which may be concluded, and it was merely by error, which I regret, that such modifications were not included in the counter-draft which I transmitted to Sir John Tilley on 27th November last.

I avail myself, &c.,
FELIX PACHECO.

His Excellency
The Honourable Ernest Stowell Scott, C.M.G., M.V.O.,
&c., &c., &c.

Enclosure 2 in No. 216.

(No. 151.)

SIR, Foreign Office, S.W.1, 5th August, 1925.

I RECEIVED Mr. Scott's despatch No. 236 of the 31st October last on the subject of the proposed extradition treaty between the United Kingdom and Brazil, and have since been in communication with the Home Office and other departments concerned.

2. I now transmit to Your Excellency a copy of a letter from the Home Office enclosing a memorandum prepared in that Department on the note from the Brazilian Government of the 11th October last, and I shall be glad if, as desired by the Secretary of State for the Home Department, you will communicate this memorandum to the Brazilian Government with a view of obtaining their assent to the proposals contained therein.

I am, &c.,
(For the Secretary of State),
G. R. WARNER.

His Excellency
The Right Honourable
Sir John Tilley, K.C.M.G., C.B.,
&c., &c., &c.

[25537]

(187,244/39.)

SIR, Home Office, Whitehall, 4th June, 1925.

IN reply to your communication of the 3rd December last forwarding a despatch from His Majesty's representative at Rio de Janeiro regarding the proposed extradition treaty with Brazil, I am directed by Secretary Sir William Joynson-Hicks to transmit herewith a memorandum thereon and to suggest that the Brazilian Government should be asked to assent to the proposals contained therein. In the event of their assent being obtained, Sir William Joynson-Hicks will proceed to examine in detail the other proposals in the Brazilian counter-draft which was enclosed in your communication of the 16th February, 1924.

A copy of this letter is being sent to the Colonial Office.

I am, &c.,
E. BLACKWELL.

The Under-Secretary of State,
Foreign Office.

MEMORANDUM.

PROPOSED EXTRADITION TREATY BETWEEN GREAT BRITAIN AND BRAZIL.

Observations on the reply of the 11th October, 1924, from the Brazilian Ministry for Foreign Affairs.

Articles 1, 2 *and* 3.

BRITISH law authorizes the extradition to foreign States of persons accused or convicted of certain offences which are specified in the Statutes by which extradition is governed. These offences are all punishable in this country with imprisonment for 12 months or more; but there are other offences punishable in this country with imprisonment for 12 months or more in respect of which persons cannot be extradited under British law. It is not therefore possible to accept the proposal in Article 2 of the Brazilian counter-draft that extradition shall be granted in respect of all offences punishable with imprisonment for more than one year.

In order that an extradition treaty may be concluded between His Majesty's Government and Brazil and in order to overcome the difficulties arising out of Brazilian law in the enumeration of definite offences in the Treaty, the following Article is suggested for the consideration of the Brazilian Government in substitution of Articles 1, 2 and 3 of the former draft:—

> "The High Contracting Parties engage to surrender to each other, subject to the conditions set out in the following Articles of this Treaty, any person who has been either convicted or accused of a crime or offence committed within the jurisdiction of one Party in respect of which the law of both Parties for the time being in force allows extradition to be granted and is found in the territory of the other Party; Provided always that either Party may in its absolute discretion refuse to grant the extradition of any person who is one of its own subjects or is accused or convicted of a crime or offence punishable under the law of the Party by whom extradition is claimed by death or corporal punishment; Provided also that extradition shall not be granted for any crime or offence unless it is punishable by at least 12 months' imprisonment or some greater punishment."

Crimes on Ships, etc.

The Brazilian reply does not wholly meet the English law on this point. Thus, if a man having been surrendered by a third State to Brazil is in a ship in an English Port or is transferred from one ship to another, he is within the jurisdiction of the English Courts. The foreign warrant would not be sufficient authority for his custody, if he applied for a writ of habeas corpus for his discharge. In the event of such an application being made, it would be necessary for the Brazilian Government to apply in the ordinary way for his extradition from England. Applications for discharge in such circumstances are in fact but rarely made; but as the "sole paragraph" of Article 11 in the Brazilian counter-draft does not conform with English law it cannot be accepted.

41108

No. 217.

CANADA.

THE GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 6.22 p.m., 8th September, 1925.)

TELEGRAM.

8TH SEPTEMBER. Confidential. Your despatch 31st December, 1924, Confidential.* Treaty of Extradition with Brazil. This matter is still under consideration by the Canadian Government, and Minister of Justice, in view of various circumstances, doubts whether decision may be reached at an early date.—BYNG.

---

* No. 130 in Dominions No. 93.

(4) Czechoslovakia.

52092

No. 218.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 454.)

Dominions No. 566.)

[MY LORD,] [SIR,] Downing Street, 28th November, 1925.

WITH reference to my despatch [Dominions No. 568] [No. 510] of the 10th of December, 1924,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copies of correspondence with the Czechoslovak Legation regarding the proposed amendment of Article 12 of the Extradition Treaty with Czechoslovakia of the 11th of November, 1924.

I have, &c.,
L. S. AMERY.

[49942]

Enclosure in No. 218.

(No. 3310/25.)

Czechoslovak Legation, 8-9, Grosvenor Place, S.W.1,
11th September, 1925.

SIR,

I HAVE the honour to refer to the British Czechoslovak Extradition Treaty signed at London on 11th November, 1924, and to approach you in the following matter.

According to Article 12 of this Treaty the Czechoslovak Ministry of Justice is the authority by whom the warrants and other documents mentioned in this article are to be sealed. In view of the fact that according to the constitution of the Czechoslovak Republic, in the case of the prosecution of military persons, the Military Courts are within the sphere of competence of the Ministry of National Defence, I beg to ask you whether His Majesty's Government will agree that in the case of prosecution of persons by the Military Courts the documents named in Article 12 may be sealed by the Czechoslovak Ministry of National Defence instead.

Should His Majesty's Government agree with this proposition, I should esteem it as a great favour if I could be informed whether the exchange of notes will be regarded as sufficient for the purpose.

I have, &c.,
V. BRÁF,
Chargé d'Affaires a.i.

The Right Hon. Austen Chamberlain, M.P.,
Foreign Office, S.W.

Enclosure 2 in No. 218.

SIR, Foreign Office, S.W.1, 18th November, 1925.

I HAD the honour to receive Monsieur Bráf's note of the 11th September last (No. 3310/25) relative to the terms of Article 12 of the Extradition Treaty between the United Kingdom and Czechoslovakia which was signed at London on the 11th November, 1924.

2. Having regard to section 15 of the Extradition Act, 1870, which sets out the manner in which depositions and other documents are required to be authenticated in order that they may be admissible as evidence in English Courts it would be desirable in the circumstances mentioned in Monsieur Bráf's note that the terms

* No. 136 in Dominions No. 93.

427

of Article 12 of the Treaty should be amplified by the addition of the words "or other Minister of State" at the end of that Article.

3. This amendment might in the view of His Majesty's Government now most conveniently be effected by means of a signed protocol to place on record the insertion of these words in Article 12 of the Treaty, and the Treaty and Protocol could then be embodied in the instruments of ratification to be exchanged.

4. If this proposal is agreeable to the Czechoslovak Government I shall be happy to transmit to you a draft Protocol for their concurrence.

I have, &c.,
(For the Secretary of State),
F. E. F. ADAM.

Monsieur Jan Masaryk,
&c., &c., &c.

(5) Esthonia and Lithuania.

41296

No. 219.

CANADA.

THE DEPUTY GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10th September, 1925.)

[Answered by No. 220.]

(No. 346.)

SIR, Ottawa, 27th August, 1925.

I HAVE the honour to inform you that inquiry has been made by the Department of the Secretary of State of Canada whether extradition treaties have been negotiated with Esthonia and Lithuania, and, if not, whether these States are still affected by such treaties applicable to Russia before they ceased to be territory of that Power.

I have, &c.,
P. B. MIGNAULT,
Deputy Governor-General.

46114

No. 220.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Confidential.)

MY LORD, Downing Street, 21st October, 1925.

I HAVE the honour to acknowledge the receipt of the Deputy Governor-General's despatch No. 346 of the 27th of August* and to request Your Excellency to inform Your Ministers that an Extradition Treaty on the lines of the model draft extradition treaty has been negotiated with Esthonia and is at present awaiting signature. In this connexion I would invite reference to Mr. Churchill's Confidential despatch Dominions No. 341 of the 8th of September, 1922.†

2. As regards Lithuania, a draft extradition treaty on similar lines has been submitted to the Lithuanian Government and is at present under their consideration.

3. With reference to the position of Esthonia and Lithuania in relation to the Anglo-Russian Extradition Treaty of 1886, I would invite the attention of your Ministers to the despatch from the Secretary of State for Foreign Affairs of the 20th of December, 1920, to His Majesty's Minister at Helsingfors on the subject of the application of Anglo-Russian Treaties to Finland, a copy of which was enclosed in the late Lord Milner's despatch Dominions No. 521 of the 29th of December, 1920.‡ It will be observed that the Secretary of State for Foreign Affairs was advised in that connexion that in the case of a new State being formed out of part of an old State, there is no succession by the new State to the Treaties of the old one.

I have, &c.,
L. S. AMERY.

* No. 219. † No. 59 in Dominions No. 87. ‡ No. 174 in Dominions No. 75.

52826

No. 221.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 499.) } Dominions No. 553.)

[MY LORD,] [SIR,] Downing Street, 28th December, 1925.

I HAVE the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of an Extradition Convention* with the Republic of Esthonia, signed on the 18th of November.

I have, &c.,
L. S. AMERY.

52826

No. 222.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Newfoundland. } Confidential.)

[MY LORD,] [SIR,] Downing Street, 28th December, 1925.

WITH reference to my despatch Dominions No. 553 of the 28th of December† forwarding a copy of the Extradition Convention with Esthonia, I have the honour to request [Your Excellency] [you] to invite the attention of your Ministers to Mr Churchill's Confidential despatch Dominions No. 341 of the 8th of September, 1922,‡ and previous correspondence [*To Canada only:* and to the Deputy Governor-General's despatch No. 346 of the 27th of August, 1925,§ and my Confidential despatch of the 21st of October.‖]

I have, &c.,
L. S. AMERY.

---

(6) Finland.

(*Treaty Series* 1925, *No.* 22.)

3606

No. 223.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 26th January, 1925.)

(No. 6.)

SIR, Government House, St. John's, 9th January, 1925.

I HAVE the honour to acknowledge the receipt of your despatch Dominions No. 569 of the 10th December¶ referring to the Extradition Treaty with Finland, and to inform you that my Ministers desire that notice of accession shall be given under Article 17 of the Treaty in respect of Newfoundland.

I have, &c.,
W. L. ALLARDYCE.

---

* Not reprinted. † No. 221. ‡ No. 59 in Dominions No. 87. § No. 219. ‖ No. 220.
¶ No. 140 in Dominions No. 93.

428

3927

No. 224.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 27th January, 1925.)

(No. 9.)

SIR, Governor-General's Office, Pretoria, 7th January, 1925.

I HAVE the honour to transmit to you herewith, with reference to your predecessor's despatch Dominions No. 261 of 11th June, 1924, and your despatch Dominions No. 569 of 10th December, 1924,* copy of Ministers' Minute on the subject of the Extradition Treaty with Finland.

I have, &c.,
ATHLONE,
Governor-General.

Enclosure in No. 224.

Prime Minister's Office, Pretoria, 6th January, 1925.

MINUTE No. 17.

MINISTERS have the honour to refer to His Excellency's Minute No. 55/572 of the 5th of July last transmitting a despatch Dominions No. 261 of the 11th June from the Secretary of State for the Colonies and a copy of the text of the Extradition Treaty between His Majesty and the Government of the Republic of Finland and to His Excellency's Minute No. 55/601 of the 2nd instant transmitting a despatch Dominions No. 569 of the 10th of December from the Secretary of State for the Colonies.

2. Ministers note that, though under Article 17 of the Treaty its stipulations are not applicable to the Union of South Africa, they may be made applicable if notice to that effect is given on behalf of the Union Government by His Majesty's representative in Finland.

Ministers would therefore request His Excellency that the request be made through the proper quarter—which they assume to be the Secretary of State for Foreign Affairs—that His Majesty's representative at Helsingfors should on behalf of the Government of the Union of South Africa give to the Government of Finland notice that the stipulations of the Extradition Treaty signed on the 30th May, 1924, shall be applicable to the Union of South Africa.

J. B. M. HERTZOG.

9784

No. 225.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2nd March, 1925.)

(No. 45.)

SIR, Governor-General's Office, Cape Town, 10th February, 1925.

I HAVE the honour to transmit to you herewith, with reference to your despatch No. 376 of the 10th December, 1924,† copy of Minute from Ministers on the subject of the Extradition Treaty between Great Britain and Finland.

I have, &c.,
ATHLONE,
Governor-General

Enclosure in No. 225.

Prime Minister's Office, 5th February, 1925.

MINUTE No. 97.

MINISTERS have the honour to acknowledge the receipt of His Excellency's Minute No. 55/602 of 2nd January covering a despatch from the Secretary of State

* Nos. 137 and 140 in Dominions No. 93. † No. 143 in Dominions No. 93

which inquires whether Ministers desire arrangements to be made under Article 19 of the Extradition Treaty with Finland for the extension of the Treaty to the Mandated Territory of South-West Africa.

2. Ministers have given the matter further careful consideration, and while appreciating the inquiry made by the Secretary of State and the possible convenience that might result from such an extension, consider that, for reasons indicated in paragraphs 3, 4 and 6 of their Minute No. 988 of the 17th December, they are unable to make the request for such extension. Ministers would refer also to paragraph 3 (*c*) of their Minute No. 66 of the 24th January relative to the proposed Extradition Treaty with the United States of America.

J. B. M. HERTZOG.

15127

No. 226.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1st April, 1925.)

(No. 37.)

SIR, Government House, Wellington, 26th February, 1925.

WITH reference to your despatch Dominions No. 569 of the 10th December last,* relative to the ratification of the Extradition Treaty with Finland, I have the honour to inform you that my Ministers would be glad if notice of accession could be given under Article 17 of the Treaty in respect to New Zealand.

I have, &c.,
CHARLES FERGUSSON,
Governor-General.

15128

No. 227.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1st April, 1925.)

[*Answered by No.* 233.]

(No. 38.)

SIR, Government House, Wellington, 26th February, 1925.

WITH reference to your despatch No. 226 of the 10th December last,† relative to the Extradition Treaty with Finland, I have the honour to inform you that my Government would be glad if arrangements could be made, under the second paragraph of Article 19, for the extension of the Treaty to Western Samoa.

I have, &c.,
CHARLES FERGUSSON,
Governor-General.

19992

No. 228.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4th May, 1925.)

[*Answered by No.* 233.]

(No. 74.)

SIR, Governor-General's Office, Melbourne, 1st April, 1925.

WITH reference to your despatch dated 10th December, 1924, No. 429,‡ and previous correspondence, relative to the Extradition Treaty with Finland, I have the honour, at the instance of my Prime Minister, to inform you that the Commonwealth Government would be glad if notice of accession in respect of the Commonwealth of Australia, including Papua and Norfolk Island, could be given under Article 17 of the Treaty, also if arrangements could be made in accordance with the second paragraph of Article 19 for the extension of the Treaty to New Guinea.

I have, &c.,
FORSTER,
Governor-General.

* No. 140 in Dominions No. 93. † No. 142 in Dominions No. 93. ‡ No. 141 in Dominions No. 93.

429

21725

No. 229.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 7.20 p.m., 13th May, 1925.)

TELEGRAM.

MY despatch 10th December 511,* Order in Council applying Extradition Acts in case of Finland under and in accordance with Treaty of 30th May, 1924, issued 2nd May and published in *London Gazette* 12th May. Copies being sent by mail.—AMERY.

21725

No. 230.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 167.) } Dominions No. 211.)

[MY LORD,] [SIR,] Downing Street, 20th May, 1925.

WITH reference to my despatch [Dominions No. 569] [No. 511] of the 10th of December, 1924,† [*To Southern Rhodesia:* and to my telegram of the 13th of May,‡] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of an extract§ from the *London Gazette* of the 12th of May containing the "Finland (Extradition) Order in Council, 1925," dated the 2nd of May.

I have, &c.,
L. S. AMERY.

23830

No. 231.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 192.) } Dominions No. 239.)

[MY LORD,] [SIR,] Downing Street, 5th June, 1925.

WITH reference to my despatch [Dominions No. 211] [No. 167] of the 20th of May,‖ I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of Treaty Series Paper No. 22 of 1925, Cmd. 2417, containing the Treaty with Finland for the Extradition of Criminals.

* No. 144 in Dominions No. 93. † Nos. 140 and 144 in Dominions No. 93. ‡ No. 229.
§ Not printed. ‖ No. 230.

[*Not to New Zealand or Irish Free State:* 2. Further copies are being sent in Library despatch.]

I have, &c.,
L. S. AMERY.

26006

No. 232.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9th June, 1925.)

(No. 178.)

SIR, Vice Regal Lodge, Dublin, 8th June, 1925.

I HAVE the honour to refer to your despatch No. 569 of the 10th December, 1924,* and to previous correspondence regarding the Extradition Treaty between the United Kingdom and the Republic of Finland.

2. My Ministers request that you will be good enough to cause notice of accession to be given under Article 17 of the Treaty in respect of the Irish Free State.

I have, &c.,
T. M. HEALY.

23303

No. 233.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 12.45 p.m., 13th August, 1925.)

TELEGRAM.

[*Answered by Nos.* 234 *and* 237.]

(Commonwealth of Australia.)
(New Zealand.)

[*To Commonwealth of Australia:* Your despatch 1st April, 74,†] [*To New Zealand:* Your despatch 26th February, 38,‡] note is being prepared with a view to effecting extension of Extradition Treaty with Finland to [New Guinea.] [Western Samoa.] It would seem desirable that note should make clear for purpose of application to territory of first paragraph Article 18 of Treaty:—

(1) Who is to be regarded as chief authority of territory?

(2) Who is appropriate Finnish Consular Officer?

Please telegraph your Ministers' views on above points.

It will be necessary to provide in note from what date extension should take effect. Would date on which notes are exchanged be convenient?

[*To Commonwealth of Australia:* Imperial Extradition Acts do not of course apply to New Guinea, but it is assumed that necessary local legislation to give effect to Treaty has been or will be passed.

Do your Ministers desire that Treaty should be extended to Nauru?].—AMERY.

39493

No. 234.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5.45 a.m., 29th August, 1925.)

TELEGRAM.

[*Answered by No.* 239.]

29TH AUGUST. Your telegram of 13th August.§ New Zealand Government is of opinion that the Administrator of Western Samoa should be designated as the

* No. 140 in Dominions No. 93. † No. 228. ‡ No. 227. § No. 233.

430

chief authority for that Territory for the purpose of Article XVIII of the Treaty with Finland, and that the Consul for Finland at Sydney who has jurisdiction over New Zealand be designated as the appropriate Finnish Consular Officer. As suggested in the last paragraph, date on which notes are exchanged will be convenient.—FERGUSSON.

42216

No. 235.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 2.30 p.m., 19th September, 1925.)

TELEGRAM.

(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

19TH SEPTEMBER. My despatch 20th May, Dominions 211,* Anglo-Finnish Extradition Treaty. Notice of accession given to Finnish Government 14th September on behalf of Commonwealth of Australia, including Papua and Norfolk Island, New Zealand, Union of South Africa, Irish Free State and Newfoundland. Notification referred to in second proviso in Order in Council 2nd May is to be made in the *London Gazette* 22nd September.—AMERY.

42216

No. 236.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 367.)

SIR, Downing Street, 21st September, 1925.

WITH reference to my despatch Dominions No. 211 of the 20th of May,* I have the honour to request Your Excellency to inform your Ministers that notice of the accession of the Irish Free State to the Extradition Treaty with Finland was given to the Finnish Government on the 14th September and that the notification referred to in the second proviso to the Finland (Extradition) Order in Council of the 2nd May is to be made in the *London Gazette* on the 22nd September.

2. I enclose copy of a telegram† to certain of the other Dominions regarding their accession to the Treaty.

I have, &c.,
L. S. AMERY.

43495

No. 237.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9.55 a.m., 26th September, 1925.)

TELEGRAM.

[*Answered by No.* 239.]

29TH SEPTEMBER. Your telegram of 13th August.‡ Extension of Extradition Treaty with Finland to New Guinea. My Ministers consider that the date on which notes are exchanged would be convenient date from which extension should take effect. Administrator is to be regarded as the chief authority of the Territory and Consul-General for Finland, Sydney, whose jurisdiction covers Australia and Western Pacific would appear to be appropriate Finnish Consular

* No. 230. † No. 235. ‡ No. 233.

Officer if Finnish Government is agreeable to his so acting. Commonwealth Government propose by ordinance to adopt the terms of the British Extradition Act in respect of New Guinea.

Ministers do not see any objection to extension of Treaty to Nauru.—FORSTER.

43118

No. 238.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
Dominions No. 436.)

[MY LORD,] [SIR,] Downing Street, 29th September 1925.

WITH reference to my [*To Canada:* despatch Dominions No. 239 of the 5th June.*] [*To Australia, New Zealand, South Africa and Newfoundland:* telegram of the 19th September,†] [*To Irish Free State:* despatch No. 367 of the 21st September,‡] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of an extract from the *London Gazette* of the 22nd September containing a notification that the Treaty with Finland of the 30th May, 1924, for the Extradition of Criminals has been made applicable to the Commonwealth of Australia (including for this purpose Papua and Norfolk Island), the Dominion of New Zealand, the Union of South Africa, the Irish Free State, Newfoundland, and India, as and from the 14th September, 1925.

I have, &c.,
L. S. AMERY.

Enclosure in No. 238.

EXTRACT FROM *The London Gazette*, 22ND SEPTEMBER, 1925.

Foreign Office, 14th September, 1925.

WHEREAS by the "Finland (Extradition) Order in Council, 1925," it was provided that from and after the 23rd day of May, 1925, the Extradition Acts, 1870 to 1906, should apply in the case of Finland under and in accordance with a Treaty concluded on the 30th day of May, 1924, between His Majesty and the President of the Republic of Finland:

And whereas it was further provided by the said Order in Council that the operation of the said Acts should be and remain suspended within the self-governing Dominions hereinafter named, that is to say the Commonwealth of Australia (including for this purpose Papua and Norfolk Island), the Dominion of New Zealand, the Union of South Africa, the Irish Free State and Newfoundland, and India, until notification should have been made in *The London Gazette* that the Treaty had been made applicable thereto, and that on such notification being made in respect of any such Dominion or India the said Acts should apply in such Dominion or India in the case of Finland under and in accordance with the said Treaty as from the date of the said notification:

Now, therefore, I, the Right Honourable Joseph Austen Chamberlain, His Majesty's Principal Secretary of State for Foreign Affairs, do hereby notify that the said Treaty has been made applicable to the Commonwealth of Australia (including for this purpose Papua and Norfolk Island), the Dominion of New Zealand, the Union of South Africa, the Irish Free State, and Newfoundland, and India, as and from the present date, viz.:—the 14th day of September, 1925.

AUSTEN CHAMBERLAIN.

---

* No. 231. † No. 235. ‡ No. 236.

56471

No. 239.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 6.30 p.m., 17th December, 1925.)

TELEGRAM.

(Commonwealth of Australia.)
(New Zealand.)

[*To Australia:* Your telegram 26th September*] [*To New Zealand:* Your telegram 29th August†] Extradition Treaty with Finland. Notes extending provisions of Treaty to New Guinea, Nauru, and Western Samoa exchanged with Finnish Government 14th December, from which date extension takes effect.—AMERY.

---

(7) Latvia.

(*Treaty Series* 1925, *No.* 44.)

33339

No. 240.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

[*Answered by Nos.* 243, 244, 245, 248 *and* 252.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
Dominions No. 326.)

[MY LORD,] [SIR,] Downing Street, 31st July, 1925.

WITH reference to my predecessor's despatch Dominions No. 462 of the 16th of September, 1924,‡ I have the honour to request [Your Excellency] [you] to inform your Ministers that ratifications of the Treaty with Latvia for the Extradition of Fugitive Criminals were exchanged at Riga on the 7th of July.

2. I shall be glad to learn whether your Ministers wish notice of accession under Article 17 to be given in respect of [Canada.] [the Commonwealth of Australia.] [New Zealand.] [the Union of South Africa.] [the Irish Free State.] [Newfoundland.] [*To Australia only:* and whether they wish arrangements to be made under the second paragraph of Article 19 for the extension of the Treaty to New Guinea (in this connexion I would invite reference to your despatch No. 268 of the 24th of September, 1924.§)

3. I should also be glad to be informed whether it is desired that similar arrangements should be made in regard to Nauru.] [*To New Zealand and Union of South Africa only:* and whether they wish arrangements to be made under the second paragraph of Article 19 for the extension of the Treaty to [Western Samoa.] [South-West Africa.]]

I have, &c.,
L. S. AMERY.

---

* No. 237. † No. 234. ‡ 44011/24: not printed; it enclosed a copy of the Treaty.
§ No. 405 in Dominions No. 93.

33339

No. 241.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 245.]

(Confidential.)

MY LORD, Downing Street, 31st July, 1925.

I HAVE the honour to invite reference to my despatch Dominions No. 326 of the 31st July,* relating to the Extradition Treaty with Latvia. This Treaty was, of course, signed prior to the arrangements for the alteration in the wording of the clause in Extradition Treaties (Article 19 in the present Treaty) relating to Mandated Territories (see in this connexion Your Excellency's telegram of the 28th of April† and previous correspondence). Should, however, your Ministers think it desirable that the Treaty should be extended to South-West Africa, it would, of course, be made clear to the Latvian Government that the decision for extension rested with the Union Government.

I have, &c.,
L. S. AMERY.

33339

No. 242.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

(No. 292.)

SIR, Downing Street, 31st July, 1925.

WITH reference to my predecessor's despatch No. 400 of the 16th of September, 1924,‡ I have the honour to request you to inform your Ministers that ratifications of the Treaty with Latvia for the Extradition of Fugitive Criminals were formally exchanged at Riga on the 7th of July.

2. An Order in Council applying the Extradition Acts 1870 to 1906 in the case of Latvia under and in accordance with the Treaty is being prepared, and the date when it will come into effect will be communicated to you in due course by telegraph.

I have, &c.,
L. S. AMERY.

43073

No. 243.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 23rd September, 1925.)

(No. 278.)

SIR, Vice Regal Lodge, Dublin, 22nd September, 1925.

I HAVE the honour to refer to your despatch Dominions No. 326 of the 31st July,* regarding the exchange of ratifications of the Treaty with Latvia for the Extradition of Fugitive Criminals.

2. My Ministers request that notice of accession under Article 17 may be given on behalf of the Irish Free State.

I have, &c.,
T. M. HEALY.

45201

No. 244.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 7th October, 1925.)

(No. 91.)

SIR, Government House, St. John's, 24th September, 1925.

I HAVE the honour to acknowledge the receipt of your despatch Dominions No. 326 of the 31st July last* on the subject of the Treaty with Latvia for the

No. 240. † No. 606 (in Part II). ‡ 44011/24: not printed; it enclosed a copy of the Treaty.

432

Extradition of Fugitive Criminals and to inform you that my Ministers desire that notice of accession under Article 17 should be given in respect of Newfoundland.

I have, &c.,
W. L. ALLARDYCE.

46405

No. 245.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 14th October, 1925.)

[*Answered by No.* 250.]

(Confidential.)

SIR, Governor-General's Office, Pretoria, 7th September, 1925.

I HAVE the honour to transmit to you herewith, with reference to your despatch No. 326 of 31st July, 1925,* and your Confidential despatch of 31st July, 1925,† copy of Minute from Ministers on the subject of the Extradition Treaty with Latvia.

I have, &c.,
ATHLONE,
Governor-General.

Enclosure in No. 245.

Prime Minister's Office, Pretoria, 5th September, 1925.

MINUTE No. 757.

(Confidential.)

MINISTERS have the honour to acknowledge the receipt of His Excellency's Minutes No. 55/635 and No. 55/636, both dated the 27th August, with which were transmitted copies of despatches dated 31st July, 1925, from the Secretary of State for the Dominions relative to the new Extradition Treaty between His Majesty the King and the Government of the Latvian Republic.

2. Ministers beg to request that His Excellency inform the Secretary of State that they desire notice to be given under Article 17 of the Treaty on behalf of the Government of the Union of South Africa that the stipulations of the Treaty shall be applicable to the Union of South Africa.

3. Ministers also request His Excellency to inform the Secretary of State that the Government of the Union of South Africa desires that the provisions of the Treaty should under Article 19 thereof be extended to the territory of South-West Africa, for the administration whereof a mandate is held by His Majesty on behalf of the Government of the Union from the League of Nations, and that Ministers are willing that notes for the purpose of effecting such extension be exchanged by His Majesty's representative at Riga, acting on behalf of the Union Government, with the Government of the Latvian Republic.

4. Ministers consider that the notice under Article 17 and the note under Article 19 should in each case operate from the 1st January, 1926.

J. B. M. HERTZOG.

46110

No. 246.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 4.15 p.m., 21st October, 1925.)

TELEGRAM.

21ST OCTOBER. My despatch 31st July, No. 292.‡ Latvian Extradition Treaty. Order in Council approved 12th October and comes into force 30th October. —AMERY.

---

* No. 240. † No. 241. ‡ No. 242.

47736

No. 247.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 417.)

Dominions No. 472.)

[MY LORD,] [SIR,] Downing Street, 30th October, 1925.

WITH reference to my despatch [Dominions No. 326] [No. 292] of the 31st of of July,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of Treaty Series paper No. 44 of 1925 [Cmd. 2519], containing the Treaty with Latvia for the Extradition of Fugitive Criminals.

[*Not to New Zealand and Irish Free State:* 2. Further copies are being sent in Library despatch.]

I have, &c.,
L. S. AMERY.

50632

No. 248.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10th November, 1925.)

[*Answered by No.* 249.]

(No. 216.)

SIR, Government House, Wellington, 9th October, 1925.

WITH reference to your despatch Dominions No. 326 of the 31st July,† relative to the Extradition Treaty with Latvia, I have the honour to inform you that my Ministers advise me that they would be glad if :—

(*a*) Notice of accession under Article 17 could be given in respect of New Zealand and,

(*b*) Arrangements could be made under the second paragraph of Article 19 for the extension of the Treaty to Western Samoa.

I have, &c.,
CHARLES FERGUSSON,
Governor-General.

46405

No. 249.

NEW ZEALAND.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 3.55 p.m., 10th December, 1925.)

TELEGRAM.

[*Answered by No.* 255.]

YOUR despatch 9th October No. 216.‡ Extradition Treaty with Latvia. Should be glad to learn as early as possible who is to be regarded as Chief Authority of Western Samoa for purposes of first paragraph of Article 18 of Treaty, also who is appropriate Latvian Consular Officer, see my telegram 13th August§ Treaty with Finland.—AMERY.

---

* Nos. 240 and 242. † No. 240. ‡ No. 248. § No. 233.

433

46405

No. 250.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 3.55 p.m., 10th December, 1925.)

TELEGRAM.

[*Answered by No.* 254.]

CONFIDENTIAL. Your despatch 7th September, Confidential.* Extradition Treaty with Latvia. It would seem desirable that notes to be exchanged for purpose of extending Treaty to South-West Africa should make it clear who is to be regarded as chief authority of South-West Africa for purposes of first paragraph of Article 18 of Treaty, also who is appropriate Latvian Consular Officer. Please telegraph your Ministers' views as soon as possible.—AMERY.

46405

No. 251.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 4.15 p.m., 10th December, 1925.)

TELEGRAM.

MY despatch 31st July, No. 326.† Extradition Treaty with Latvia. Should be glad to receive early reply. If it is desired that Treaty should be extended to New Guinea and Nauru, should be glad to learn who is to be regarded as chief authority in each of these territories for purposes of first paragraph of Article 18 of Treaty and also who is appropriate Latvian Consular Officer in each case, see my telegram 13th August‡ Treaty with Finland.—AMERY.

55947

No. 252.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 14th December, 1925.)

(No. 279.)

SIR, Governor-General's Office, Melbourne, 28th October, 1925.

WITH reference to your despatch dated 31st July, 1925, Dominions No. 326,† relative to the Treaty with Latvia for the Extradition of Fugitive Criminals, I have the honour to inform you that I am advised by my Prime Minister that the Commonwealth Government desires that notice of accession under Article 17 be given in respect of the Commonwealth of Australia, and that arrangements be made under the second paragraph of Article 19 for the extension of the Treaty to New Guinea.

The Commonwealth Government also desires that similar arrangements be made in regard to Nauru.

I have, &c.,
STONEHAVEN,
Governor-General.

---

* No. 245. † No. 240. ‡ No. 233.

48748

No. 253.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 479.) — Dominions No. 529.)

Downing Street, 16th December, 1925.

[MY LORD,] [SIR,]

WITH reference to my [*Not to Southern Rhodesia:* despatch Dominions No. 326 of the 31st July*] [*To Southern Rhodesia:* telegram of the 21st October†] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of an Order of His Majesty in Council‡ dated the 12th of October, 1925, applying the Extradition Acts 1870 to 1906 in the case of Latvia, in accordance with the Treaty concluded on the 16th of July, 1924, between His Majesty and the President of the Latvian Republic for the mutual extradition of fugitive criminals.

I have, &c.,
L. S. AMERY.

57714

No. 254.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 12.51 p.m., 23rd December, 1925.)

TELEGRAM.

23RD DECEMBER, Confidential. Your telegram of 10th December, Confidential,§ regarding the extension to South-West Africa of the Extradition Treaty with Latvia. Ministers state that for the purpose of Article XVIII of the Treaty the Administrator of South-West Africa should be regarded as the chief authority of South-West Africa to whom requisition for surrender of fugitive offenders is to be made.

No appointment of any consular officer(s) of the Latvian Republic has as yet been made.—ATHLONE.

58094.

No. 255.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5.30 a.m., 28th December, 1925.)

TELEGRAM.

28TH DECEMBER. Your telegram of 10th December.‖ Extradition Treaty with Latvia. Ministers advise that the chief authority for purposes of Article XVIII is the Governor-General of New Zealand. Appropriate Consular Officer is the Consul for Latvia in New Zealand.—FERGUSSON.

---

* No. 240. † No. 246. ‡ Not reprinted. § No. 250. ‖ No. 249.

(8) Poland.

42217

No. 256.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. — Dominions No. 476. Confidential.)

Downing Street, 31st October, 1925.

[MY LORD,] [SIR,]

WITH reference to Mr. Churchill's Confidential despatch Dominions No. 341 of the 8th of September, 1922,* [*To Irish Free State only:* of which a copy was enclosed in Mr. Thomas' Confidential despatch Dominions No. 351 of the 30th of July, 1924,†] I have the honour to request [Your Excellency] [you] to inform your Ministers that the observations of the Polish Government on the draft extradition treaty communicated to them have been received, and, as a result, the draft has been modified in certain particulars.

2. I enclose a copy of the revised draft treaty‡ which His Majesty's Minister at Warsaw has been instructed to communicate to the Polish Government.

I have, &c.,
L. S. AMERY.

---

(9) Russia.

57716

No. 257.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 23rd December, 1925.)

(Confidential.)

Government House, Ottawa, 11th December, 1925.

SIR,

WITH reference to Mr. Thomas's despatches, Confidential Dominions No. 231 of the 22nd May, 1924,§ regarding the revival of bilateral treaties between Great Britain and Russia, and Dominions No. 490 of the 99th of October, 1924,‖ regarding the treaties between Great Britain and Northern Ireland and the Union of the Soviet Socialist Republics, and your despatch Dominions No. 580 of the 17th December, 1924,¶ regarding the non-ratification of these treaties by His Majesty, I have the honour to inquire, for the information of the Canadian Government, whether the British Government considers as being in force, at the present time, the Treaty for the Surrender of Fugitive Criminals referred to in Article 3 of the proposed General Treaty of 5th August, 1924, and also whether any instances of extradition have occurred, either before or since the recognition of the Soviet Government and, if so, what procedure was followed.

I have, &c.,
BYNG OF VIMY.

---

* No. 59 in Dominions No. 87. † No. 130 in Dominions No. 93. ‡ Not printed: it was in the usual form. § 21027/24: not printed; it referred to the discussion at the Anglo-Soviet Conference on the subject of the renewal of Treaties. ‖ 47729/24: not printed; it enclosed copies of the Treaties negotiated at the Anglo-Soviet Conference. ¶ No. 644 in Dominions No. 93.

(10) United States: Proposed new Extradition Treaty.

5199

No. 258.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 3rd February, 1925.)

(Confidential.)

SIR, Government House, St. John's, 20th January, 1925.

I HAVE the honour to acknowledge the receipt of your Confidential despatch of the 11th December, 1924,* on the subject of the conclusion of a treaty of a wider nature to replace the existing treaty arrangements with the United States which provide for extradition, and to inform you that my Ministers concur in the procedure proposed and in the terms of the draft extradition treaty submitted.

I have, &c.,

W. L. ALLARDYCE.

7624

No. 259.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 17th February, 1925.)

[*Answered by No.* 264.]

(Confidential (2).)

SIR, Governor-General's Office, Pretoria, 27th January, 1925.

I HAVE the honour to transmit to you herewith, with reference to your Confidential despatch of the 11th December, 1924,* my despatch Confidential of the 5th November, 1924,† my Confidential telegram of 18th December, 1924,‡ and Prince Arthur of Connaught's Confidential despatch of the 30th November, 1920,§ copy of Confidential Minute from Ministers on the subject of a draft extradition treaty between Great Britain and the United States of America.

I have, &c.,

ATHLONE,

Governor-General.

Enclosure in No. 259.

(Confidential.)

MINUTE No. 66.

Prime Minister's Office, Pretoria, 24th January, 1925.

MINISTERS have the honour to acknowledge His Excellency's Minute (Confidential) No. 55/603 of the 5th instant covering a despatch from the Secretary of State for the Colonies dated 11th December, 1924, with which despatch was enclosed a draft extradition treaty between His Majesty the King and the President of the United States of America.

2. Subject to the suggestions and remarks which Ministers make hereunder, they concur in the procedure proposed by His Majesty's Government and outlined in the Secretary of State's despatch.

3. These suggestions and remarks are as follows:—

(*a*) With reference to the omission from the draft Treaty of the provision that the contracting parties shall not be bound to surrender their own nationals, Ministers feel (as in the case of the extradition treaty with Brazil which formed the subject of Ministers' Minute No. 887 of 31st October, 1924) that any treaty which makes it compulsory that either of the parties thereto should surrender its own nationals, may be open to objection; and that they would therefore prefer the retention of the provision whereby each party reserves to itself the right to refuse or to grant the surrender of its own nationals. Inasmuch, however, as under Article 16 of the

* No. 102 in Dominions No. 93. † No. 132 in Dominions No. 93. ‡ No. 407 in Dominions No. 93.
§ No. 173 in Dominions No. 75.

435

draft Treaty the application thereof to the Union depends on notice being given on its behalf to the United States Government, Ministers are unwilling to press unduly this point.

(*b*) Ministers consider that the obligation undertaken under Article 15 by the surrendering State to defray the expense of conveying to its own frontier may operate somewhat inequitably against the Union Government in the case of an extradition to the United States from South Africa; as presumably, on the analogy of a decision given in a recent case of extradition from the Union to the Belgian Congo, the Union would have to bear the cost of the passage of the surrendered fugitive and his escort to England and of the fugitive's detention there until he could be embarked from England to America. This would not operate in the same way if the fugitive were being surrendered by Great Britain or by the United States, as its frontiers in each case would be the port of embarkation. Ministers therefore suggest for consideration the addition of the following words to Article 15: "Provided that in the case of the surrender of any person by the Government of a self-governing Dominion to which the stipulations of the present treaty are applicable under Article 16, the expression 'frontier' shall mean the boundary of that Dominion, and 'territories' shall mean the limits of that Dominion."

(*c*) In regard to the second paragraph of Article 18 of the draft Treaty, Ministers observe that the provisions of the Treaty may be applied in respect of extradition to and from territories for which a mandate is held from the League of Nations. In regard to this Ministers feel that they must adhere to the view which they expressed in their Minute No. 988 of 17th December, 1924, in relation to the proposed extension of existing extradition treaties to "B" and "C" mandated territories generally (His Excellency's Minute No. 55/597 of 3rd December, 1924, enclosing a cable despatch from Secretary of State 2nd December, 1924). Their adherence to those views is given, notwithstanding the terms of the second paragraph of their predecessors' Minute No. 1240 of 26th November, 1920, in which Ministers notice that a suggestion came from their predecessors that His Majesty's Government might consider whether extradition treaties in future should not contain some provision under which they could be made applicable to territories administered by self-governing Dominions under mandate.

Ministers suggest now that the second paragraph of Article 18 of the draft extradition treaty with the United States of America should be so phrased as not to include territories administered by self-governing Dominions under mandates. They are advised that the insertion in parenthesis after the words "His Britannic Majesty" of the words "(other than on behalf of a self-governing Dominion)" would carry out this suggestion.

J. B. M. HERTZOG.

13438

No. 260.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 23rd March, 1925.)

(Confidential.)

SIR, Governor-General's Office, Melbourne, 18th February, 1925.

WITH reference to your Confidential despatch dated 11th December, 1924,* regarding the conclusion of an extradition treaty with the United States to include the crime of bigamy, and at the same time replace the existing Treaty with one of a wider nature, I have the honour to inform you that I am advised by my Prime Minister that the Commonwealth Government considers that the proposed new treaty would be suitable for the requirements of the Commonwealth of Australia, and that it concurs in the procedure for the making of the new arrangement.

I desire to add that if no alterations are made in the terms of the draft, copies of which were enclosed with your despatch, my Ministers would be glad if,

* No. 102 in Dominions No. 93.

immediately upon the treaty coming into force, notice be given that it is applicable to the Commonwealth of Australia and the Territories of Papua and Norfolk Island, as well as the Mandated Territory of New Guinea.

I have, &c.,
FORSTER,
Governor-General.

15132

No. 261.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1st April, 1925.)

(Confidential.)

SIR, Government House, Wellington, 26th February, 1925.

I HAVE the honour to inform you that I laid your Confidential despatch of the 11th December last,* before my Ministers, who advise me, in reply, that they concur in the procedure outlined in the despatch, relative to a proposed extradition treaty with the United States, in which bigamy is added to the list of extraditable offences.

I have, &c.,
CHARLES FERGUSSON,
Governor-General.

24814

No. 262.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1st June, 1925.)

[*Answered by No.* 263.]

(Confidential.)

SIR, Vice Regal Lodge, Dublin, 29th May, 1925.

I HAVE the honour to refer to your Confidential despatch of 11th December, 1924,* transmitting a copy of a note from the United States Ambassador suggesting the conclusion of a supplementary extradition convention adding bigamy to the list of extraditable offences.

2. My Ministers concur in the procedure outlined in your despatch under reply, and have no observations to make on the draft submitted to the United States Government. They would be glad to learn how far the negotiations with the United States Government have progressed.

I have, &c.,
T. M. HEALY.

24814

No. 263.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Confidential.)

SIR, Downing Street, 29th June, 1925.

I HAVE the honour to acknowledge the receipt of Your Excellency's Confidential despatch of the 29th of May,† regarding the proposed supplementary extradition convention with the United States of America, and to request you to inform your Ministers that it was considered desirable to await the replies of the Dominion Governments before making any communication to the United States Government; these replies are not complete and accordingly it has not yet been found possible to make progress in the negotiations.

I have, &c.,
L. S. AMERY.

---

* No. 162 in Dominions No. 93. † No. 262.

436

29913

No. 264.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 267.]

(Confidential.)

MY LORD, Downing Street, 18th August, 1925.

I HAVE the honour, with reference to Your Excellency's Confidential(2) despatch of the 27th of January* on the subject of the draft extradition treaty with the United States of America, to request you to inform your Ministers that, so far as His Majesty's Government are concerned, the policy adopted for many years has been to make no distinction between British subjects and aliens in regard to extradition. In some of the older extradition treaties with Powers whose law precluded them from surrendering their own subjects there is a stipulation against the surrender of nationals by either party. More recent treaties, however, have made the surrender of nationals optional for the sole purpose of complying with the requirements of the foreign Power concerned, and under these treaties, cases in which His Majesty's Government have exercised the power of refusing the extradition of a fugitive criminal on the ground of nationality are very rare indeed. Such objections as have in the past been raised to the surrender of criminals to foreign justice have been due to the condition of some foreign prisons. It might be necessary in the event of the conclusion of an extradition agreement with the Government of the Soviet Union to insert a restrictive clause, but there is clearly no reason for doing so in the case of the United States of America. In the circumstances, and particularly as the existing Treaty with the United States of America, which has been in force since 1842, contains no provision that the Contracting Parties are not bound to surrender their own nationals, His Majesty's Government would much prefer not to raise the point in the negotiations with the United States Government regarding a new Treaty.

2. As regards the proposed alteration of Article 15 of the draft treaty, it would appear that, under the Article as it now stands, the Union Government would be under no obligation to defray the cost of conveying a prisoner beyond one of their own ports where he could be delivered to an agent of the United States Government. In the view of His Majesty's Government the consideration which led to the arrangements referred to under (*b*) of Ministers' Minute No. 66 of the 24th of January† would be applicable only in extradition cases between territories, having contiguous land frontiers, in which any given Extradition Treaty was in force, and not in cases involving transport by sea.

3. As regards (*c*) in Ministers' Minute, I would invite reference to later correspondence on the subject, and especially to your telegram of the 28th of April,‡ in view of which steps are being taken to insert in the draft Treaty with the United States of America and similar treaties the form of words agreed upon.

I have, &c.,
L. S. AMERY.

39941

No. 265.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

[*Answered by Nos.* 266, 268 *and* 269.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.

Dominions No. 420. Confidential.)

[MY LORD,] [SIR,] Downing Street, 16th September, 1925.

WITH reference to my Confidential despatch of the 11th December, 1924,§ I have the honour to request [Your Excellency] [you] to inform your Ministers that

---

* No. 259. † Enclosure in No. 259. ‡ No. 606 (in Part II). § Nos. 163 and 162 in Dominions No. 93.

the United States Government have inquired whether it would be possible to conclude a Convention, applicable to the British Empire generally or to Great Britain, which would provide for the extradition of persons charged with crimes and offences against the laws for the suppression of the traffic in narcotics [*To Canada:* similar to that concluded between the United States and Canada (*vide* your despatch No. 311 of the 6th August*).]

The United States Government in this connexion alluded to the case of a person under an indictment in the United States, charged with the sale of narcotics in violation of the Federal Narcotic Laws, and believed to be in England, as an example of an offence regarded by them with much seriousness, the number of which was increasing very rapidly.

2. His Majesty's Government think it desirable that arrangements with the United States should exist for the extradition of persons charged with such offences, provided that offences of a minor or merely technical character were excluded from the arrangements, and they think that the most satisfactory procedure would be to insert in Article 2 of the suggested new extradition treaty with the United States, the draft of which was enclosed in my despatch under reference, the following paragraph:—

"25. Offences or attempted offences in connexion with traffic in dangerous drugs, if punishable by the laws of both States with imprisonment for at least twelve months."

3. As the Extradition Acts do not at present authorize the surrender of persons accused or convicted of offences in relation to the traffic in dangerous drugs, amending legislation would be necessary before a Treaty containing such a provision could be ratified, and it would therefore be necessary to make it clear to the United States Government that the proposal was dependent on the necessary provision being made by Parliament.

4. I should be glad to learn, at your Ministers' early convenience, whether, having regard to the terms of Article 16 of the draft Treaty, they desire to express any special views on this proposal.

5. It is also proposed that an additional paragraph should be inserted in Article 2 of the draft Treaty after paragraph 22, in the following terms:—

"23. Bribery, defined to be the offering, giving, or receiving of bribes made criminal by the laws of both States."

This crime was added to the list of extraditable crimes in 1906 at the request of the United States Government.

[*To Canada:* 6. I take this opportunity to state that I should be grateful for an early reply to my Confidential despatch of the 11th December, 1924.† The other Dominions have expressed general concurrence in the proposals referred to in paragraphs 1 and 2 of that despatch.]

I have, &c.,
L. S. AMERY.

47477

No. 266.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 21st October, 1925.)

(Confidential.)

SIR, Vice Regal Lodge, Dublin, 20th October, 1925.

I HAVE the honour to refer to your Confidential despatch Dominions No. 420 of the 16th September‡ regarding the proposed extradition treaty with the United States of America.

2. My Ministers agree with the views of the British Government as set out in paragraph 2 of your despatch under reply.

3. The inclusion of a provision to enable the extradition of persons charged with bribery does not seem to be open to any objection.

I have, &c.,
T. M. HEALY.

---

* No. 788 (in Part II). † No. 163 in Dominions No. 93. ‡ No. 265.

437

48486

No. 267.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 27th October, 1925.)

(Confidential.)

SIR, Governor-General's Office, Pretoria, 21st September, 1925.

I HAVE the honour to transmit to you herewith, with reference to your Confidential despatch of 18th August, 1925,* my despatch Confidential (2) of 27th January, 1925,† and my telegram of 28th April, 1925,‡ copy of Confidential Minute from Ministers on the subject of the draft Extradition Treaty between Great Britain and the United States of America.

I have, &c.,
ATHLONE,
Governor-General.

Enclosure in No. 267.

(Confidential.)

MINUTE No. 821.

Prime Minister's Office, 21st September, 1925.

MINISTERS have the honour to acknowledge the receipt of Minute No. 55/639 Confidential from His Excellency the Governor-General dated the 10th instant, which covered a despatch dated 18th August from the Secretary of State for the Dominions relative to the draft Extradition Treaty with the United States of America.

2. As indicated in paragraph 3 of Ministers' Minute No. 66 of the 24th January last Ministers are unwilling to press the point previously raised by them that the Union Government so far as the Treaty with the United States is made applicable shall not be bound to surrender its own nationals. Ministers fully appreciate that His Majesty's Government would prefer not to raise this matter in the negotiations with the United States Government regarding the new Treaty. Ministers, however, reserve to themselves the possibility of pressing this point in extradition treaties which may be made with countries whose criminal procedure or prisons system is unknown to them or regarded by them as unsatisfactory.

3 With regard to Article 15 of the draft treaty as drafted, Ministers accept the interpretation which His Majesty's Government places thereon that the Union Government would be under no obligation to defray any other expense on the surrender of a prisoner, than is involved in delivering him to an agent of the United States Government at a Union port, such being regarded as the Union frontier, when the transport is by sea, notwithstanding that for purposes of convenience the prisoner may be conveyed to the United States via Great Britain.

4. With regard to the form of words to be used in Article XVIII of the draft treaty, Ministers have already in their Minute No. 377 of 28th April last indicated their concurrence in the form of words suggested in the last paragraph of the Secretary of State's cable despatch of 11th April.

J. B. M. HERTZOG.

50967

No. 268.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 12th November, 1925.)

(Confidential.)

SIR, Governor-General's Office, Pretoria, 20th October, 1925.

I HAVE the honour to transmit to you herewith, with reference to your despatch Confidential Dominions No. 420 of the 16th September, 1925,§ copy of Confidential Minute from Ministers on the subject of a proposal by the United

---

* No. 264. † No. 259. ‡ No. 606 (in Part II). § No. 265.

States Government to conclude a Convention providing for the extradition of persons charged with crimes and offences against the laws for the suppression of the traffic in narcotics.

I have, &c.,
ATHLONE,
Governor-General.

Enclosure in No. 268.

(Confidential.)

Prime Minister's Office, 17th October, 1925.

MINUTE No. 900.

MINISTERS have the honour to acknowledge the receipt of His Excellency the Governor-General's Minute No. 55/645 of the 12th instant covering despatch No. 420 from the Secretary of State for Dominion Affairs.

Ministers beg to state that under existing legislation (Section 10 of Act No. 35 of 1922), the penalty in the Union for offences in connexion with traffic in dangerous drugs is a fine of one hundred pounds or six months' imprisonment with hard labour or both such fine and imprisonment.

The addition of the proposed new paragraph 25 to Article 2, would therefore not at present have the effect of making offences in connexion with traffic in dangerous drugs extraditable as between the Union and the United States. It seems to be a matter for consideration whether in the proposed new paragraph 25 to Article 2 "six months" should not be substituted for "twelve months."

Subject to the above Ministers do not desire to express any special views on the proposals.

J. B. M. HERTZOG.

52650

No. 269.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 24th November, 1925.)

(Confidential.)

SIR, Government House, St. John's, 9th November, 1925.

I HAVE the honour to acknowledge the receipt of your despatch Dominions No. 420, Confidential, of the 16th September* on the subject of the conclusion of a Convention with the United States Government providing for the extradition of persons charged with crimes and offences against the laws for the suppression of the traffic in narcotics, and to inform you that my Ministers agree to the terms of this Extradition Convention as they relate to the questions of Narcotics and Bribery.

I have, &c.,
W. L. ALLARDYCE.

FINLAND.

Commercial Treaty, 1923.

(*Treaty Series* 1924, *No.* 34.)

3920

No. 270.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 26th January, 1925.)

[*Answered by Nos.* 271 *and* 274.]

(Confidential.)

SIR, Governor-General's Office, Melbourne, 22nd December, 1924.

I HAVE the honour to inform you that I transmitted to my Prime Minister a copy of your predecessor's despatch dated 15th May, 1924, Confidential,† together

* No. 265. † No. 168 in Dominions No. 93.

438

with a copy of the Note from the Finnish Minister in London, enclosed therewith, stating that Australian goods imported into Finland will not enjoy the treatment accorded, under the Treaty of Commerce and Navigation with Finland, to similar goods produced or manufactured in the United Kingdom, owing to the action of the Commonwealth Government in bringing Finnish Kraft Paper within the operation of Section 8 of the Commonwealth Customs Tariff (Industries Preservation) Act, 1921-22.

My Prime Minister advises that no discriminatory action is now being applied by the Commonwealth Government to Kraft Paper originating in or exported from Finland, as the notice issued by the Minister for Trade and Customs, and published in Commonwealth *Gazette* of 24th January, 1924, No. 5, stating that Kraft Paper originating in or exported from Finland, the landed duty-paid cost of which at any port in Australia was less than £34 per ton, would be brought within the operation of Section 8 of the Act referred to, has been cancelled. Since 21st May, 1924, Kraft Paper originating in or exported from any country except the United Kingdom, the c.i.f. and duty-paid cost of which (excluding wharfage and stacking) is less than the manufacturers' selling price of Australian-made Kraft Paper, has been brought within the operation of Section 5 of the Customs Tariff (Industries Preservation) Act, 1921-22.

The Commonwealth Government considers that the objection of the Finnish Government that Kraft paper from Finland is being accorded on importation into Australia treatment less favourable than that accorded to similar goods from other foreign countries has now been entirely removed. I should be glad if you would be so good as to cause the Finnish Minister to be so informed, and also that the Commonwealth Government confidently hopes that in the circumstances the preferential treatment previously accorded to Australian goods will be restored.

With reference to the concluding portion of your predecessor's telegram of 11th August last,* you will have learned from my telegram of 19th December,† that the Commonwealth Government does not desire that the Mandated Territory of Nauru should become a party to the Anglo-Finnish Commercial Treaty.

I have, &c.,
FORSTER,
Governor-General.

3920

No. 271.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 3.35 p.m., 6th February, 1925.)

TELEGRAM.

[*Answered by No.* 272.]

YOUR despatch 22nd December, Confidential.‡ Presumed that Finnish Government may also be informed that Finnish goods accorded most-favoured-nation treatment on importation into Nauru.—AMERY.

6982

No. 272.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5.30 a.m., 13th February, 1925.)

TELEGRAM.

13TH FEBRUARY. Your telegram of 6th February.§ Finnish goods imported Nauru. Administrator states that country of origin does not affect the tariff which is the same for all countries.—FORSTER.

---

* No. 181 in Dominions No. 93. † No. 184 in Dominions No. 93. ‡ No. 270. § No. 271.

22322

No. 273.

NEW ZEALAND.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 12.50 p.m., 26th May, 1925.)

TELEGRAM.

[*Answered by No.* 275.]

YOUR despatch 17th July, No. 134.* Finnish Minister states that he understands that New Zealand Government have abolished all depreciated currency duties, but inquires exact position in connexion with question of grant of most-favoured-nation treatment to New Zealand goods. Please telegraph what reply should be returned as regards both New Zealand and Western Samoa.—AMERY.

22322

No. 274.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Confidential.)

MY LORD, Downing Street, 20th May, 1925.

WITH reference to Your Excellency's Confidential despatch of the 22nd of December,† I have the honour to transmit to you, to be laid before your Ministers, the accompanying copy of a note to the Finnish Minister regarding the tariff treatment of Australian goods imported into Finland.

I have, &c.,
L. S. AMERY.

Enclosure in No. 274.

SIR, Foreign Office, S.W.1.
14th May, 1925.

IN your note No. 576 of 11th April, you informed me that in view of the fact that Finnish Kraft paper had been brought under the operation of section 8 of the Australian Customs Tariff (Industries Preservation) Act and a dumping duty applied, Article 23, paragraph 2, of the Treaty of Commerce and Navigation between the United Kingdom of Great Britain and Ireland and Finland of 14th December, 1923, could not be applied to Australian goods, which would not therefore, in Finland, enjoy the treatment accorded to similar goods produced or manufactured in the United Kingdom.

2. I have the honour to inform you that no discriminatory duty is now being applied by the Commonwealth Government to Kraft paper originating in or exported from Finland, as the notice issued by the Minister for Trade and Customs, and published in the *Commonwealth Gazette* of the 24th January, 1924, No. 5, stating that Kraft paper originating in or exported from Finland, the landed duty-paid cost of which at any port in Australia was less than thirty-four pounds per ton, would be brought within the operation of section 8 of the Act referred to, has been cancelled. Since the 21st May, 1924, Kraft paper originating in or exported from any country except the United Kingdom, the c.i.f. and duty-paid cost of which (excluding wharfage and stacking) is less than the manufacturers' selling price of Australian-made Kraft paper, has been brought within the operation of section 5 of the Customs Tariff (Industries Preservation) Act, 1921-1922.

3. The special dumping below cost duty imposed on Kraft paper under section 5 of that Act is general in its application to Kraft paper of any foreign origin and cannot, in the view of His Majesty's Government, be held to constitute discrimination against Finland; and the objection of the Finnish Government that Kraft paper from Finland is being accorded, on importation into Australia, treatment less favourable than that accorded to similar goods from other foreign countries, has now, therefore, been entirely met.

* 40170/24: not printed; it confirmed No. 176 in Dominions No. 93. † No. 270.

4. In these circumstances I confidently hope that the preferential treatment previously accorded in Finland to Australian goods will now be restored.

I have, &c.,
(For the Secretary of State),
WILLIAM STRANG.

Monsieur Ossian Donner,
&c., &c., &c.

26763

No. 275.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6 a.m., 12th June, 1925.)

TELEGRAM.

12TH JUNE. Your telegram of 26th May.* Depreciated Currency Duties are not now being charged in New Zealand or Western Samoa on goods imported from any country. New Zealand and Western Samoa at present accord most-favoured-nation treatment to Finnish goods.—FERGUSSON.

29791

No. 276.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1st July, 1925.)

[*Answered by No.* 277.]

(No. 260.)

SIR, Government House, Ottawa, 22nd June, 1925.

WITH reference to your despatch Dominions No. 224 of the 14th of May, 1924,† regarding the attitude of Canada with regard to the Treaty of Commerce and Navigation with Finland of the 14th of December, 1923, I have the honour to enclose, herewith, certified copies of an Act‡ of the Canadian Parliament respecting trade between Canada and Finland authorizing the extension of favoured-nation treatment to goods produced or manufactured in Finland.

It is intended to fix, by proclamation in the *Canada Gazette*, as provided in section 5 of the Act, the 1st of August next as the day from which the favoured-nation treatment shall be extended to Finnish goods, and such proclamation will be made when notice has been received that the benefits of the Treaty, as provided in Article 23, will be extended in Finland to Canadian goods from the same date.

The Canadian Government will be grateful if you will ascertain from the Finnish Government whether it agrees to the 1st of August next as the date from which the Treaty benefits shall be made effective.

I have, &c.,
FRANK A. ANGLIN,
Deputy Governor-General.

33678

No. 277.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 2.10 p.m., 25th July, 1925.)

TELEGRAM.

[*Answered by No.* 279.]

25TH JULY. Your despatch 22nd June, No. 260.§ Finnish Government agree to 1st August as date from which benefits of Anglo-Finnish Commercial Treaty as provided in Article 23 shall be extended in Finland to Canadian goods. —AMERY.

---

* No. 273. † No. 167 in Dominions No. 93. ‡ Not reprinted. § No. 276.

33678

No. 278.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 334.)

MY LORD, Downing Street, 28th July, 1925.

WITH reference to my telegram of the 25th of July,* I have the honour to transmit to Your Excellency, to be laid before your Ministers, the accompanying copies of correspondence with the Finnish Minister regarding the date on which the benefits of the Anglo-Finnish Commercial Treaty as provided in Article 23, will be extended in Finland to Canadian goods.

I have, &c.,
L. S. AMERY.

[31694]

Enclosure 1 in No. 278.

Foreign Office, S.W.1.
10th July, 1925.

SIR,

I HAVE the honour to inform you that by an Act of the Canadian Parliament to which assent was given on 12th June, 1925, authority was given for the extension of favoured-nation treatment in Canada to goods produced or manufactured in Finland. A copy of this Act† is enclosed.

2. It is intended to fix by proclamation in the *Canada Gazette*, as provided in section 5 of the Act, the 1st of August next as the day from which the favoured-nation treatment shall be extended to Finnish goods, and such proclamation will be made when notice has been received that the benefits of the treaty, as provided in Article 23, will be extended in Finland to Canadian goods from the same date.

3. I shall be grateful, therefore, if you will ascertain as early as possible and inform me whether the Finnish Government agrees to the 1st of August next as the date from which the treaty benefits shall be made effective.

I have, &c.,
(For the Secretary of State),
GEORGE MOUNSEY.

Monsieur Ossian Donner.
&c., &c., &c.

Enclosure 2 in No. 278.

(No. 2050.)

Finnish Legation,
2, Moreton Gardens, South Kensington, S.W.5.
22nd July, 1925.

SIR,

IN your Note of the 10th July you informed me that by an Act of the Canadian Parliament, to which assent was given on 12th June, 1925, authority was given for the extension of favoured-nation treatment in Canada to goods produced or manufactured in Finland.

I understand that it is intended to fix by proclamation in the *Canada Gazette*, as provided in section 5 of the Act, the 1st of August next as the day from which the favoured-nation treatment shall be extended to Finnish goods, and such proclamation will be made when notice has been received that the benefits of the Treaty, as provided in Article 23, will be extended in Finland to Canadian goods from the same date.

I have been instructed by my Government to inform you that my Government agree to the 1st of August next as the date from which the Treaty, as provided in Article 23, shall be made effective to Canadian goods.

I have, &c.,
ELJAS ERKKO.

The Right Hon.
Austen Chamberlain, P.C., M.P.,
&c., &c., &c.,
Foreign Office, S.W.1.

* No. 277. † Not printed here.

440

35096

No. 279.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.35 p.m., 31st July, 1925.)

TELEGRAM.

[*Answered by No.* 280.]

30TH JULY. Your telegram of 25th July.* Application to Canada of the benefits of the Anglo-Finnish Commercial Treaty. Necessary steps have been taken for the issue of proclamation in *Canadian Gazette* of 1st August fixing that day as the date from which favoured-nation treatment will be extended to Finnish goods. My Ministers request that this information may be communicated to the Finnish Government.—BYNG.

36914

No. 280.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 349.)

MY LORD, Downing Street, 15th August, 1925.

I HAVE the honour to acknowledge the receipt of Your Excellency's telegram of the 30th of July,† regarding the extension to Canadian goods of the benefits of the Anglo-Finnish Commercial Treaty as provided in Article 23 of the Treaty, and to request you to inform your Ministers that its contents have been communicated to the Finnish Minister.

I have, &c.,
L. S. AMERY.

FOREIGN AFFAIRS.

System of Consultation with Dominions as to

7623

No. 281.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 17th February, 1925.)

(Confidential.)

SIR, Governor-General's Office, Pretoria, 27th January, 1925.

I HAVE the honour to transmit to you herewith, with reference to your despatch Confidential Dominions No. 556 of the 2nd December, 1924,‡ copy of Minute from Ministers on the subject of the proposal for a special inquiry in connexion with the present system of consultation on matters of foreign policy and general Imperial interest.

I have, &c.,
ATHLONE,
Governor-General.

Enclosure in No. 281.

(Confidential.)

Prime Minister's Office, Pretoria, 22nd January, 1925.

MINUTE No. 63.

REFERRING to the Governor-General's Confidential Minute No. 23/569 of the 27th December, 1924, it is noted that the British Government shares in the view,

* No. 277. † No. 279. ‡ No. 25 in Cmd. 2301.

that at this stage the proposal for a special inquiry in connexion with the present system of consultation on matters of foreign policy and general Imperial interest is not likely to prove of any advantage.

Ministers desire to avail themselves of the present opportunity of submitting to the British Government that according to their views the difficulties which have been encountered in making the present system of consultation effective, are due, not so much to any inherent defect in the system itself, as to the failure, in the case of negotiations with foreign powers, to insist upon the recognition by such powers of the fundamental fact upon which that system is based, viz., that every member of the Commonwealth by itself constitutes a distinct National entity with equal status.

Ministers are of opinion that experience during the last years has shown that while the members of the Commonwealth have *inter se* acceded wholeheartedly to this view and have formed it as the basis for joint consultation and common action in relation to foreign affairs and common interests, they have, in the event of opposition by foreign powers to its application, not shown themselves prepared to give it the measure of support necessary to overcome that opposition.

As a result, foreign powers, whenever they find it convenient or to their interest to have the Dominions excluded from participating in any negotiations as distinct national entities refuse to recognize their distinct existence; and, as a consequence, wherever this refusal ultimately prevails—as in the recent Conference over the Dawes Report—the system of consultation and representation necessarily cannot be given effect to.

This is felt as creating a highly unsatisfactory state of affairs; for no matter what may be the responsibility incurred by a Dominion through its share in any Joint Consultation with other members of the Commonwealth upon a matter of foreign affairs, it is ultimately left to the discretion of the foreign power concerned to say as to whether such a Dominion shall be barred or not from actual participation in the final decision.

Ministers feel convinced that the only remedy that can be applied here is, whenever opportunity arises, to insist that the distinct status of every Dominion and its right to separate individual representation shall be recognized by foreign powers concerned. Unless this attitude is frankly adopted in our relations with foreign nations and the correctness of it recognized by these nations, it is felt that all efforts to devise methods of closer co-operation in matters of foreign policy must of necessity prove fruitless.

While the international recognition of the status of the Dominions as distinct nations entitled to separate representation in the case of international negotiations, seems to this Government so essential as to constitute a condition precedent to the success of any attempt at a satisfactory method of consultation upon foreign affairs and general Imperial interest, Ministers feel satisfied that it will at the same time prove of incalculable value in removing suspicion and thereby many of the difficulties at present constantly interfering with the speedy determination of international questions. As between the different members of the Commonwealth the definite and explicit recognition of the international status of the individual Dominions cannot but lead to a most salutary increased measure of confidence. But that will not be all. Such international recognition of individual status must necessarily reflect upon and enhance the collective status of the Commonwealth, and force upon the world an international recognition of the Commonwealth relationship to which international law will eventually be forced to adjust itself.

J. B. M. HERTZOG.

FRANCE.

Denunciation of Agreement of 1899 for Free Delivery and Attestation of Certificates of Origin.

7398

No. 282.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 16th February, 1925.)

(No. 29.)

SIR, Governor-General's Office, Pretoria, 24th January, 1925.

I HAVE the honour to transmit to you herewith, with reference to your despatch Dominions No. 538 of the 19th November, 1924,* copy of Ministers'

* No. 193 in Dominions No. 93.

Minute on the subject of the termination of the Agreement made in 1899 between France and Great Britain for the waiver of Consular fees on the delivery and attestation of certificates of origin and the new arrangements proposed in this respect and also in regard to invoices.

I have, &c.,
ATHLONE,
Governor-General.

Enclosure in No. 282.

(12/479.)

Prime Minister's Office, 22nd January, 1925.

MINUTE No. 57.

MINISTERS have the honour to acknowledge the receipt of His Excellency the Governor-General's Minute No. 73/53 of the 13th December, 1924, covering a copy of despatch No. 538 of the 19th November, 1924, received from the Right Honourable the Secretary of State for the Colonies relative to the termination of the Agreement made in 1899 between France and Great Britain for the waiver of Consular fees on the delivery and attestation of certificates of origin and the new arrangements proposed in this respect and also in regard to invoices.

Ministers have the honour to recommend that the Secretary of State should be informed that, if the French Government is prepared to forgo the fees for the attestation of certificates of origin or of invoices for Union of South Africa produce or the manufactures of the Union exported to France, the Union Government on its part will not require the attestation by the authorities in France of like documents for French produce or manufactures shipped to the Union of South Africa.

J. B. M. HERTZOG.

7403

No. 283.

SOUTHERN RHODESIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 16th February, 1925.)

(No. 20.)

SIR, Governor's Office, Salisbury (Rhodesia), 23rd January, 1925.

I HAVE the honour to acknowledge the receipt of your despatch No. 475 of the 19th November* transmitting a copy of a Note from the French Ambassador regarding the termination of the Agreement made in 1899 between France and the United Kingdom for the waiver of Consular fees on the delivery and attestation of certificates of origin.

2. My Ministers request me to inform you that the Government of this Colony desires to conclude with the French Government an arrangement similar to that existing with the British Government in regard to the attestation of certificates of origin and invoices in respect of goods exported to France, namely, that a charge not exceeding 5 gold francs shall be made by the French Consul in Rhodesia for such attestation in the case of goods exceeding 100 gold francs in value exported to France from Southern Rhodesia.

3. As regards sub-section (*b*) of the last paragraph of your despatch under reply, my Ministers state that Southern Rhodesia does not at present require the attestation by a British Consul of certificates of origin and invoices of goods exported from France and French Possessions to Southern Rhodesia, and that it is not desirable to make any alteration in this respect.

I have, &c.,
J. R. CHANCELLOR,
Governor.

13313

No. 284.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 23rd March, 1925.)

(No. 17.)

SIR, Government House, Wellington, 5th February, 1925.

WITH reference to your despatch, Dominions No. 538, of the 19th November,* I have the honour to inform you that my Government would be glad if an arrangement could be made on its behalf with the French Government, similar to the revised arrangement referred to by you, concerning the delivery or attestation of certificates of origin and the attestation of invoices (*a*) by French Consuls in respect of goods exported from New Zealand, including Western Samoa, to France and French Oversea Possessions, and (*b*) where such action is required by British Consular Officers, in respect of goods exported from France and French Oversea Possessions to New Zealand and Western Samoa.

2. The New Zealand Government does not, however, unless in exceptional circumstances, require either British Consular certificates of origin or attestation of invoices by British Consuls, in respect of goods imported from any country.

I have, &c.,
CHARLES FERGUSSON,
Governor-General.

19993

No. 285.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4th May, 1925.)

(No. 75.)

SIR, Governor-General's Office, Melbourne, 1st April, 1925.

WITH reference to your despatch dated 19th November, 1924, Dominions No. 538,* relative to the conclusion of an arrangement between His Majesty's Government and the French Government with regard to Consular fees on the delivery and attestation of Certificates of Origin, I have the honour, at the instance of my Prime Minister, to inform you that the Commonwealth Government will be glad if the necessary steps can be taken to arrange with the French Government for the agreement in question to be extended to apply also to the delivery and attestation of Certificates of Origin, and the attestation of invoices (*a*) by French Consuls in respect of goods exported from Australia (including Papua, Norfolk Island and New Guinea) to France and French Oversea Possessions; and (*b*) where such action is required, by British Consular officers in respect of goods exported from France and French Oversea Possessions to Australia, Papua, Norfolk Island and New Guinea.

I have, &c.,
FORSTER,
Governor-General.

25685

No. 286.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 6th June, 1925.)

(No. 60.)

SIR, Government House, St. John's, 22nd May, 1925.

I HAVE the honour to acknowledge the receipt of your despatch Dominions No. 538 of the 19th November, 1924,* on the subject of the termination of the

* No. 193 in Dominions No. 93.

442

agreement with France for the waiver of Consular fees on the delivery and attestation of certificates of origin and invoices.

2. My Ministers concur in the desirability of suggesting to the French Government the conclusion of an arrangement similar to that outlined in paragraph 2 of your despatch to apply to the delivery or attestation of Certificates of Origin, and the attestation of Invoices (*a*) by French Consuls in respect of goods exported from Newfoundland to France and French Overseas Possessions and (*b*) where such action is required, by British Consular officers in respect of goods exported from France and French Overseas Possessions to Newfoundland.

I have, &c.,
W. L. ALLARDYCE.

FREEDOM OF TRANSIT.

Conventions adopted by the Second General Conference on the Freedom of Communications and Transit held at Geneva, 1923.

(*Treaty Series*, 1925, *Nos.* 23, 24, 25 *and* 26.)

640

No. 287.

SOUTHERN RHODESIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 5th January, 1925.)

[*Answered by No.* 289.]

(No. 371.)

SIR, Governor's Office, Salisbury (Rhodesia), 13th December, 1924.

I HAVE the honour to refer to Mr. Thomas's despatches No. 223 of the 27th June, No. 430 of the 13th October and No. 449 of the 24th October* on the subject of the following League of Nations' conventions:—

(1) Convention on the International Regime of Railways.
(2) Convention on the International Regime of Maritime Ports.
(3) Convention relating to the transmission in transit of Electric Power.
(4) Convention relating to the development of Hydraulic Power affecting more than one State.

2. My Ministers inform me that they desire that the League of Nations may be notified of the adherence of Southern Rhodesia to the conventions relating to Railways, Electric Power and Hydraulic Power.

I have, &c.,
J. R. CHANCELLOR,
Governor.

19286

No. 288.

FOREIGN OFFICE to COLONIAL OFFICE.

THE Under-Secretary of State for Foreign Affairs presents his compliments to the Under-Secretary of State for the Colonies and, by direction of the Secretary of State, transmits herewith copies of a letter from the League of Nations on the subject of the ratification by India and New Zealand of Railways and Ports Conventions.

Foreign Office,
27th April, 1925.

Reference to previous correspondence: Foreign Office letter of 25th April.†

Similar letter sent to India Office, Board of Trade.

---

* Nos. 201, 205 and 208 in Dominions No. 93. † Not printed.

Enclosure in No. 288.

(C.L. 39. 1925, V.)

LEAGUE OF NATIONS.

Convention and Statute on the International Regime of Railways and Protocol of Signature.

Convention and Statute on the International Regime of Maritime Ports and Protocol of Signature.

Geneva, 9th December, 1923.

Ratification by His Britannic Majesty on behalf of New Zealand and India.

Geneva, 20th April, 1925.

FOLLOWING my letter C.L. 127. 1924, V. of 12th September, 1924, I have the honour to inform you that the Right Honourable the Secretary of State for Foreign Affairs of His Britannic Majesty has transmitted to me the instruments of ratification by His Majesty of the Convention and Statute on the International Regime of Railways and Protocol of Signature, and of the Convention and Statute on the International Regime of Maritime Ports and Protocol of Signature, Geneva, 9th December, 1923.

These ratifications have been given on behalf of New Zealand, including the mandated territory of Western Samoa, and India.

The instruments of ratification by His Britannic Majesty were deposited with the Secretariat on 1st April, 1925.

I have, &c.,
For the Secretary-General,

Director of the Legal Section.

22022

No. 289.

THE SECRETARY OF STATE to THE GOVERNORS.

(Newfoundland. No. 52.)
(Southern Rhodesia. No. 169.)

SIR, Downing Street, 20th May, 1925.

WITH reference to my predecessor's despatch No. [152] [430] of the [15th] [13th] October, 1924,* and to your despatch No. [85] [371] of the [11th August,†] [13th December,] 1924,‡ I have the honour to request you to inform your Ministers that the instruments of His Majesty's ratification of the Conventions relating to the Transmission in Transit of Electric Power and to the Development of Hydraulic Power (together with the Protocols of Signature) were deposited with the Secretariat of the League of Nations on the 1st April. I enclose a copy of a letter from the Secretary-General of the League recording the deposit, together with a copy of correspondence with the Secretary-General regarding the accession of [Newfoundland] [Southern Rhodesia] to these Conventions and to the Conventions relating to Maritime Ports and to Railways, the ratification of which formed the subject of my predecessor's despatch under reference.

2. I take this opportunity to state that His Majesty has also ratified the Conventions relating to Maritime Ports and to Railways (with the Protocols of Signature) on behalf of New Zealand, including the mandated territory of Western Samoa, and India by instruments deposited with the Secretariat of the League on the 1st April.

I have, &c.,
L. S. AMERY.

---

* No. 205 in Dominions No. 93. † No. 204 in Dominions No. 93. ‡ No. 287.

443

[19285]

Enclosure 1 in No. 289.

(C.L. 40. 1925. V.)

LEAGUE OF NATIONS.

Convention relating to the Transmission in Transit of Electric Power, and Protocol of Signature.

Convention relating to the Development of Hydraulic Power affecting more than One State, and Protocol of Signature.

(Geneva, 9th December, 1923.)

Ratification by His Britannic Majesty.

Geneva, 20th April, 1925.

I HAVE the honour to inform you that the Right Honourable the Secretary of State for Foreign Affairs of His Britannic Majesty has transmitted to me the instruments of ratification by His Majesty of the Convention relating to the transmission in Transit of Electric Power, and Protocol of Signature, and of the Convention relating to the Development of Hydraulic Power affecting more than one State, and Protocol of Signature, Geneva, 9th December, 1923.

These ratifications have been given on behalf of the British Empire and New Zealand, including the mandated territory of Western Samoa. It is stated in the instruments of ratification that these ratifications shall not be deemed to apply in case of the Dominion of Canada, the Commonwealth of Australia, the Union of South Africa or the Irish Free State (or any territories under their authority) or in the case of India, and that, in pursuance of the power reserved in Article 21 of these Conventions, they shall not be deemed to apply in the case of any of the Colonies, Possessions or Protectorates or of the territories in respect of which His Britannic Majesty has accepted a mandate other than the territory mentioned above; without prejudice, however, to the right of subsequent ratification or accession on behalf of any or all of those Dominions, Colonies, Possessions, Protectorates, or territories.

These ratifications not to apply to the Sudan.

The instruments of ratification by His Britannic Majesty have been deposited at the Secretariat on 1st April, 1925.

I have, etc.,
For the Secretary-General,

Director of the Legal Section.

[19284]

Enclosure 2 in No. 289.

Foreign Office, S.W. 1.
SIR, 21st April, 1925.

I AM directed by Mr. Secretary Chamberlain to transmit to you, for deposit with the Secretariat of the League of Nations, the formal instrument of accession of Newfoundland and Southern Rhodesia to the following Conventions signed at Geneva, 9th December, 1923, viz.:—(1) The Convention and Statute on the International Régime of Railways; (2) the Convention and Statute on the International Régime of Maritime Ports; (3) the Convention relating to the Transmission in Transit of Electric Power; and (4) the Convention relating to the Development of Hydraulic Power.

2. I am to request that the receipt of this instrument of accession may be acknowledged and its deposit notified to the States parties to the Conventions.

I am, &c.,
MILES W. LAMPSON.

The Secretary-General,
League of Nations,
Geneva.

THE Undersigned, His Britannic Majesty's Principal Secretary of State for Foreign Affairs, hereby declares that His Britannic Majesty accedes on behalf of Newfoundland and Southern Rhodesia to the following instruments signed at Geneva, 9th December, 1923:—

(1) The Convention and Statute on the International Régime of Railways;
(2) The Convention and Statute on the International Régime of Maritime Ports;
(3) The Convention relating to the Transmission in Transit of Electric Power; and
(4) The Convention relating to the Development of Hydraulic Power affecting more than one State.

AUSTEN CHAMBERLAIN.

Foreign Office,
April 21st, 1925.

Enclosure 3 in No. 289.

League of Nations, Geneva.
4th May, 1925.

SIR,

I BEG to acknowledge receipt of your letter of 21st April, 1925, by which you have been good enough to transmit to me the formal instrument of accession by His Britannic Majesty on behalf of Newfoundland and Southern Rhodesia to the following conventions signed at Geneva, 9th December, 1923:—

(1) The Convention and Statute on the International Régime of Railways;
(2) The Convention and Statute on the International Régime of Maritime Ports;
(3) The Convention relating to the Transmission in Transit of Electric Power: and
(4) The Convention relating to the Development of Hydraulic Power affecting more than one State.

The above-mentioned instrument of accession has been deposited with the Secretariat of the League on 23rd April, 1925, and has been duly noted in the Registers of the Secretariat.

I will not fail to inform of this deposit the Members of the League and the other States signatories of these instruments.

I am, &c.,
For the Secretary-General,
VAN HAMEL,
Director of the Legal Section.

The Under-Secretary of State,
Foreign Office,
London, S.W. 1.

23463

No. 290.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6.25 a.m., 22nd May, 1925.)

TELEGRAM.

22ND MAY. Your despatch of 24th May, 1924, No. 187.* Order in Council passed 24th April that His Majesty be moved to accede on behalf of the Commonwealth of Australia to the Convention, Statute and Protocol of Signature on International Régime of Maritime Ports adopted 1923, accession not to be deemed to apply to Papua, Norfolk Island and New Guinea. With respect to Nauru, Administrator sees no reason for non-application. As, however, it has been customary to exclude mandatory territory from operation of international conventions and it is desired present convention be not applied to New Guinea, Commonwealth Government is of opinion that question should be fully considered before this mandate is placed in a different position from others by extending the present convention to Nauru.—GOVERNOR-GENERAL.

---

* No. 200 in Dominions No. 93.

444

25148

No. 291.

THE SECRETARY OF STATE to THE GOVERNORS.

(Newfoundland. No. 66.)
(Southern Rhodesia. No. 211.)

SIR,

Downing Street, 23rd June, 1925.

WITH reference to my despatch No. [52] [169] of the 20th May,* I have the honour to transmit to you, for the information of your Ministers, the accompanying copy of a letter from the Secretary-General of the League of Nations notifying the date upon which the Convention relating to the Development of Hydraulic Power and its Protocol will come into force.

I have, &c.,
L. S. AMERY.

Enclosure in No. 291.

(C.L. 46. 1925. V.)

LEAGUE OF NATIONS.

Entry into Force of the Convention relating to the Development of Hydraulic Power affecting more than One State and Protocol of Signature, Geneva, 9th December, 1923.

Geneva, 25th May, 1925.

REFERRING to my letters C.L. 4. 1925. V. and C.L. 40. 1925. V. of 22nd January, and 20th April, 1925, respectively, I beg to inform you that, in consequence of the deposit of the ratification by Siam on 9th January, and of the ratification by His Britannic Majesty for the British Empire and for New Zealand on 1st April, 1925, of the Convention relating to the Development of Hydraulic Power affecting more than one State and Protocol of Signature, Geneva, 9th December, 1923, this Convention and its Protocol will come into force on 30th June, 1925, according to Article 18 of the Convention, which reads as follows:—

"The present Convention will not come into force until it has been ratified in the name of three States. The date of its coming into force shall be the ninetieth day after the receipt by the Secretary-General of the League of Nations of the third ratification. Thereafter, the present Convention will take effect in the case of each Party ninety days after the receipt of its ratification or of the notification of its accession.

'In compliance with the provisions of Article 18 of the Covenant of the League of Nations, the Secretary-General will register the present Convention upon the day of its coming into force."

I have, &c.,
For the Secretary-General,

Director of the Legal Section.

32119

No. 292.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 230.)

MY LORD,

Downing Street, 19th August, 1925.

WITH reference to Your Excellency's despatch No. 131 of the 28th of May,† I have the honour to transmit to you, for the information of your Ministers, the accompanying copy of a letter from the Director of the Legal Section of the League of Nations regarding the accession of the Commonwealth of Australia to the Convention and Statute of the International Régime of Maritime Ports and Protocol of Signature thereto.

I have, &c.,
L. S. AMERY.

---

* No. 289. † 30484/25: not printed; it confirmed No. 290.

Enclosure in No. 292.

SIR, League of Nations, Geneva, 30th June, 1925.

I BEG to acknowledge receipt of your letter of 23rd June, 1925, by which you have been good enough to transmit to me for deposit with the Secretariat of the League of Nations, the formal instrument of accession of the Commonwealth of Australia to the Convention and Statute on the International Régime of Maritime Ports and Protocol of Signature thereto, signed at Geneva on 9th December, 1923.

The said instrument of accession having been deposited with the Secretariat of the League of Nations on 29th June, 1925, I beg you to accept that your note and the present reply shall take the place of the *procès-verbal* of deposit of which I will not fail to inform the Members of the League and the States signatories to the Convention.

It has been duly noted that Papua, Norfolk Island and the mandated territories of Nauru and New Guinea are excluded from His Britannic Majesty's accession on behalf of the Commonwealth of Australia.

I have, &c.,
For the Secretary-General,
VAN HAMEL,
Director of the Legal Section.

The Under-Secretary of State,
Foreign Office,
London, S.W.1.

GERMANY.

Commercial Treaty, 1924.

(*Treaty Series* 1925, *No.* 45.)

1069

No. 293.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Sent 4.15 p.m., 13th January, 1925.)

TELEGRAM.

[*Answered by No.* 298.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)
(Southern Rhodesia.)

13TH JANUARY. His Majesty's Ambassador, Berlin, reports that after 10th January (*see* Article 280 of Treaty of Versailles) German Government will adopt in customs matters general principle of giving most-favoured-nation treatment to other countries giving Germany such treatment and accordingly, though Anglo-German Commercial Treaty not yet ratified, they have given orders that until further notice most-favoured-nation treatment shall be accorded to goods from this country and Dominions and Colonies except Canada, Australia and New Zealand which are excluded on the ground that they do not give Germany most-favoured-nation treatment. His Majesty's Ambassador adds that countries not enjoying most-favoured-nation treatment in Germany will for the present come under general tariff (which at present imposes slightly higher duties on a limited number of articles than those imposed on same articles by most-favoured-nation tariff), but it is possible that new and much higher tariff will be applied to countries discriminating against her. This may include imposition of duty on goods hitherto free.—AMERY.

445

1069

No. 294.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 4.15 p.m., 13th January, 1925.)

TELEGRAM.

13TH JANUARY. My telegram of 11th December.* In explanation of exclusion of Canada from most-favoured-nation treatment in Germany as to which see my telegram of to-day,† His Majesty's Ambassador, Berlin, reports that German Government understand Canada unable to adhere to Treaty, and as Germany is excluded from preferential treatment accorded to France under Franco-Canadian Treaty they are precluded by legislation from according most-favoured-nation treatment to Canada. They are consequently suggesting that Canada should notify His Majesty's Government of inability to adhere and then negotiate separate tariff agreement with Germany. Meanwhile, it appears that Canadian imports not likely to suffer severely majority being duty free.—AMERY.

1069

No. 295.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 4.15 p.m., 13th January, 1925.)

TELEGRAM.

[*Answered by No.* 298.]

(Commonwealth of Australia.)
(New Zealand.)

13TH JANUARY. My telegram of to-day.† His Majesty's Ambassador, Berlin, reports that German Government state exclusion of Australia and New Zealand from most-favoured-nation treatment due to current Dumping Law, Protection of Industries Act and discrimination in regard to visas. As regards last-named point, it would not be in accordance with Anglo-German Commercial Treaty as signed that when it comes into force Germany should for the time being deny most-favoured-nation treatment to goods produced or manufactured in a Dominion on account of any discrimination which that Dominion may impose on German citizens as regards entry, having regard to provisions of Article 31 second paragraph (see my telegram 28th November‡) which refer solely to treatment accorded to goods, but until Treaty comes into force doubtful whether there would be any advantage in taking up this point.—AMERY.

1069

No. 296.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 4.15 p.m., 13th January, 1925.)

TELEGRAM.

13TH JANUARY. In telegram on which my telegram of to-day† based His Majesty's Ambassador, Berlin, states as follows:—

> "German Government are proposing to South Africa to adhere to the Treaty (i.e., Anglo-German Commercial Treaty) and are willing to agree not to regard certain privileges which Union may grant to neighbouring States as an infringement of most-favoured-nation treatment."

—AMERY.

---

* No. 221 in Dominions No. 93. † No. 293. ‡ No. 216 in Dominions No. 93.

1069

No. 297.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 17.)

SIR, Downing Street, 14th January, 1925.

WITH reference to my despatch Dominions No. 6 of 3rd January,* and connected correspondence, I have the honour to transmit to Your Excellency, for the information of your Ministers, a copy of a telegram† to the other self-governing Dominions and to Southern Rhodesia with regard to the commercial relations with Germany.

I have, &c.,
L. S. AMERY.

4596

No. 298.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6.15 a.m., 30th January, 1925.)

TELEGRAM.

30TH JANUARY. Your two telegrams of 13th January,‡ German Customs Tariff. Since the New Zealand Government for several reasons would not in any case have given adhesion to the Anglo-German Commercial Treaty or have agreed to accord most-favoured-nation treatment to Germany, my Ministers see no reason to object to any grounds upon which Germany excludes New Zealand and do not desire that point mentioned in your second telegram specially referring to report of His Majesty's Ambassador at Berlin on this subject should be raised.

8203

No. 299.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 72.) } Dominions No. 87.)

[MY LORD,] [SIR,] Downing Street, 28th February, 1925.

WITH reference to my despatch [Dominions No. 6] [No. 8] of the 3rd of January,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copies of a Parliamentary Paper, Cmd. 2345, containing the Treaty of Commerce and Navigation between the United Kingdom and Germany and Additional Protocol, signed at London on the 2nd of December, 1924, and the Minutes of a meeting between the British and German Representatives at the Foreign Office on the 2nd of December, 1924.

I have, &c.,
L. S. AMERY.

---

* 60148/24: not printed; it enclosed copies of a Stationery Office publication containing the text of the Treaty. † No. 293. ‡ Nos. 293 and 295.

11025

No. 300.

SOUTHERN RHODESIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 9th March, 1925.)

[*Answered by No.* 302.]

(No. 39.)

SIR, Governor's Office, Salisbury (Rhodesia), 10th February, 1925.

WITH reference to your despatch No. 508 of the 9th December* transmitting copies of the Treaty of Commerce and Navigation with Germany and of the Protocol attached thereto, I have the honour to inform you that my Ministers desire that in terms of Article 31 of the Treaty notice be given to Germany that the stipulations of the Treaty should apply to this Colony.

I have, &c.,
J. R. CHANCELLOR,
Governor.

15422

No. 301.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 3rd April, 1925.)

(No. 109.)

SIR, Vice Regal Lodge, Dublin, 2nd April, 1925.

I HAVE the honour to inform you that the Department of Industry and Commerce has been in communication with Dr. von Dehn, German Consul-General at Dublin, with a view to initiating negotiations for a Treaty of Commerce and Navigation between the Irish Free State and Germany.

2. The proposed treaty will follow the lines of the Treaty recently concluded between the United Kingdom and Germany.

3. I shall have the honour to transmit to you at a later date a draft of the treaty.

I have, &c.,
T. M. HEALY.

15177

No. 302.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

(No. 122.)

SIR, Downing Street, 7th April, 1925.

I HAVE the honour to acknowledge the receipt of your despatch No. 39 of the 10th of February,† and to request you to inform your Ministers that the accession of Southern Rhodesia to the provisions of the Anglo-German Commercial Treaty will be notified to the German Government when that Treaty comes into force by exchange of ratifications.

I have, &c.,
(for the Secretary of State),
W. ORMSBY-GORE.

---

* No. 220 in Dominions No. 93. † No. 300.

38387

No. 303.

FOREIGN OFFICE to DOMINIONS OFFICE.

THE Under-Secretary of State for Foreign Affairs presents his compliments to the Under-Secretary of State for the Dominions and, by direction of the Secretary of State, transmits herewith copy of a note from His Majesty's Ambassador at Berlin regarding commercial negotiations between Germany and British Dominions.

Foreign Office,
21st August, 1925.

(Similar letter sent to Board of Trade.)

Enclosure in No. 303.

(No. 474.)

British Embassy, Berlin, 14th August, 1925.

His Majesty's Ambassador at Berlin presents his compliments to His Majesty's Principal Secretary of State for Foreign Affairs, and has the honour to report that the Commercial Secretary at this Embassy has received the following information from the Ministry for Foreign Affairs regarding the progress of negotiations for the conclusion of commercial treaties between Germany and the British Dominions.

Ireland.—Negotiations are proceeding satisfactorily for a treaty which will be similar *mutatis mutandis* to that concluded with the United Kingdom.

Canada.—Negotiations have made no progress, as the Canadian Government have adopted the view that to attempt to pass a commercial treaty with Germany through the House of Representatives in Ottawa might lead to anti-German demonstrations. They therefore propose that a commercial arrangement should be made between Canada and Germany in some form which would not require parliamentary sanction.

The German Government cannot conceive what form this could be and negotiations are, therefore, for the time being at an end.

South Africa.—Negotiations were proceeding favourably when a set-back resulted from the introduction by the South African Government of new tariff proposals. The Commissioner for the South African Government in Europe, Mr. Pienaar, has, however, now received instructions to conduct tariff negotiations.

Australia and New Zealand.—There are no prospects of the negotiation of a treaty with either of these two Dominions.

His Majesty's Principal Secretary of State for Foreign Affairs,
Foreign Office.

41169

No. 304.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Sent 1.0 p.m., 9th September, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)
(Southern Rhodesia.)

9TH SEPTEMBER. My despatch 28th February, [*Not to Southern Rhodesia:* Dominions 87*] [*To Southern Rhodesia:* 72*] Ratifications of Anglo-German Commercial Treaty and Protocol were exchanged yesterday.—AMERY.

---

* No. 299.

447

48767

No. 305.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 424.) } Dominions No. 478.)

[MY LORD,] [SIR,] Downing Street, 4th November, 1925.

WITH reference to my despatch [Dominions No. 87] [No. 72] of the 28th of February,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of Treaty Series paper No. 45 of 1925, Cmd. 2520, containing the Treaty of Commerce and Navigation with Germany and the Additional Protocol thereto.

[*Not to New Zealand and Irish Free State:* 2. Further copies are being sent in Library despatch.]

I have, &c.,
L. S. AMERY.

GREECE.

Proposed Commercial Treaty.

5312

No. 306.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 50.) } Dominions No. 60.)

[MY LORD,] [SIR,] Downing Street, 16th February, 1925.

WITH reference to my predecessor's despatch [Dominions No. 467] [No. 408] of the 22nd September, 1924,† I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copies of notes exchanged between His Majesty's Government and the Greek Legation with regard to the continuance in force until the 1st March, 1925, of the Commercial Agreements with Greece, which were to have ceased to operate on the 10th December, 1924.

I have, &c.,
L. S. AMERY.

Enclosure 1 in No. 306.

Légation de Grece, 51, Upper Brook Street,
London, W.1, 9th December, 1924.

SIR,

WITH reference to my Notes No. 2516 and 2617 of the 10th September last. I have the honour to bring to your knowledge, by order of my Government, that according to a Bill passed yesterday by the Greek National Assembly the application of the new Greek Custom Tariff, mentioned in my Note No. 2617, which was to have come into force on the 10th December, 1924, was postponed until the 1st March, 1925.

---

* No. 299. † No. 231 in Dominions No. 93.

Following this, the Greek Government is prepared to continue the application of the Commercial Agreements in existence between Great Britain and Greece until the above-mentioned date, with the power to apply the new custom tariff, if in the meantime a new provisional agreement valid for six months to be tacitly renewed upon its expiration for an equal limit of time, could be concluded on this basis. It is understood that the extension of the existing agreements should be based on reciprocity.

I would be very grateful if you could inform me, at your early convenience, of the consent of His Britannic Majesty's Government to the above notification, and in this case to be good enough to bring the aforesaid to the knowledge of the Governments of such Dominions, Colonies, Protectorates, and Dependencies as have adhered to the Commercial Agreements between Great Britain and Greece, mentioned in my Note No. 599 of 3rd March, 1919, and in your reply thereto by Note of the 11th June, 1919.

I have, &c.,
D. CACLAMANOS.

The Right Honourable
Austen Chamberlain, M.P.,
His Majesty's Principal Secretary of State for Foreign Affairs,
&c., &c., &c.

Enclosure 2 in No. 306.

Foreign Office, S.W.1, 19th December, 1924.

SIR,

WITH reference to your Note of the 9th instant, relative to the application of the new Greek Customs Tariff, I have the honour to state that His Majesty's Government agree that the Commercial Agreements between the two countries which were to have ceased to operate on the 10th instant shall continue in force until 1st March next, and that, accordingly, currants of Greek origin shall not be subject to duty at a rate higher than two shillings per hundredweight on importation into this country, and goods of British origin shall enjoy on importation into Greece the benefit of the special rates of duty incorporated in the Commercial Agreements in question.

I have, &c.,
(For the Secretary of State),
MILES W. LAMPSON.

Monsieur D. Caclamanos,
&c., &c., &c.

Enclosure 3 in No. 306.

Légation de Grece, 51, Upper Brook Street, W.1,
23rd December, 1924.

SIR,

I HAVE the honour to acknowledge the receipt of your letter by which you were kind enough to inform me that His Britannic Majesty's Government agree that the Commercial Agreements between Great Britain and Greece which were to have ceased to operate on the 10th instant shall continue in force until 1st March, 1925.

It is understood that the validity of the existing agreements will be prolonged until the above-mentioned date, for British goods imported into Greece and Greek goods imported into Great Britain and such Dominions, Colonies, Protectorates, Dependencies as have adhered to these Commercial Agreements without any modification by either party.

I have, &c.,
D. CACLAMANOS.

The Right Honourable
Austen Chamberlain, M.P.,
His Majesty's Principal Secretary of State for Foreign Affairs,
&c., &c., &c.

448

9502

No. 307.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 5.10 p.m., 4th March, 1925.)

TELEGRAM.

[*Answered by Nos.* 312 *and* 313.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

4TH MARCH. Confidential. My despatch 22nd September, Dominions 467.* Greek Government have since arranged for prolongation of validity of commercial agreements referred to until 1st June, 1925. In view of Greek Ministers' statement in note of 10th September† as to readiness of Greek Government to negotiate new Commercial Treaty, His Majesty's Government have prepared and are submitting to Greek Government draft of General Commercial Treaty based on model draft with usual provision for accession of Dominions. In addition, it appeared to His Majesty's Government that it would be essential in the interest of the trade of the United Kingdom with Greece to negotiate special commercial arrangement (to be embodied either in Treaty itself or in separate instrument) on lines similar to those of Agreement of 28th March, 1890, and Declarations of 1904-1905, under which duties on certain scheduled articles produced or manufactured in United Kingdom on importation into Greece would be limited to specified figures. Question then arose what concession would be necessary by way of return, and as only concession of any value to Greece would be undertaking in respect of currants His Majesty's Government on careful consideration have come to conclusion that they would be justified, if satisfactory rates on articles of importance to United Kingdom could be obtained, in agreeing that during currency of arrangement currants produced in Greece should not on importation into United Kingdom be subjected to higher duty than that already existing, viz., 2s. per cwt. They propose that duration of above Treaty arrangements should be limited to five years with provision for subsequent termination by one year's notice. Copies of draft which is being presented to Greek Government being sent by mail.—AMERY.

9502

No. 308.

NEWFOUNDLAND.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 5.10 p.m., 4th March, 1925.)

TELEGRAM.

[*Answered by Nos.* 309 *and* 313.]

4TH MARCH. Confidential. My telegram of to-day.‡ Proposed new Commercial Treaty with Greece. In view of provisions of paragraph three Declaration of 1904-1905, do your Ministers desire that attempt should be made to secure continuance of special arrangement as to tariff matters as between Newfoundland and Greece? If so, best course would appear to be to negotiate separate agreement applying as between Newfoundland and Greece on similar lines to those of special arrangement as between United Kingdom and Greece referred to in my telegram. Draft Schedule relating to United Kingdom goods includes cod and stockfish, rate of duty proposed being 4 drachmas per 100 kilos. As, however, previous agreements provide for free admission of Greek currants and sultanas into Newfoundland in return for special rate of duty on Newfoundland codfish imported into Greece,

* No. 231 in Dominions No. 93. † Enclosure 1 in No. 231 in Dominions No. 93. ‡ No. 307.

doubtful whether Greek Government would agree to limitation of duty on Newfoundland codfish to figure proposed in case of United Kingdom unless assured of continuance of existing arrangements as regards importation of currants and sultanas into Newfoundland.

Please telegraph your Ministers' views.—AMERY.

11484

No. 309.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 5.34 p.m., 11th March, 1925.)

TELEGRAM.

11TH MARCH. Confidential. Your telegram of 4th March.* Proposed new Commercial Treaty with Greece. My Ministers' desire that separate treaty be negotiated applying as between Newfoundland and Greece on similar lines to those of special arrangement under the Declaration of 1904-1905. Newfoundland would give free admission to Greek currants and sultanas into Newfoundland in return for special rate of duty on Newfoundland codfish imported into Greece at minimum rate, namely, two shillings per cwt. This agreement to be for five years from the date of agreement.—ALLARDYCE.

9502

No. 310.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. Confidential.)

Dominions No. 108. Confidential.)

[MY LORD,] [SIR,] Downing Street, 12th March, 1925.

WITH reference to my despatch [*Not to Irish Free State and Southern Rhodesia:* Dominions No. 60 of the 16th February,† and to my telegram of the 4th March,‡] [Dominions No. 60 of the 16th February,†] [No. 50 of the 16th February.†] I have the honour to transmit to [Your Excellency.] [you,] to be laid before your Ministers, copies of a draft Commercial Treaty§ which is being presented to the Greek Government.

2. It will be observed that, while the Treaty refers generally to "the territories of" the Contracting Parties, Article 7 refers specifically to "the United Kingdom." It is intended that the provisions of this Article should be regarded as applying to this country only, and not to any Dominion or Colony which may accede to the Treaty under Article 28, and it may be found desirable to embody these provisions in a separate instrument and not in the Treaty itself. If the provisions in question are eventually embodied in the Treaty itself, steps will be taken to make the limitation of their scope clear.

3. I also enclose a copy of a note‖ from the Greek Chargé d'Affaires regarding the prolongation of the validity of the existing Commercial Agreements with Greece.

I have, &c.,
L. S. AMERY.

---

* No. 308. † No. 306. ‡ No. 307. § Not printed; it was in the usual form. ‖ Not printed.

449

9502

No. 311.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Confidential.)

SIR, Downing Street, 12th March, 1925.

WITH reference to my despatch Dominions No. 108 of even date,* I have the honour to transmit to Your Excellency, to be laid before your Ministers, a copy of a telegram† to the other self-governing Dominions on the subject of the proposed new Commercial Treaty with Greece.

I have, &c.,
L. S. AMERY.

12984

No. 312.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.10 a.m., 20th March, 1925.)

TELEGRAM.

[*Answered by No.* 315.]

20TH MARCH. Your telegram 4th March, Confidential.† Commercial Treaty with Greece. Prime Minister advises that intimation of proposal to continue admission of currants at 2s. per cwt. viewed with regret by the Commonwealth Government. At the Economic Conference the Minister representing His Majesty's Government, after reference to Treaty with Greece, affirmed that, subject to production being on adequate scale, Government was ready to consider larger duty necessary to give more effective preference. New Treaty proposed with Greece defers possibility of any larger preference at least six years. In the meantime, Australian production of currants rapidly increasing owing to development of new areas by Murray River Scheme. Ministers trust that means may be found to avoid disappointment of expectation founded on His Majesty's Government's undertaking at the Economic Conference.—FORSTER.

13644

No. 313.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 24th March, 1925.)

[*Answered by No.* 314.]

(Confidential.)

SIR, Government House, St. John's, 11th March, 1925.

I HAVE the honour to acknowledge the receipt of your telegrams of the 4th instant,‡ on the subject of a proposed new Commercial Treaty with Greece, and to confirm my telegram of even date§ to the effect that my Ministers desire that a separate treaty be negotiated applying as between this Colony and Greece on similar lines to those of the special arrangement under the Declaration of 1904-05. Newfoundland would give free admission of Greek currants and sultanas into this Colony in return for special rate of duty on Newfoundland codfish imported into Greece at minimum rate, viz., 2s. per cwt. The Agreement to be for five years from date of same.

I have, &c.,
W. L. ALLARDYCE.

---

* No. 310. † No. 307. ‡ Nos. 307 and 308. § No. 309.

13644

No. 314.

NEWFOUNDLAND.

THE SECRETARY OF STATE to THE GOVERNOR.

(Confidential.)

SIR, Downing Street, 31st March, 1925.

I HAVE the honour to acknowledge the receipt of your Confidential despatch of the 11th of March,* and to request you to inform your Ministers that His Majesty's Government will be glad to afford their assistance in the negotiation of a Treaty with Greece on the lines mentioned, but that they suggest that it would be best to defer action until the negotiations for the proposed Anglo-Greek Treaty are completed.

I have, &c.,
(for the Secretary of State),
W. ORMSBY-GORE.

19651

No. 315.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 2.35 p.m., 8th May, 1925.)

TELEGRAM.

YOUR telegram 20th March.† Your Ministers will recollect that as explained by Prime Minister in speech reported in enclosure to my despatch of 23rd December, No. 589,‡ His Majesty's Government are pledged to refrain from further taxation of imported foodstuffs, but that to fulfil undertakings given at Economic Conference they propose to devote full monetary equivalent of the advantages of new duties proposed at Conference to development of Empire trade. As your Ministers are aware the Imperial Economic Committee has already commenced its deliberations, as a result of which it is hoped that scheme will be evolved for granting such assistance to Empire trade as would adequately compensate for any disappointment felt at inability of His Majesty's Government to give full effect to proposals put forward at Conference in 1923. Special case of currants will no doubt be considered by Committee.

— I regret that my telegram of 4th March§ did not make it quite clear that draft treaty provides for possibility of termination five years after treaty comes into force and not after six years as stated in your telegram.—AMERY.

GREENLAND.

Treatment of British Subjects, Companies and Vessels.

(*Treaty Series* 1925, *No.* 35.)

33869

No. 316.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada,
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 295.) — Dominions No. 332.)

[MY LORD,] [SIR,] Downing Street, 5th August, 1925.

I HAVE the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copies of correspondence with the Danish Minister for Foreign Affairs regarding the treatment of British subjects, companies and vessels in Eastern Greenland.

I have, &c.,
L. S. AMERY.

---

* No. 313. † No. 312. ‡ No. 313 in Dominions No. 91. § No. 307.

450

Enclosure 1 in No. 316.

COPY OF A COMMUNICATION FROM LORD GRANVILLE ADDRESSED TO THE DANISH MINISTER FOR FOREIGN AFFAIRS, DATED 23RD APRIL, 1925.

MONSIEUR LE MINISTRE,

WITH reference to our previous conversations regarding the future treatment of British subjects, companies and vessels in Eastern Greenland, I have the honour to inquire whether the Royal Danish Government are now in a position to assure His Britannic Majesty's Government that British subjects, companies and vessels in Eastern Greenland shall enjoy a treatment in no way less favourable than the treatment which is or may be accorded to subjects, companies and vessels of any third State.

I avail, &c.,
GRANVILLE.

Son Excellence
Count C. Moltke,
Minister for Foreign Affairs,
Copenhagen.

[28630]

Enclosure 2 in No. 316.

COPY OF A COMMUNICATION FROM THE DANISH MINISTER FOR FOREIGN AFFAIRS ADDRESSED TO HIS MAJESTY'S MINISTER, DATED 4TH JUNE, 1925.

MY LORD,

EN réponse à la note que vous avez bien voulu m'adresser le 23 avril dernier, j'ai l'honneur de vous informer que le Gouvernement Royal accordera aux sujets, sociétés et navires britanniques au Greenland oriental le traitement de la nation la plus favorisée sous tous les rapports et particulièrement, en ce qui concerne l'accès à la côte et à la mer territoriale y appartenante, l'exercice de la chasse et de la pêche, le droit d'occuper des terrains à titre d'usage, d'établir des stations météorologiques, télégraphiques ou téléphoniques et d'y faire des installations dans ces buts scientifiques et humanitaires.

Considérant les relations union-elles existant entre le Danemark et l'Islande il est cependant entendu que ce traitement ne comprendra pas les avantages spécieux que le Danemark a accordés ou pourrait à l'avenir accorder à l'Islande.

Le présent arrangement entrera en vigueur immédiatement et ne pourra être dénoncé qu'après un avis préalable de douze mois.

Veuillez agréer, etc.,
C. MOLTKE.

Note:—These notes were published in Treaty Series 1925, No. 35, (Cmd. 2503), copies of which were sent to the Dominions and Southern Rhodesia in despatches of the 15th September, 1925.

HAGUE CONVENTION VI OF 1907.

Denunciation of

3846

No. 317.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

[*Answered by Nos.* 318, 319, 320, 321, 322 *and* 323.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. — Dominions No. 53. Secret.)

[MY LORD,] [SIR,] Downing Street, 11th February, 1925.

WITH reference to my predecessor's Secret despatch Dominions No. 45 of the 4th February, 1924,* I have the honour to transmit to [Your Excellency,] [you,]

* 3024/24: not printed.

to be laid before your Ministers, the accompanying copy of a memorandum prepared by the Legal Adviser to the Foreign Office regarding the treatment of enemy merchant vessels on the outbreak of hostilities and the question of the denunciation of Hague Convention VI of 1907 (Treaty Series No. 10 of 1910, Cd. 5031).

2. After Sir C. Hurst's Memorandum had been examined by the Committee of Imperial Defence in December last it was agreed that a draft denunciation of Hague Convention VI of 1907 should be prepared and communicated to the Dominion Governments for their consideration; it was considered, however, that the draft should contain no reference to an international conference (as suggested at the end of the Memorandum). A copy of the draft denunciation which has now been drawn up is enclosed.

3. In view of the issues of policy involved, His Majesty's Government would be glad to learn whether your Ministers have any observations to offer on the proposal to denounce the Convention, or on the wording of the draft denunciation.

I have, &c.,
L. S. AMERY.

Enclosure 1 in No. 31.

NOTE BY SIR C. HURST ON THE DENUNCIATION OF HAGUE CONVENTION VI OF 1907 (DAYS OF GRACE).

THE work of the sub-committee of the Imperial Defence Committee over which Mr. Wellesley presides has reached a stage when various draft documents have to be prepared embodying the policy which would be followed by His Majesty's Government in the event of war in the matter of granting "days of grace" to enemy merchant ships at the outbreak of hostilities.

The grant of such "days of grace" is regulated by one of the Conventions concluded at the Second Peace Conference at The Hague in 1907. This particular Convention, No. VI, is so unsatisfactory in its terms and has been applied so differently by the Powers in the late War that the question ought to be considered whether the Convention should not be denounced.

Up till 1907 merchant vessels in the ports of the opponent or caught by him at sea at the outbreak of war were liable to capture, though sometimes they were treated with leniency (as at the outbreak of the Crimean War) and allowed to depart. The shipowners in this country for many years before the War fostered the idea that the British mercantile marine was so large and at any given moment so scattered over the face of the globe that the British Empire stood to gain by the adoption of an international convention giving "days of grace" to enemy merchant ships at the outbreak of war. The Admiralty were doubtful in 1907, and other nations half-hearted or antagonistic, and the result was a compromise convention which, as regarded enemy merchant ships in port at the outbreak of war, said it was desirable that days of grace should be given, and, as regards such vessels found at sea unaware of the outbreak of war, subjected them on capture to detention only and not to condemnation.

It was commonly supposed that where "days of grace" were not granted, the convention left the old right of capture untouched. The Privy Council have now held (The Blonde, 1922) that this interpretation is not correct and that vessels are only subject to detention and not to condemnation if not allowed to depart under "days of grace."

It may be well to explain that in 1914 Great Britain gave effect to the recommendation in favour of the grant of "days of grace" by issuing an Order in Council giving such days of grace to German ships in British ports if Germany did the same to British ships in her ports, but owing to difficulties of communication, etc., no sufficient information was forthcoming within the time specified as to Germany's treatment of British ships, and the offer, therefore, lapsed.

The interpretation now placed upon the Convention by the Privy Council is only binding upon His Majesty's Government, but it is binding on them and, therefore, restricts British liberty of action.

The whole purpose of regulating a matter by international agreement is to secure uniformity of action, but Convention VI has wholly failed to achieve this result.

451

In 1907 the United States of America refused to sign the Convention because their Prize Courts had laid down the rule that days of grace were obligatory under international law, and they were not, therefore, content with a convention which only rendered the grant of days of grace "desirable." In 1917 when the United States of America came into the War, there being at the moment many valuable German liners lying in their ports, they avoided the inconvenience of the American Prize Court decisions by confiscating all the German vessels *en bloc* by administrative order without subjecting them to Prize Court proceedings at all.

I annex a most useful memorandum* by Mr. Ritchie showing the course of action adopted by each Power as regards the treatment of enemy vessels in port at the outbreak of war. The remarkable fact is that in general foreign powers never even brought seizures of such vessels before their prize courts.

The net result is that every Power except Great Britain has found means of condemning such enemy vessels, whereas His Majesty's Government are now in virtue of the Privy Council decision quoted above bound to abstain from condemnation, even if days of grace are not conferred.

If Convention VI is regarded by itself alone, the case for denunciation seems so strong that I submit it should at least be considered by the Committee of Imperial Defence.

Denunciation of one of the Conventions signed at The Hague may be thought undesirable as a matter of policy, but denunciation of Convention VI might well be coupled with an intimation that His Majesty's Government would welcome international re-examination of the subject matter of this Convention with a view to arriving at some satisfactory instrument to replace it.

C. J. B. HURST.

Foreign Office,
19th August, 1924.

Enclosure 2 in No. 317.

DRAFT.

HIS MAJESTY'S MINISTER AT THE HAGUE TO THE NETHERLANDS MINISTER FOR FOREIGN AFFAIRS.

YOUR EXCELLENCY, January, 1925.

I HAVE the honour by the present note to give notice of the denunciation of Hague Convention VI of 18th October, 1907, relative to the status of enemy merchant ships at the outbreak of hostilities, to take effect on the expiry of one year from the present date, as provided for in Article 10 of the Convention.

2. I request Your Excellency to be good enough to communicate a duly certified copy of this notification to all the other powers signatory to the Convention.

13646

No. 318.

NEWFOUNDLAND.

THE GOVERNOR to the SECRETARY OF STATE.

(Received 24th March, 1925.)

(Secret.)

SIR, Government House, St. John's, 10th March, 1925.

I HAVE the honour to acknowledge the receipt of your despatch Dominions No. 53, Secret, of the 11th ultimo† on the subject of the treatment of enemy merchant vessels on the outbreak of hostilities and the question of the denunciation of Hague Convention VI of 1907.

2. My Ministers concur in the proposal to denounce the Convention but have no observations to offer in relation thereto, or on the wording of the draft denunciation.

I have, &c.,
W. L. ALLARDYCE.

---

* Not printed. † No. 317.

14399

No. 319.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 30th March, 1925.)

(Secret.)

SIR, Government House, Ottawa, 17th March, 1925.

WITH reference to your Secret despatch Dominions No. 53 of the 11th ultimo,* enclosing for consideration a draft denunciation of the Hague Convention VI of 1907 regarding the treatment of enemy merchant vessels on the outbreak of hostilities, I have the honour to inform you that, as there is no accord amongst the various Powers as to the application of the terms of this Convention, my advisers concur in the proposal to denounce this Convention.

I have, &c.,
BYNG OF VIMY.

23031

No. 320.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 20th May, 1925.)

(Secret.)

SIR, Governor-General's Office, Cape Town, 29th April, 1925.

I HAVE the honour to transmit to you, herewith, with reference to your despatch Dominions No. 53, Secret, of 11th February, 1925,* copy of Minute (Secret) from Ministers, regarding the treatment of enemy merchant vessels on the outbreak of hostilities and the question of the denunciation of the Hague Convention VI of 1907.

I have, &c.,
ATHLONE,
Governor-General.

Enclosure in No. 320.

(Secret.)

MINUTE No. 370.

Prime Minister's Office, 25th April, 1925.

MINISTERS have the honour to acknowledge the receipt of His Excellency the Governor-General's Secret Minute No. 24/165 of 4th March, 1925, regarding the treatment of enemy merchant vessels on the outbreak of hostilities and the question of the denunciation of the Hague Convention VI of 18th October, 1907, and to inform His Excellency that the Union Government concurs in the proposal of His Majesty's Government to denounce the Convention, and has no observations to offer on the wording of the draft denunciation.

J. B. M. HERTZOG.

27511

No. 321.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 17th June, 1925.)

(Secret.)

SIR, Government House, Wellington, 1st May, 1925.

I HAVE the honour to acknowledge the receipt of your Secret despatch Dominions No. 53 of the 11th February* on the subject of the treatment of enemy merchant vessels on the outbreak of war and the question of the denunciation of the Hague Convention No. VI of 1907.

* No. 317.

452

2. Ministers advise me that they have no observations to offer on the proposal to denounce the Convention, and that they concur in the draft denunciation.

I have, &c.,
CHARLES FERGUSSON,
Governor-General.

38424

No. 322.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 22nd August, 1925.)

(Secret.)

SIR, Vice Regal Lodge, Dublin, 14th August, 1925.

I HAVE the honour to refer to your Secret despatch Dominions No. 53 of the 11th February, 1925,* on the subject of the proposed denunciation of the Hague Convention VI of 1907.

2. My Ministers desire me to inform you that they have no observations to offer on the proposal to denounce the above Convention, or on the wording of the draft denunciation.

I have, &c.,
T. M. HEALY.

38733

No. 323.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 24th August, 1925.)

(Secret.)

SIR, Governor-General's Office, Melbourne, 10th July, 1925.

WITH reference to your despatch dated 11th February, 1925, Dominions No. 53, Secret,* relative to the proposal of His Majesty's Government to denounce Hague Convention VI of 1907, I have the honour to inform you that I am advised by my Prime Minister that the Commonwealth Government concurs in the denunciation of the Convention in question, and has no observations to offer on the wording of the draft denunciation, a copy of which was enclosed with your despatch.

I have, &c.,
FORSTER,
Governor-General.

53403

No. 324.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
Dominions No. 534. Secret.)

[MY LORD,] [SIR,] Downing Street, 18th December, 1925.

WITH reference to my Secret despatch Dominions No. 53 of the 11th of February,* and connected correspondence, I have the honour to request [Your Excellency] [you] to inform your Ministers that on the 14th of November His Majesty's Minister at The Hague gave notice of denunciation, on behalf of His Majesty's Government, of the Hague Convention VI of 1907, the denunciation to take effect on the expiration of a year from that date.

I have, &c.,
L. S. AMERY.

---

* No. 317.

INDUSTRIAL PROPERTY CONVENTION.

(1) Industrial Property Conventions, 1883 and 1911. Position of Dominions as Separate Contracting Countries. Representation of Dominions at Industrial Property Conference at The Hague, 1925.

59311

No. 325.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

[*Answered by Nos.* 326, 327, 330, 332, 333, 335 *and* 336.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. — Dominions No. 14.)

[My Lord,] [Sir,] Downing Street, 10th January, 1925.

With reference to my predecessor's despatch, Dominions No. 524 of the 6th November,* and connected correspondence regarding the Industrial Property Convention, I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, a copy of a printed document† which has been received from the International Bureau of the Industrial Property Union at Berne, containing, *inter alia*, proposals for the amendment of the Industrial Property Convention of 1911, drawn up by the Netherlands Government, and by the International Bureau, for consideration at the forthcoming conference for the revision of the Convention to be held at The Hague in October next.

2. It will be observed that reference is made in the document to various proposals put forward by the Economic Committee of the League of Nations. These proposals, which are contained in League of Nations' paper [*Not to Newfoundland:* C. 453 dated the 5th September, 1924,] [*To Newfoundland only:* A. 52 dated the 5th September, 1924, a copy of which was enclosed in my Predecessor's despatch No. 168 of the 5th November,‡] are concurred in by His Majesty's Government, who hope that they will meet with general approval.

3. His Majesty's Government would be glad to learn whether your Government desire to offer any observations on the proposals set out in the enclosed document. It may be added that the time fixed for sending in any observations, proposals or counter-proposals for submission to the Conference is six months before the date of the Conference, that is to say, before the 8th of April next.

[*To Canada, Australia and New Zealand:* 4. A separate communication will be sent to your Government regarding the point dealt with on page 6 of the printed document enclosed as to the position of the self-governing Dominions in relation to the Convention.]

[*To Irish Free State:* 4. An invitation has been received from the Netherlands Government for the Irish Free State to be represented at the Conference, and I should be glad to learn what reply your Ministers would wish to be returned to this invitation. If it is decided to accept the invitation, the Netherlands Government would wish to be informed as soon as convenient of the names of the representatives who will be present at the Conference.]

I have, &c.,
L. S. AMERY.

---

* 50871/24: not printed; it dealt with the position of Roumania. † Not reprinted here.
‡ 49832/24: not printed; it enclosed a copy of the paper referred to.

453

5580

No. 326.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5th February, 1925.)

[*Answered by No.* 331.]

(No. 47.)

Sir, Vice Regal Lodge, Dublin, 4th February, 1925.

I have the honour to refer to your despatch Dominions No. 14 of the 10th January,* regarding the Industrial Property Convention, and to say that the proposals contained in the copy of the printed document enclosed with your despatch are being considered.

2. My Ministers note that certain proposals which were put forward by the Economic Committee of the League of Nations are concurred in by the British Government.

3. My Ministers have in preparation a Bill for the Protection of Industrial Property, which they contemplate introducing into the legislature at an early date. Until the matter has reached a more advanced stage they doubt whether they could usefully offer any observations on the proposals of the Economic Committee of the League of Nations, except that those proposals would appear to be such as my Ministers will be able to approve.

4. With regard to paragraph 4 of your despatch stating that an invitation has been received from the Netherlands Government for the Irish Free State to be represented at the Conference, my Ministers will be pleased to accept the invitation. The names of the representatives who will be present at the Conference on behalf of Saorstat Eireann will be forwarded as soon as possible.

I have, &c.,
T. M. HEALY.

8409

No. 327.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 21st February, 1925.)

(No. 18.)

Sir, Government House, St. John's, 3rd February, 1925.

I have the honour to acknowledge the receipt of your despatch Dominions No. 14 of the 10th ultimo,* on the subject of the Industrial Property Convention, and to inform you that my Ministers have no observations to offer with respect to the proposals for the amendment of the said Convention.

I have, &c.,
W. L. ALLARDYCE.

7023

No. 328.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent [*Canada*, 4.10 p.m.] [*Australia*, 1.50 p.m.] [*New Zealand*, 4.45 p.m.] 5th March, 1925.)

TELEGRAM.

[*Answered by Nos.* 329, 330, 334 *and* 340.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)

5th March. My despatch 10th January, Dominions 14,* Industrial Property Convention. Invitation to Conference for revision of Convention, to

---

* No. 325.

commence at The Hague 8th October next, has been received from Netherlands Government addressed to His Majesty's Government and Government of Irish Free State.

It will be seen from Mr. Harcourt's despatch, 15th February, 1912,* that statement was made at last Conference, held in Washington, 1911, that His Majesty's Government considered that self-governing Dominions parties to Convention should have right to be represented, and to vote at future Conferences on understanding that they should contribute separately to expenses of International Bureau (*see* page 123 of Cd. 5842). His Majesty's Government would accordingly be glad to learn [*To Canada and New Zealand only:* (*a*)] [*To all:* whether your Government desire that it should be suggested to Netherlands Government that separate invitation should be sent to them to be represented at forthcoming Conference.] [*To Canada and New Zealand only:* and (*b*) whether your Government desire that in advance of the forthcoming Conference a notification should be made to the Swiss Government] [*To Canada only:* (who have assumed, see note enclosed in my despatch 24th September, 1923, 467,† that the accession of Canada was effected under Article XVI *bis* of the 1911 Convention) that Canada should henceforward be regarded as a contracting country under Article XVI, and should be placed for purposes of contribution to expenses under Article XIII in the second class (see your despatch 13th July, 1923, 368‡] [*To New Zealand only:* that New Zealand should henceforward be regarded as a separate contracting country under Article XVI of the 1911 Convention. This would involve, in addition to the right of New Zealand to be separately represented and to vote at periodical Conferences, an obligation to contribute towards expenses of International Bureau under Article XIII. If your Government desire that such notification should be made it would be necessary also to state in which of the six classes referred to in Article XIII New Zealand should be placed. Unit for subscriptions in 1923 was 199 Swiss francs.]—AMERY.

12949

No. 329.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.34 p.m., 19th March, 1925.)

TELEGRAM.

[*Answered by No.* 338.]

19TH MARCH. Your telegram 5th March,§ Protection of Industrial Property Convention. It is desire of my Ministers that suggestion as intimated in your telegram should be made to Netherlands Government and also that notification should be made to Swiss Government in sense indicated.—BYNG.

12983

No. 330.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6.50 a.m., 20th March, 1925.)

TELEGRAM.

[*Answered by No.* 341.]

20TH MARCH. Your telegram of 5th March, your despatch of 10th January, Dominions 14,‖ Industrial Property Convention. Separate representation of New Zealand not at present desired. Will advise you later if, on matter being further considered, this country wishes any change in status.—FERGUSSON.

---

* No. 331 in Dominions No. 39. † No. 163 in Dominions No. 88. ‡ No. 160 in Dominions No. 88.
§ No. 328. ‖ Nos. 328 and 325.

454

12750

No. 331.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 109.)

SIR, Downing Street, 24th March, 1925.

WITH reference to Your Excellency's despatch No. 47 of the 4th February,* I have the honour to transmit to you, to be laid before your Ministers, a copy of a Note to the Netherlands Minister regarding the representation of the Irish Free State at the forthcoming Conference of the International Union for the Protection of Industrial Property.

I have, &c.,
(for the Secretary of State),
W. G. ORMSBY-GORE.

Enclosure in No. 331.

SIR, Foreign Office, S.W.1, 17th March, 1925.

WITH reference to my Note of 19th January last I have the honour to inform you that the Government of the Irish Free State gladly accept the invitation of the Netherlands Government to be represented at the forthcoming Conference of the International Union for the Protection of Industrial Property.

2. The names of their delegates will be communicated to you as soon as possible.

I have, &c.,
(For the Secretary of State),
G. H. VILLIERS.

Jonkheer R. de Marees Van Swinderen,
&c., &c., &c.

13964

No. 332.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4.16 p.m., 25th March, 1925.)

TELEGRAM.

25TH MARCH. Your despatch of 10th January, Dominions 14.† Proposal for amendment of Industrial Property Convention, 1911. Ministers have no observations to offer.—ATHLONE.

15656

No. 333.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6th April, 1925.)

(No. 115.)

SIR, Government House, Ottawa, 24th March, 1925.

WITH reference to your despatch Dominions No. 14 of the 10th January,† regarding the Industrial Property Convention, I have the honour to state that a copy of the printed document enclosed in your despatch, and several others, in connexion with the proposed Conference, had already been received in the Patents Office with a covering letter in which it was stated that an invitation would be sent to the Canadian Government by the Government of the Netherlands.

---

* No. 326. † No. 325.

It has been noted that the proposals put forward by the League of Nations and referred to in that document are concurred in by His Majesty's Government, and it is more than likely that they will meet with the approval of the Canadian Government as, in so far as they have been able to consider the same, they do not appear to be at variance in any material respect with the views of Canada on the subjects to which they relate, as communicated to the League.

All the proposals set out in the transmitted document are being considered, but it is not thought expedient to offer any observations on the same at the present time. It might be added that the time fixed for sending observations, proposals or counter-proposals for submission to the Conference has been noted.

I have, &c.,
BYNG OF VIMY.

16122

No. 334.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.50 a.m., 7th April, 1925.)

TELEGRAM.

[*Answered by No.* 337.]

7TH APRIL. Your telegram of 5th March.* Industrial Property Convention. Commonwealth Government would be glad if His Majesty's Government would endeavour to secure extension for two months of the time for lodging observations, etc., upon the proposals. Reply regarding separate invitation to Commonwealth will be sent in the course of a few days.—FORSTER.

16912

No. 335.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 14th April, 1925.)

(No. 110.)

SIR, Governor-General's Office, Cape Town, 26th March, 1925.

I HAVE the honour to transmit to you herewith, with reference to your despatch Dominions No. 14 of the 10th January, 1925,† and in confirmation of my telegram of the 25th March, 1925,‡ copy of Minute from Ministers regarding proposals for the amendment of the Industrial Property Convention of 1911.

The Minute of the 4th March referred to was a formal reminder sent from my Office.

I have, &c.,
ATHLONE,
Governor-General.

Enclosure in No. 335.

Prime Minister's Office, 21st March, 1925.

MINUTE No. 252.

MINISTERS have the honour to acknowledge His Excellency's Minutes No. 75/151 of the 4th February, 1925, and 4th March, 1925. With the earlier minute were transmitted a despatch (No. 14 Dominions of 10th January, 1925) from the Secretary of State and a printed document received by His Majesty's Government from the International Bureau of the Industrial Property Union at Berne and containing proposals for the amendment of the Industrial Property Convention of 1911.

* No. 328. † No. 325. ‡ No. 332.

2. Notwithstanding that reference is made in that document to various proposals put forward by the Economic Committee of the League of Nations and contained in League of Nations paper of 5th September, 1924 (which has been before Ministers owing to the fact that the Union of South Africa is a member of the League), Ministers do not feel that they are in a position to offer any observations on the proposals for amendment of the Convention of 1911, inasmuch as the Union of South Africa is not a party to the Convention.

3. Ministers desire, however, to express their appreciation of His Majesty's Government's invitation to them to offer observations on those proposals.

J. B. M. HERTZOG.

17729

No. 336.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 20th April, 1925.)

(No. 49.)

SIR, Government House, Wellington, 13th March, 1925.

WITH reference to your despatch Dominions No. 14 of the 10th January,* regarding the Industrial Property Convention, I have the honour to inform you that my Ministers advise me that time does not permit of the matter being fully gone into and of a reply being sent by the date fixed for receiving observations.

2. So far, however, as they have been able to consider the matter, my Ministers are at one with His Majesty's Government in concurring in the various proposals, and if on more mature consideration they desire to submit any suggestions, I will advise you at the earliest possible date.

I have, &c.,
CHARLES FERGUSSON,
Governor-General.

16122

No. 337.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 5.0 p.m., 20th April, 1925.)

TELEGRAM.

YOUR telegram 7th April,† Industrial Property Conference. Doubtful whether formal action necessary to secure extension of time for submitting observations. His Majesty's Government are, however, communicating with International Bureau of Industrial Property Union with a view to securing that any proposals Commonwealth Government may wish to put forward within extended period referred to in your telegram may be communicated to other Governments concerned in advance of Conference.—SECRETARY OF STATE FOR THE COLONIES.

17981

No. 338.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 202.)

MY LORD, Downing Street, 25th April, 1925.

I HAVE the honour to acknowledge the receipt of Your Excellency's telegram of the 19th of March,‡ and to request you to inform your Ministers that

* No. 325. † No. 334. ‡ No. 329.

His Majesty's Minister at Berne has been instructed to inform the Swiss Government that Canada should be regarded as a contracting party under Article XVI of the International Convention for the Protection of Industrial Property, and should be placed for purposes of contribution to expenses under Article XIII in the second class.

2. I enclose a copy of a note to the Netherlands Minister regarding the representation of Canada at the forthcoming conference of the International Union.

I have, &c.,
(for the Secretary of State),
W. ORMSBY-GORE.

Enclosure in No. 338.

SIR, Foreign Office, S.W.1, 18th April, 1925.

WITH reference to my Note of 19th January last, I have the honour to state that the Government of the Dominion of Canada are desirous of receiving an invitation to be represented at the forthcoming conference of the International Union for the Protection of Industrial Property.

2. I shall be grateful if you will be so good as to inform your Government accordingly.

I have, &c.,
(For the Secretary of State),
G. H. VILLIERS.

Jonkheer R. de Marees Van Swinderen,
&c., &c., &c.

24341

No. 339.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 268.)

MY LORD, Downing Street, 12th June, 1925.

WITH reference to my despatch No. 202 of the 25th of April,* I have the honour to request Your Excellency to inform your Ministers that His Majesty's Minister at Berne has reported to the effect that the notification referred to therein, relating to the position of Canada with regard to the International Convention for the Protection of Industrial Property, has been communicated by the Swiss Federal Council to other States who are parties to the Convention, and that the Canadian Government will doubtless now put themselves into touch with the International Bureau to fix the question of the sum payable by them, calculated as from the 1st of September, 1923, the date of their accession.

2. I take this opportunity to enclose a copy of the reply from the Netherlands Minister to the note of the 18th of April, of which a copy was enclosed in my despatch under reference, concerning the representation of Canada at the forthcoming conference of the International Union.

I have, &c.,
L. S. AMERY.

[23502]

Enclosure in No. 339.

(No. 699.)

SIR, London, 19th May, 1925.

WITH reference to your note No. W 2996/302/43 of 18th April last, in which you were good enough to let me know that the Government of the Dominion of Canada are desirous of receiving an invitation to be represented at the forthcoming conference of the International Union for the Protection of Industrial Property, I have the honour to inform you that the Netherlands Consul-General at Montreal received instructions in December of last year to invite the Canadian Government to the above-mentioned conference.

* No. 338.

In reply to the Consul-General's letter the Canadian Government wrote that Mr. Frederic H. Palmer, Canadian Government Trade Commissioner at Rotterdam, will represent them at the conference.

I have, &c.,
R. DE MAREES VAN SWINDEREN.

The Right Honourable Austen Chamberlain, M.P.,
&c., &c., &c.

31332

No. 340.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 12 noon, 9th July, 1925.)

TELEGRAM.

[*Answered by No.* 347.]

9TH JULY. Your telegram of 5th March.* Industrial Property Convention. Commonwealth Government would be glad if arrangements could be made for it to contribute separately to the expense(s) of the International Bureau in the third class and to receive a separate invitation to The Hague Conference. My Ministers hope shortly to advise His Majesty's Government of their decision respecting accession to revision of the Convention of 1911.†—FORSTER.

31332

No. 341.

NEW ZEALAND.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 3.0 p.m., 30th July, 1925.)

TELEGRAM.

[*Answered by No.* 344.]

YOUR telegram 20th March.‡ Industrial Property Conference. It may be of interest to your Ministers to know that Governments of Canada and Commonwealth of Australia, to which telegrams were sent in terms generally similar to my telegram of 5th March*, have expressed wish to be separately represented at forthcoming Conference at The Hague and have decided to make separate contributions to expenses of International Bureau.—AMERY.

40773

No. 342.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.30 a.m., 7th September, 1925.)

TELEGRAM.

7TH SEPTEMBER. Your telegram of 5th March.* My telegram of 9th July.§ Industrial Property Convention. Lieutenant-Colonel C. V. Watson has been appointed to represent the Commonwealth of Australia at The Hague Conference.—FORSTER.

---

* No. 328. † See No. 346. ‡ No. 330. § No. 340.

41160

No. 343.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9th September, 1925.)

(No. 262.)

Vice Regal Lodge, Dublin, 8th September, 1925.

SIR,

I HAVE the honour to refer to my despatch No. 47 of 4th February,* regarding the forthcoming Conference of the International Union for the Protection of Industrial Property, and to inform you that my Ministers have appointed Mr. E. J. Riordan, Director, Commerce and Technical Branch, Department of Industry and Commerce, and Mr. H. Whitton, Legal Adviser to the Department of Industry and Commerce, as delegates of the Irish Free State to the above Conference.

I have, &c.,

T. M. HEALY.

42180

No. 344.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.50 a.m., 16th September, 1925.)

TELEGRAM.

16TH SEPTEMBER. Your telegram 30th July.† Industrial Property Convention. My Ministers are obliged for the information furnished but state that New Zealand does not desire separate representation and will accept any action or decision of delegate(s) of His Majesty's Government.—FERGUSSON.

39712

No. 345.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.

Dominions No. 423.)

[MY LORD,] [SIR,]

Downing Street, 18th September, 1925.

WITH reference to [*To Canada:* my despatch No. 268 of the 12th of June,‡] [*To Australia, New Zealand, Union of South Africa, Irish Free State and Newfoundland:* my predecessor's despatch No. [84] [43] [52] [112] [33] of the 20th of February, 1924,§] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a circular issued by the Swiss Government on the 12th of May, relative to the position of Canada with regard to the International Convention for the Protection of Industrial Property.

[*To Canada:* 2. I take this opportunity to enclose a copy of a note from the Swiss Federal Political Department regarding the matter.]

I have, &c.,

L. S. AMERY.

---

* No. 326. † No. 341. ‡ No. 339. § No. 233 in Dominions No. 93.

457

Enclosure 1 in No. 345.

CIRCULAIRE DU CONSEIL FÉDÉRAL SUISSE AUX ETATS DE L'UNION PRÉCISANT LA SITUATION DU CANADA À L'ÉGARD DE L'UNION INTERNATIONAL POUR LA PROTECTION DE LA PROPRIÉTÉ INDUSTRIELLE.

(Du 12 mai, 1925.)

PAR note du 21 août, 1923, la Légation de Sa Majesté britannique a notifié au Conseil fédéral suisse l'adhésion, à partir du 1er septembre, 1923, du Gouvernement du Dominion du Canada à la Convention de Paris du 20 mars, 1883, revisée à Bruxelles le 14 décembre, 1900, et à Washington le 2 juin, 1911, pour la protection de la propriété industrielle. Cette adhésion a été portée à la connaissance des gouvernements des pays de l'Union par note-circulaire du 1er septembre, 1923.*

En complément de cette notification, la Légation de Sa Majesté britannique a fait savoir au Conseil fédéral suisse, par note du 22 avril dernier, que le Canada doit être considéré, au point de vue de son adhésion, comme Partie contractante, en vertu de l'article 16 de la Convention de Paris, et que, conformément à l'article 13 de celle-ci, il doit être rangé en seconde classe pour la contribution aux frais du Bureau international.

Nous avons l'honneur de prier Votre Excellence de vouloir bien prendre note de l'information qui précède, et nous saisissons cette occasion. . . .

Enclosure 2 in No. 345.

[*To Canada only.*]

(Departement Politique Federal.)
(Division des Affaires étrangères.)

EN se référant à sa note du 15 mai dernier, concernant l'adhésion du Canada, comme Etat indépendant, à la Convention d'Union internationale pour la Protection de la Propriété industrielle, le Département Politique Fédéral a l'honneur de faire connaître à la Légation de Sa Majesté Britannique que le Gouvernement Autrichien en accusant réception à la Légation de Suisse à Vienne de la circulaire du Conseil Fédéral, du 12 mai, 1925, a ajouté la phrase suivante:—

"Tout en accusant réception de cette communication, je me permets de porter à la connaissance de Votre Excellence qu'à l'avis du Gouvernement Fédéral cette communication ne saurait influencer l'effet juridique de l'adhésion notifiée par la Légation Britannique par sa note du 21 août, 1923."

Comme, en présence du texte très clair de la circulaire précitée, la portée véritable de cette phrase échappe au Département, il croit devoir la signaler à la Légation, à toutes fins utiles.

Il saisit, etc.

Berne, le 7 août, 1925.

---

(2) Industrial Property Convention, 1911.
Accession of Australia and Irish Free State.

33751

No. 346.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9.30 a.m., 24th July, 1925.)

TELEGRAM.

[*Answered by No.* 347.]

24TH JULY. My telegram of 9th July.† Industrial Property Convention. My Ministers would be glad if accession could be effected on behalf of the Commonwealth to the Convention as revised at Washington on 2nd June, 1911, the accession to be deemed to apply to the territory of Papua and mandated territory of New Guinea.—FORSTER.

---

* Voir Prop. ind., 1923, p. 125. † No. 340.

33751

No. 347.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 1.10 p.m., 18th August, 1925.)

TELEGRAM.

[*Answered by No.* 353.]

YOUR telegram 9th July,* your telegram 24th July.† Industrial Property Convention. Steps are being taken to declare on behalf of Commonwealth Government accession of Commonwealth to Convention as revised at Washington in 1911 under Article XVI, and to arrange for Commonwealth to be placed in third class for contribution to expenses of International Bureau under Article XIII of Convention. His Majesty's Government think, however, that it would be preferable that separate declaration of accession should be made on behalf of Commonwealth Government in respect of Papua and New Guinea under Article XVI *bis* of Convention. If your Ministers concur in this view, necessary action will be taken accordingly.—AMERY.

37379

No. 348.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 229.)

MY LORD, Downing Street, 19th August, 1925.

WITH reference to my telegram of the 18th August,‡ I have the honour to transmit to Your Excellency, to be laid before your Ministers, copies of despatches addressed to His Majesty's Minister at Berne on the subject of the position of the Commonwealth of Australia in relation to the International Convention for the Protection of Industrial Property, together with a copy of correspondence with the Netherlands Minister in London regarding the representation of the Commonwealth at the forthcoming Industrial Property Conference at The Hague.

I have, &c.,
L. S. AMERY.

[34531]

Enclosure 1 in No. 348.

(No. 216.)

SIR, Foreign Office, S.W.1, 27th July, 1925.

WITH reference to Mr. Sperling's despatch No. 98 of 20th May last, the Government of the Commonwealth of Australia have signified their desire to be regarded as a separate party to the International Convention for the Protection of Industrial Property, signed at Paris on 20th March, 1883, as modified by the Protocol signed at Brussels on 14th December, 1900.

2. I shall be glad if you will inform the Swiss Government of the desire of the Commonwealth Government, intimating that the latter should be placed in the third class for purposes of contribution to expenses under Article 13.

I am, &c.,
(For the Secretary of State),
R. H. CAMPBELL.

G. Fullerton-Carnegie, Esq., M.C.,
&c., &c., &c.

---

* No. 340. † No. 346. ‡ No. 347.

458

Enclosure 2 in No. 348.

(No. 237.)

SIR, Foreign Office, S.W.1, 14th August, 1925.

WITH reference to my despatch No. 216 of the 27th ultimo, I have to inform you that the Government of the Commonwealth of Australia have now signified their desire to accede to the International Convention for the Protection of Industrial Property, as revised at Washington on 2nd June, 1911, as a contracting country under Article 16.

2. I shall be glad if you will notify the Swiss Government accordingly.

I am, &c.,
(For the Secretary of State),
C. W. ORDE.

G. Fullerton-Carnegie, Esq., M.C.,
&c., &c., &c.

[34531]

Enclosure 3 in No. 348.

SIR, Foreign Office, S.W.1, 27th July, 1925.

WITH reference to my note of 29th May last, I have the honour to state that the Government of the Commonwealth of Australia are desirous of receiving a separate invitation to be represented at the forthcoming conference of the International Union for the Protection of Industrial Property.

2. In communicating the foregoing to your Government, I shall be grateful if you will inform them that steps are being taken to notify the Swiss Government of the desire of the Government of Australia to be placed for purposes of separate contribution to expenses in the third class, under Article 13 of the Convention of 1883 as modified by the Protocol signed at Brussels on 14th December, 1900.

I have, &c.,
(For the Secretary of State),
R. H. CAMPBELL.

Jonkheer R. de Marees Van Swinderen,
&c., &c., &c.

[34993]

Enclosure 4 in No. 348.

(No. 1019.)

SIR, London, 28th July, 1925.

IN reply to the first paragraph of the note you were good enough to address to me on the 27th instant, I have the honour to inform you that the Netherlands Consul-General at Sydney received instructions in December of last year to invite the Australian Government to be represented at the forthcoming conference of the International Union for the Protection of Industrial Property.

A reply to this invitation was sent to the above-mentioned Consul-General on 28th January last.

I did not fail to communicate the contents of the second paragraph of the above quoted note to my Government, and have the honour to remain,

With the highest, &c.,
R. DE MAREES VAN SWINDEREN.

The Right Honourable Austen Chamberlain, M.P.,
&c., &c., &c.

39388

No. 349.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 248.)

MY LORD, Downing Street, 7th September, 1925.

WITH reference to my despatch No. 229 of the 19th of August,* I have the honour to transmit to Your Excellency, for the information of your Ministers, the accompanying copy of a note from His Majesty's Legation at Berne to the Swiss Federal Political Department notifying the desire of the Commonwealth Government

---

* No. 348.

to accede to the International Convention for the Protection of Industrial Property as revised at Washington on the 2nd of June, 1911.

I have, &c.,
L. S. AMERY.

Enclosure in No. 349.

(No. 62.)

His Britannic Majesty's Legation present their compliments to the Federal Political Department, and have the honour to inform the Department, in accordance with instructions received from His Majesty's Secretary of State for Foreign Affairs, that the Government of the Commonwealth of Australia have signified their desire to accede to the International Convention for the Protection of Industrial Property as revised at Washington on 2nd June, 1911, as a contracting country under Article 16.

His Majesty's Legation avail themselves of this opportunity to renew to the Department the assurance of their high consideration.

British Legation, Berne,
20th August, 1925.

46212

No. 350.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 13th October, 1925.)

(No. 292.)

SIR, Vice Regal Lodge, Dublin, 12th October, 1925.

I HAVE the honour to refer to my despatch No. 47 of the 4th February* regarding the Industrial Property Convention, and to request you to be good enough to notify the Swiss Government of the adhesion of the Irish Free State to the International Convention of 1883 for the Protection of Industrial Property as revised in 1900 and 1911.

2. As regards the contribution to the expenses of the International Office of Industrial Property at Berne, my Ministers desire that the Irish Free State be placed in the third class.

I have, &c.,
T. M. HEALY.

44316

No. 351.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 288.)

MY LORD, Downing Street, 14th October, 1925.

WITH reference to my despatch No. 248 of the 7th September,† regarding the accession of the Commonwealth of Australia to the International Convention for the Protection of Industrial Property as revised at Washington on the 2nd June, 1911, I have the honour to transmit to Your Excellency, to be laid before your Ministers, the accompanying copy of a despatch from His Majesty's Minister at Berne on the subject.

I have, &c.,
L. S. AMERY.

Enclosure in No. 351.

(No. 212.)

SIR, Berne, 22nd September, 1925.

WITH reference to your despatch No. 237 of the 4th instant, I have received from the Federal Government copy of the circular note addressed to His Majesty's and other Governments on the 10th instant respecting the accession of the Commonwealth of Australia to the Industrial Property Convention.

---

* No. 326. † No. 349.

459

2. In forwarding this note the Federal Political Department express their readiness to agree that the Commonwealth should date its contribution from the date of Mr. Carnegie's note of 30th July last (carrying out the instructions contained in your despatch No. 216) unless it should prefer to pay for the whole of the year 1925. The Department would, however, be obliged if the Commonwealth would settle this point with the International Bureau. The Department would also be glad to learn the exact title and address of the Australian Authority with which the Bureau should correspond direct in accordance with Article 12 of the Convention.

I have, &c.,
R. SPERLING.

The Right Honourable
Austen Chamberlain, M.P.,
&c., &c., &c.

48595

No. 352.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 416.)

SIR, Downing Street, 3rd November, 1925.

WITH reference to my despatch No. 411 of the 28th of October,* I have the honour to transmit to Your Excellency, for the information of your Ministers, the accompanying copy of a Note addressed to the Swiss Government by His Majesty's Legation at Berne regarding the desire of the Government of the Irish Free State to accede to the International Convention of 1883 for the Protection of Industrial Property, as revised in 1900 and 1911.

I have, &c.,
L. S. AMERY.

Enclosure in No. 352.

(No. 86.)

His Britannic Majesty's Legation present their compliments to the Federal Political Department, and have the honour to state that the Government of the Irish Free State desire to accede to the International Convention of 1883 for the Protection of Industrial Property as revised in 1900 and 1911. His Majesty's Government state that the Irish Free State should be regarded as a separate contracting country under Article 16 of the Convention of 1911, and should be placed for purposes of contribution to expenses under Article 13 in the third class.

His Majesty's Legation avail themselves of this opportunity to renew to the Department the assurance of their high consideration.

British Legation,
Berne,
22nd October, 1925.

54478

No. 353.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 12.30 p.m., 4th December, 1925.)

TELEGRAM.

[*Answered by No.* 354.]

4TH DECEMBER. Your telegram of 18th August,† with reference to separate declaration of accession to Industrial Property Convention in respect of New Guinea and Papua. Commonwealth Government would be glad to learn the reason why this course preferable to single accession for Commonwealth and these Territories.—STONEHAVEN.

---

* No. 360. † No. 347.

54478

No. 354.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 4.50 p.m., 18th December, 1925.)

TELEGRAM.

YOUR telegram 4th December.* Industrial Property Convention. Article 16 *bis* makes special provision for accession by contracting countries on behalf of their Colonies, Possessions, etc., and has in past been considered as providing also for case of mandated territories. Moreover, corresponding Article in Convention as recently revised at Hague provides specifically for accession in respect of such territories. As Commonwealth acceded to Convention as Contracting Country under Article 16, separate declaration under Article 16 *bis* on behalf of Papua and New Guinea would appear to be most suitable course and would, moreover, permit of separate denunciation in respect of these territories under last paragraph of Article should occasion arise. Should be glad to learn whether in the circumstances your Ministers would wish action to be taken as suggested in my telegram 18th August.†

Revised Convention drawn up at The Hague was signed for Commonwealth of Australia by Colonel Watson, but it will not come into force until 1st June, 1928, or one month after notification by Swiss Government of deposit of six ratifications whichever date may be earlier.—AMERY.

---

(3) Industrial Property Convention, 1925.
Procedure for Signature.

43274

No. 355.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 8.0 p.m., 1st October, 1925.)

TELEGRAM.

[*Answered by Nos.* 357 *and* 358.]

(Canada.)
(Commonwealth of Australia.)

1ST OCTOBER. [*To Canada:* My despatch 18th September, 396,‡] [*To Australia:* Your telegram 7th September,§] Industrial Property Conference. Full Powers are being issued to representatives of His Majesty's Government enabling them to sign any revised Convention resulting from Conference.

If, as contemplated by Part I (2) (*c*) Resolution of Imperial Conference, 1923, on Negotiation, etc., of Treaties, Convention is to be signed on behalf of all Governments of Empire represented at Conference, issue of similar Full Powers to Dominion representatives would appear necessary. Should be glad to be informed at your Minister's early convenience of their wishes as regards issue of Full Power to their representative as some time necessarily involved in preparation of document. —AMERY.

---

* No. 353. † No. 347. ‡ 41057/25: not printed; it dealt with the arrangements for the Conference. § No. 342.

43274

460

No. 356.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 359.]

(No. 382.)

SIR, Downing Street, 2nd October, 1925.

WITH reference to my despatch No. 365 of the 18th September,* regarding the forthcoming Conference of the International Union for the Protection of Industrial Property, I have the honour to request Your Excellency to inform your Ministers that Full Powers are being issued to the representatives of His Majesty's Government enabling them to sign any revised Convention resulting from the Conference.

2. It will be recollected that at the Imperial Conference of 1923 it was agreed that in the case of treaties negotiated at International Conferences the practice of signature by plenipotentiaries on behalf of all the Governments of the Empire represented at the Conference should be continued and that the Full Powers issued in such cases should be in the form adopted at the Paris Peace Conference and the Washington Disarmament Conference: (See Part I (2) (*c*) of the Resolution relating to the Negotiation, Signature and Ratification of Treaties which formed the subject of the Duke of Devonshire's despatch Dominions No. 11 of the 10th January, 1924† and your despatch No. 31 of the 22nd January, 1925.‡) A copy of the form of Full Power issued to the Canadian Plenipotentiaries at the Paris Peace Conference is enclosed.

3. I should be glad to be informed at your Ministers' early convenience of their wishes as regards the issue of Full Powers to their representatives at the forthcoming Conference as some time is necessarily involved in the preparation of the documents.

4. A similar inquiry has been addressed by telegraph to the other Dominions which are to be represented at the Conference.

I have, &c.,
L. S. AMERY.

Enclosure in No. 356.

FULL POWERS ISSUED TO CANADIAN PLENIPOTENTIARY.

(Sgd.) George R.I.

GEORGE, by the Grace of God, of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, King, Defender of the Faith, Emperor of India, etc., etc., etc. To all and singular to whom these Presents shall come, Greeting!

Whereas for the better treating of and arranging certain matters which are now in discussion, or which may come into discussion between Us and the Powers and States in connexion with the forthcoming Peace Congress,

We have judged it expedient to invest fit person with full Power, to conduct the said discussion on Our Part in respect of Our Dominion of Canada; Know ye, therefore, that We, reposing especial Trust and Confidence in the Wisdom, Loyalty, Diligence, and Circumspection, of our Right Trusty and Well-beloved Councillor Sir Robert Laird Borden, Knight Grand Cross of our Most Distinguished Order of St. Michael and St. George, one of our Counsel learned in the law, etc., etc., Member of the Parliament of Canada, Prime Minister of the Dominion of Canada, have named, made, constituted and appointed, as We do by these Presents name, make, constitute and appoint him, Our undoubted Commissioner, Procurator, and Plenipotentiary, in respect of Our Dominion of Canada; Giving to him all manner of Power and Authority to treat, adjust and conclude with such Ministers, Commissioners, or Plenipotentiaries, as may be vested with similar Power and Authority on the part of any Powers or States as aforesaid, any Treaties, Conventions, or Agreements that may tend to the attainment of the above-mentioned end, and to sign for Us and in Our Name in respect of Our Dominion of Canada everything so agreed upon and concluded, and to do and transact all such other matters as may appertain thereto, in as ample manner and form, and with equal force and efficacy as We Ourselves could do, if personally present.

---

* 41057/25: not printed; it dealt with the arrangements for the Conference. † No. 430 in Dominions No. 93. ‡ No. 628 (in Part II).

Engaging and Promising, upon Our Royal Word, that whatever things shall be so transacted and concluded by Our said Commissioner, Procurator and Plenipotentiary in respect of our Dominion of Canada, shall, subject if necessary to Our Approval and Ratification, be agreed to, acknowledged and accepted by Us in the fullest manner, and that We will never suffer either in the whole or in part any person whatsoever to infringe the same, or act contrary thereto, as far as it lies in Our Power.

In witness whereof We have caused the Great Seal of Our United Kingdom of Great Britain and Ireland to be affixed to these Presents, which We have signed with Our Royal Hand.

Given at Our Court of St. James, the first day of January, in the Year of Our Lord One Thousand Nine Hundred and Nineteen and in the Ninth Year of Our Reign.

45459

No. 357.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 11.10 p.m., 7th October, 1925.)

TELEGRAM.

7TH OCTOBER. Your telegram of 1st October.* Canadian Government request that Full Powers should be issued to their representative to the Industrial Conference, Frederick H. Palmer, Canadian Trade Commissioner, Rotterdam.—BYNG.

45797

No. 358.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.50 a.m., 10th October, 1925.)

TELEGRAM.

[*Answered by No.* 359A.]

10TH OCTOBER. Your telegram of 1st October.* Industrial Property Conference, Order in Council passed and Commissions issued to Colonel Watson before his departure appointing him to represent and act on behalf of the Commonwealth at the Conference.

Should be glad to know if these credentials are considered sufficient. If they are not, Commonwealth Government asks that you will be so good as to arrange for the issue of Full Powers.—STONEHAVEN.

46937

No. 359.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 19th October, 1925.)

[*Answered by No.* 360.]

(No. 298.)

SIR, Vice Regal Lodge, Dublin, 17th October, 1925.

I HAVE the honour to refer to your despatch No. 382 of the 2nd October,† regarding the issue of Full Powers to the Delegates of the Irish Free State to the Conference of the International Union for the Protection of Industrial Property.

2. In view of the fact that the Irish Free State is not yet a member of the International Union for the Protection of Industrial Property, my Ministers do not consider it necessary to have Full Powers issued at the moment. It is presumed that any revision of the International Convention will be embodied in a Protocol which will be open for signature until a fixed date.

---

* No. 355. † No. 356.

3. My Ministers may after consideration of the revised Convention nominate someone to sign the Protocol on behalf of the Irish Free State, in which case Full Powers will be requested for whoever is nominated to sign. 461

I have, &c.,
T. M. HEALY.

47561

No. 359A.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 12.25 p.m., 27th October, 1925.)

TELEGRAM.

YOUR telegram 10th October.* Industrial Property Conference. As any new convention agreed upon at Conference will presumably be, as is existing Convention, in the name of His Britannic Majesty as one of the High Contracting Parties, it is thought that, in order to sign such convention on behalf of Commonwealth, representative of Commonwealth should hold Full Powers from His Majesty in the form employed at Paris and Washington (see Part I (2) (*c*) of Resolution of Imperial Conference 1923 on Negotiation, etc., of Treaties). Steps are accordingly being taken for issue of Full Powers to Colonel Watson.—AMERY.

46937

No. 360.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 411.)

SIR, Downing Street, 28th October, 1925.

I HAVE the honour to acknowledge the receipt of Your Excellency's despatch No. 298 of the 17th of October,† relative to the Conference of the International Union for the Protection of Industrial Property, and to transmit to you, to be laid before your Ministers, the accompanying copy of a despatch to His Majesty's representative at Berne requesting him to notify the Swiss Government of the desire of the Free State Government to accede to the International Convention of 1883 for the Protection of Industrial Property, as revised in 1900 and 1911.

2. It will be observed that in accordance with the provisions of Article 16 of the Convention of 1911, the accession of the Irish Free State as a separate member of the Union will take effect one month after the despatch of the notification by the Swiss Government to the other countries of the Union.

3. It is noted that Ministers do not at present wish Full Powers to be prepared for the representative of the Irish Free State at The Hague Conference. In view of the procedure at the Conference at Washington in 1911, it is doubtful whether it may be assumed that a protocol of signature in respect of any Convention which may be settled at the present Conference at The Hague will be left open for subsequent signature; but, in any case, no difficulty should arise since presumably any such Convention would contain a clause corresponding to Article 16 of the Convention of 1911 under which it would be possible for the Irish Free State to accede.

I have, &c.,
L. S. AMERY.

[46901]

Enclosure in No. 360.

(No. 307.)

SIR, Foreign Office, S.W.1, 17th October, 1925.

THE Government of the Irish Free State are desirous of acceding to the International Convention of 1883 for the Protection of Industrial Property, as revised in 1900 and 1911.

---

* No. 358. † No. 359.

2. I shall be glad if you will inform the Swiss Government that the Irish Free State should be regarded as a separate contracting country under Article 16 of the Convention of 1911 and should be placed, for purposes of contribution to expenses under Article 13, in the third class.

I am, &c.,
(For the Secretary of State).
R. H. CAMPBELL.

Rowland Sperling, Esq., C.B., C.M.G.,
&c., &c., &c.

D.318/26

No. 361.

INDUSTRIAL PROPERTY CONVENTION, 1925.

Supplementary Report of Official Delegates.

WITH reference to the General Report of the British Delegation at the recent Conference of the Industrial Property Union at The Hague, the two official Delegates think it desirable to make a supplementary report on certain points specially affecting inter-Imperial relations and the position of self-governing Dominions and Mandated Territories in relation to the revised Industrial Property Convention.

These matters are dealt with in the supplementary instructions dated 12th October which were furnished to us during the course of the proceedings at The Hague (see Annex A). As will be seen, these supplementary instructions deal with three points:—

(1) The right of the self-governing Dominions to separate representation and vote;

(2) the position of Mandated Territories;

(3) the relation of the Convention to the regulation of the relations *inter se* of different parts of the Empire.

(1) No opposition was offered by any Delegation to the separate representation of self-governing Dominions as contracting countries, and it was therefore unnecessary for us to raise this question. Canada and Australia were so represented at The Hague Conference, and before its close the accession of the Irish Free State (which was represented by two observers) was notified and accepted, though as this accession could not take actual effect until after the close of the Conference the representatives of the Irish Free State took no active part in the proceedings and neither voted nor signed the Convention. The High Commissioner for South Africa (which is not a party to the Convention) attended the opening meetings of the Conference as an observer.

(2) As regards Mandated Territories we proposed and carried without opposition an amendment to Article 16 *bis* in the terms set out in our supplementary instructions. The effect is to bring British Mandated Territories (other than 'Iraq) within the scope of that Article. As instructed we raised no opposition to the French claim for the separate representation of Syria, nor was any difficulty raised by any other delegation.

(3) As regards the regulation of inter-Imperial relations, we followed the line indicated in the memorandum of the Dominions Office,* viz., to make no proposal for the insertion of any provision in the Convention as to its non-applicability as between different parts of the Empire, but to rely, if the subject should be raised by any other delegation, on the Statement in the General Report of the Arms Traffic Convention, copy of which is set out in the Dominions Office Memorandum. In point of fact, no Delegation alluded to the subject.

We may add that as the British proposal for the reference of disputes to the Permanent Court of International Justice was not adopted, and as in all other matters the basis of the Convention is "national" rather than "most-favoured-nation" treatment, the practical importance of the question of reserving inter-Imperial relations is, apart from the question of principle, so slight as to be negligible.

The only points so far as we could judge on which the special position of the Dominions could conceivably arise were: (1) the use of the term "sujets ou citoyens" as defining the persons entitled to the benefit of the Convention;

* Attached to Annexure A to No. 361.

462

(2) the use in Article 6 of the word "nationalité."

As regards (1) we obtained without difficulty the substitution of the word "ressortissants" throughout the Convention, as being at once somewhat more comprehensive and as not raising in quite so direct a way the question of nationality.

As regards (2) we satisfied ourselves that the context is such that no practical difficulty is to be anticipated from the retention of the word "nationalité." We therefore refrained from calling attention to the point, especially as it would have been very difficult to suggest an appropriate alternative.

When the proceedings of the Conference were drawing towards a close a representative of the Netherlands Government inquired if we had any views as to the order in which the British contracting countries should appear, (*a*) in the Preamble, (*b*) in the list of signatures. The point is not one that was dealt with in our instructions, but after looking through some of the most recent international Conventions we replied that the usual practice seemed to be that the names of the British contracting countries should be placed together in the following order: (1) Great Britain and Northern Ireland, (2) Canada, (3) Australia, both in the preamble and in the list of signatures. We added that we had no authority to express the views of the Dominion Delegates whom it would be well to consult.

The Canadian and Australian delegates on being consulted agreed that the three British countries ought to appear together in the above order in the preamble, but they claimed that in the list of signatures each country should appear in its proper alphabetical order. It did not appear to us that we had any authority to overrule this claim.

Subsequently we received on 3rd November the letter (marked B) from Mr. Villiers conveying (*inter alia*) the view of the Foreign Office and Dominions Office that the signatures of the British contracting countries should appear together and in the same order as in the preamble and not separately in alphabetical order. We thought it necessary, in view of Mr. Villiers' letter, to re-open the question, and we therefore conferred with the Canadian and Australian delegates, basing our arguments on the prevailing procedure in recent League of Nations Conventions. We found it, however, impossible to move the Canadian and Australian delegates from their position. They took the view that the Industrial Property Convention stands on a different footing from League of Nations Conventions in which the "British Empire" figures as a unit, that a nearer analogy to a purely trade arrangement of the present kind was the Stockholm Postal Convention where signatures were in alphabetical order, and that in any case their instructions required them to sign in the same way as other contracting countries. We therefore sent the attached reply to Mr. Villiers' letter (marked C). We take this opportunity of calling attention to the facts set out in that reply as to the cordial and intimate relations which prevailed throughout the Conference among the British Empire delegates.

The signing of the Convention was fixed for 3.15 p.m. on Friday, 6th November. On the morning of that day we received an intimation from the British Legation that a cipher telegram from the Foreign Office had been received, and at 12.15 we received a copy of the decoded telegram (see D). In the very short interval before the hour for signature we were fortunate enough to be able to arrange an interview with the Canadian and Australian delegates, when we put before them the new point raised for the first time in the telegram, viz., that the order of signature might conceivably be held to have a bearing on the position of inter-Imperial relations. We regret to say, however, that this argument made little impression on them. Rightly or wrongly they believed that provided the names of the British countries appeared together in the preamble the mere order of the signatures could have no appreciable effect of the kind suggested. Unfortunately, in combatting this contention we derived no assistance from the Dominions Office Memorandum on the bearing of the Convention on inter-Imperial relations, as that Memorandum was silent on the point. But what apparently weighed more with the Dominion delegates than any purely constitutional considerations was the practical objection that if by varying the order of signature they gave any colour to the idea that their position was different from that of other contracting countries the latter would be less likely to deal with them direct on technical questions affecting their interests arising out of the Convention. The Australian delegate seemed to be smarting under a sense of grievance arising from some case in which he alleged that serious delay and prejudice to Australian interests had arisen from correspondence having passed through this country. Without going into the merits of that

case we merely report the fact as suggesting what was probably one of the reasons for the stiff attitude of the Australian Government. Obviously there was not time for the Dominion delegates to communicate with their Governments and receive replies, and in any case they held out no hope that the result would be a modification of their instructions.

In the circumstances there was nothing more to be done, and we therefore replied to Sir William Tyrrell's telegram in terms shown in (E). We trust that His Majesty's Government will consider that in the difficult circumstances in which we were placed we did all that was possible to give effect to their wishes.

H. LLEWELLYN-SMITH,
A. J. MARTIN.

27th November, 1925.

The Rt. Hon. President of the Board of Trade.

Annexure A.

Board of Trade, Great George Street, London, S.W.1.,
12th October, 1925.

SIR,

Industrial Property Convention, 1925.

IN continuance of the Instructions addressed to you on the 30th ultimo, I have now to give you the following supplementary directions for your guidance in dealing with any question which may arise in regard to the position of self-governing Dominions and of Mandated Territories:—

(1) The right of the self-governing Dominions to be separately represented at Conferences of the International Union for the Protection of Industrial Property and to have a separate vote in the discussions at such Conferences would appear to have been clearly established by the acceptance of Canada and the Commonwealth of Australia as separate contracting states. It would not, therefore, appear to be necessary for you to propose any amendment of the Convention in this respect.

(2) As regards any question which may arise as to whether the Convention applies between the British parties to the Convention, a memorandum prepared by the Dominions Office is attached for your use.

(3) Mandated Territories (other than 'Iraq) should, if possible be treated as coming within Article 16 *bis* of the Convention, and you should propose the addition of some such words as "Territories administered under a mandate of the League of Nations" in Article 16 *bis* to make this clear.

(4) The distinction between 'Iraq and the other Mandated Territories is that the other Mandated Territories are directly administered by the Mandatory by virtue of the respective Mandates from the League of Nations, while 'Iraq on the other hand is not so directly administered, but the relations between Great Britain and 'Iraq are governed by the Anglo-'Iraq Treaty and the instruments subsidiary thereto. The provisions of this Treaty have been approved by the League as giving effect to Article 22 of the Covenant. 'Iraq is regarded as an independent State, and should be treated as a separate contracting party.

(5) If any difficulty arises in regard to the position of 'Iraq, or of the other Mandated Territories, it would be desirable that you should refer back by telegraph for further instructions.

(6) You should not, however, raise any objection to any claim for separate representation for any Mandated Territory which pays a contribution to the expenses of the International Bureau.

I have, &c.,
P. CUNLIFFE-LISTER.

Sir H. Llewellyn Smith, G.C.B.

MEMORANDUM PREPARED BY THE DOMINIONS OFFICE.

WHEN the draft Conventions on Freedom of Transit, to be considered at the Barcelona Conference, were under discussion early in 1921, the question was raised whether, in view of the fact that the Conventions would be agreements between the members of the League of Nations, their provisions could be regarded as applying as between the various parts of the Empire *inter se*. The view was then expressed on behalf of the Colonial Office that it was vital in the interests of Imperial unity that international instruments defining the relations of the members of the League *inter se* should not be regarded as applying between the British members of the

463

League, but that the ordinary and established rule that all arrangements between one part of the Empire and another are matters of domestic interest should be maintained. The two particular dangers which it was desired to guard against were:—

(1) The possibility of a claim by a foreign state which was a party to the Conventions, that provisions in the Conventions as to equality of treatment for all parties to the Conventions should be interpreted as meaning that any preferential treatment granted by one part of the Empire to another (e.g., special railway rates) must be extended to the foreign state in question.

(2) The possibility of its being held that any disputes between two parts of the Empire on the subject matter of the Convention would have to be referred to the Permanent Court of International Justice.

In the Transit Conventions as finally signed, effect was given to the Colonial Office view referred to above in two ways:—

(1) By dividing each of the draft Conventions into two parts:—

(*a*) A covering Convention of the ordinary type between "high contracting parties," containing the usual statements as to ratification, etc., and

(*b*) A statute annexed thereto containing the whole of the operative provisions with regard to the special subject matter, expressed as an agreement between "contracting states," *i.e.*, between the various members of the League.

(2) By the insertion in the statutes of the following provision—"It is understood that this statute must not be interpreted as regulating in any way the rights and obligations *inter se* of territories forming part, or placed under the protection, of the same sovereign state whether or not these territories are individually members of the League of Nations."

The Barcelona Conference was the first occasion on which the question of inter-Imperial applicability of Conventions negotiated under the auspices of the League had arisen and, while the Conference was willing to accept the solution described above, the Chief British Delegate stated in his report to His Majesty's Government on the Conference that the difficulties rising out of the peculiar constitution of the British Empire aroused a good deal of curiosity on the part of foreign delegates. At subsequent International Conferences there has been an increasing tendency on the part of representatives of foreign countries to raise difficulties in connexion with the position of the British Empire and its component parts in relation to the Conventions negotiated at the Conference, and in cases where it is the intention not to differentiate in the application of the actual provisions of a Convention, between the various parts of the British Empire and foreign countries, it has been found desirable not to press for the insertion of any clause similar to that in the Barcelona Conventions. A recent case was that of the Dangerous Drugs Convention.

When the draft Arms Traffic Convention was under discussion here in the early part of 1925, it was at first thought unnecessary to raise the question of inter-Imperial trade except by proposing the insertion of a clause designed to exclude from the provisions of the Convention shipments for the armed forces of the High Contracting Parties wherever situate. The question of inter-Imperial trade was, however, directly raised at the Arms Traffic Conference by an amendment proposed by the Netherlands delegate to the effect that the provisions of the Convention should not apply to the despatch of arms from and to territories forming part of or placed under the protection of one and the same sovereign State. After considerable discussion at the Legal Committee of the Conference, it was decided not to incorporate this amendment in the text of the Convention, but to record in the proceedings of the Conference a definite statement that the general principle underlying it "forms the basis of all international Conventions." Various alterations were also made in the text of the Convention with a view to differentiating inter-Empire trade from trade between foreign countries, *e.g.*, the use of the expression "consignments" rather than "exports" to describe shipments from one part of the Empire to another. From this point of view the Convention marks a distinct advance and leaves the main question in a most satisfactory position. Nothing in fact could have been more welcome than to have the principle for which His Majesty's Government have contended asserted in this fashion in the proceedings of an International Conference. The principle is now laid down in terms which should supply a decisive answer to all doubts that may be raised in the future; including the argument that the insertion of the "Barcelona" clause in certain

League Conventions was evidence that, in its absence, international Conventions would apply between the various British Members of the League *inter se*.

As indicated above, the general principle that International Conventions do not apply as between the different parts of the Empire does not, of course, preclude His Majesty's Government from putting into force, as a matter of practice, the regime of any particular Convention in the case of transactions with other parts of the Empire in the same way as in the case of foreign States. Nor is there any objection, if the question is raised, and it is the intention so to apply a Convention, to making that intention clear either by statement or, if necessary, in the Convention itself.

So far as concerned the Industrial Property Convention of 1911, it appears (i) that under Section 91 of the Patents and Designs Act of 1907, the treatment given to other parts of the Empire which are dealt with under that section is in practice similar to that given under the Convention to foreign countries; (ii) that it is probable that any modifications of the system laid down in the 1911 Convention, which might be adopted as a result of the present revision of the Convention would equally be applied in practice, on a basis of reciprocity to other parts of the Empire as well as under the Convention, to the foreign countries which are parties to it.

In the circumstances the position seems to be that, at the forthcoming Conference, no proposal should be made by the delegates of His Majesty's Government for the insertion of any provision in the Convention as to its non-applicability as between different parts of the Empire, and that no allusion to this point should be made unless it is raised by foreign delegates. If the question is raised by foreign delegates, the British delegates should refer to the Statement in the General Report of the Arms Traffic Conference, of which a copy is attached as Appendix I,* but explain that Section 91 of the Patents and Designs Act, 1907, is based on reciprocity, and that there is no difference in fact between the treatment accorded to a Dominion in respect of which an Order in Council has been issued under sub-section (5) of Section 91 of the Act, and the treatment given to a foreign State in respect of which an Order has been made under sub-sections (1) and (4) of that Section. They should further explain that there is no present intention of departing from that arrangement. Should the question be pressed, the British delegates should refer to His Majesty's Government for instructions.

If it were found necessary to define, either by a statement to the Conference or by provisions in the Convention, those stipulations of the Convention which in the view of His Majesty's Government could be applied in respect of other parts of the Empire as well as in respect of foreign countries, it would be essential to make it clear that provisions as to the reference of disputes to the Permanent Court of International Justice (if such provisions are inserted in the Convention) are not among those which are considered so applicable.

Annexure B.

Foreign Office, S.W.1, 2nd November, 1925.

DEAR SIR HUBERT LLEWELLYN SMITH,

WE have been considering the forms to be followed in the preamble, etc., of the Industrial Property Convention which you are negotiating at The Hague, with special regard to the recitation of the British Empire plenipotentiaries at the beginning and the signatures at the end.

The Netherlands Government will no doubt follow the precedent of the International Convention signed at Washington on 2nd June, 1911, the relevant portions of which are as follows:—

(1) "His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India;

Mr. Alfred Mitchell Innes, Councillor of the Embassy of His Britannic Majesty at Washington;

Sir Alfred Bateman, K.C.M.G., formerly Comptroller-General of Commerce, Labour and Statistics;

Mr. H. W. Temple Franks, Comptroller-General of Patents, Designs and Trade-marks;"

and (2) "For Great Britain:—

A. Mitchell Innes.

A. E. Bateman.

W. Temple Franks."

* *See* No. 118.

464

If the Netherlands Government consult you as to the form of the new Convention we think the following text would meet the present circumstances; and the Foreign Office, after consulting the Dominions Office and the Board of Trade, are particularly anxious that this form should be adopted:—

(1) "*His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India;*

For Great Britain and Northern Ireland:

Sir Hubert Llewellyn Smith, G.C.B., Chief Economic Adviser to His Britannic Majesty's Government;

Mr. Alfred James Martin, O.B.E., Assistant Comptroller-General of the Industrial Property Department of the Board of Trade;

Sir Arthur Balfour, K.B.E., one of His Majesty's Justices of the Peace;

For Canada:

Mr. Frederick Herbert Palmer, Trade Commissioner of the Dominion of Canada at Rotterdam.

For the Commonwealth of Australia:

Charles Vincent Watson, D.S.O., a Lieutenant-Colonel in His Majesty's Australian Military Forces, Commissioner of Patents to the Government of the Commonwealth of Australia;"

and (2)

"For Great Britain and Northern Ireland:

H. Llewellyn Smith.

A. J. Martin.

A. Balfour.

For Canada:

F. H. Palmer.

For the Commonwealth of Australia:

C. V. Watson."

If any signature takes place on behalf of the Irish Free State, the name of the plenipotentiary of the Irish Free State should be inserted in both places after that of the Australian plenipotentiary in the same form.

This procedure of course differs from that adopted in the case of the conventions negotiated at the Barcelona Conference and at other conferences held under the auspices of the League of Nations, where the practice has been to include signatures for the British Empire and separate signatures for the Dominions participating in the convention (the latter being slightly indented). The convention now under discussion will not be one between the members of the League, but a revision of the 1911 convention which, as stated above, was signed for Great Britain, and the procedure therefore adopted in the case of League conventions would not be appropriate.

Yours sincerely,

G. H. VILLIERS.

Sir Hubert Llewellyn Smith, G.C.B.

Annexure C.

British Delegation, Hotel Wittebrug, The Hague,

3rd November, 1925.

DEAR VILLIERS,

THANKS for your letter of the 2nd November. Before its arrival it had become necessary to fix provisionally the form of the preamble and signatures of the revised Industrial Property Convention, but in all respects except one this will follow the lines now suggested by your letter. The exception is the order of signatures. On this point the Australian delegate has express instructions and the Canadian delegate takes the same view, viz., that while the Dominions should be named immediately after Great Britain and Northern Ireland in the preamble, the signatures should be in alphabetical order. These are the only two Dominions entitled to sign, as the Irish Free State has not yet qualified, and the Union of South Africa is not a member of the Union. Canada and Australia point out that the situation is not the same as in a League of Nations Convention in which the unit is the British Empire, and they lay stress on the fact that this is a purely industrial convention with no political character.

I may say that the Canadian, Australian and Free State delegates have co-operated very closely and in the most friendly way with the British Delegation, and have attended its meetings. A very striking mark of the friendly spirit was shown on the first day of the Conference when the Canadian, Australian and Free State delegates insisted on sitting close to us and *not* in the alphabetical order in which they had been placed. This collaboration has been maintained throughout the Conference. When therefore they say that they must sign in alphabetical order I am quite sure that it is solely in consequence of their instructions, and I have taken the line that while we should have preferred to follow the League of Nations' practice it is a matter primarily for them to settle. I am sure that in the circumstances this is right, and I hope that you and the Dominions Office will agree.

I am, &c.,
H. LLEWELLYN SMITH.

Annexure D.

TELEGRAM FROM MR. AUSTEN CHAMBERLAIN to SIR CHARLES MARLING.

(Despatched 11.35 p.m., 5th November, 1925.)

(Received 10 a.m., 6th November, 1925.)

THE following for Sir H. Llewellyn-Smith from Sir William Tyrrell. Your letter to Mr. Villiers. Practice as regards signatures in cases where Dominions are separately represented at International conferences of this kind follows that shown in Mr. Villiers' letter of 2nd November and neither we or Dominions Office feel certain that when Australian instructions were issued possibility of political implications of change were appreciated, viz., that separate signatures may suggest that Convention governed relations between parts of Empire concerned.

It is true that in Stockholm Postal Convention alphabetical order was followed as regards Dominions and Great Britain both in preamble and list of signatories, but this was not an agreement between Heads of States. We should greatly prefer, if it were found possible, to adopt usual practice as set out in Mr. Villiers' letter, which does not affect position of three countries as contracting separately but avoids any appearance of their contracting *inter se*. Please do your utmost to obtain observance of usual practice.

Annexure E.

FOLLOWING from Llewellyn-Smith for Tyrrell:—

On receipt of your telegram I had confidential conversation with Canadian and Australian delegates, but regret I was unable to persuade them to depart from their instructions. Neither of them can see how questions of inter-Imperial obligations can really be affected by mere order of signature provided names appear together in preamble. Unfortunately no indication of view of Foreign and Dominion Offices on this point was given us in time to allow Dominions delegates to seek new instructions even if they were willing to do so.

In present circumstances only irritation and misunderstanding would result from pushing matter further.

55118

No. 362.

IRISH FREE STATE.

OFFICE OF THE HIGH COMMISSIONER to DOMINIONS OFFICE.

York House, 15, Regent Street, London, S.W.1.
8th December, 1925.

SIR,

I AM directed by the High Commissioner to refer to despatch No. 298 of 17th October, 1925,* from the Governor-General on the subject of the Industrial Property Convention, and to say that as the Irish Free State is now a member of the International Union for the Protection of Industrial Property (your despatch No. 443 of

* No. 359.

465

the 28th November, 1925*) it is the desire of the Executive Council that Full Powers should be issued to Count Gerald O'Kelly, Irish Free State Trade Representative in Belgium. I am to request you to have the Full Powers prepared and sent to Dublin for transmission thence to Count O'Kelly.

I am also to ask you to request the Netherlands Government to have the Convention held open for signature by the Irish Free State representative until such time as Count O'Kelly will be in possession of Full Powers. It will be appreciated that as the accession of the Irish Free State to the International Convention for the Protection of Industrial Property took effect from 4th December, 1925, it was not possible to arrange for the signature of the Irish Free State representative to the Convention on a date prior to the 1st December, 1925.

I am, &c.,
T. J. KIERNAN,
Secretary.

Attached 55118

No. 363.

IRISH FREE STATE.

MR. J. McNEILL (HIGH COMMISSIONER) to THE EARL OF CLARENDON.

York House, 15, Regent Street, London, S.W.1.
9th December, 1925.

DEAR LORD CLARENDON,

AN official letter was sent yesterday† to the Dominions Office, making two requests, firstly, that the Netherlands Government be asked to hold open for signature the Industrial Property Convention, and secondly, that Full Powers be prepared for transmission to Count O'Kelly.

The letter did not make it clear that the Irish Free State did not become a member of the International Union until 4th December, while the last for signature would ordinarily be 1st December.

It is considered likely that the Netherlands Government would be prepared to hold the Convention open for a few days for the signature of the representative of the Irish Free State if a request to that effect is made at once. My Government would be grateful if His Majesty's Ambassador at The Hague could be instructed by telegram to make the request.

I think you will understand that my Government has been so occupied with grave matters recently that it was unable to give the matter consideration earlier, and that communication by despatch in the usual way would have led to further delay.

If the Netherlands Government is unable to accede to the request, of course Full Powers for Count O'Kelly will not be needed.

I should be much obliged if you would have me informed as soon as possible of the result of the reference to the Government of the Netherlands.

Yours sincerely,
JAMES McNEILL.

The Right Hon.
The Earl of Clarendon.

INTERNATIONAL LABOUR CONFERENCE.

(1) Ratification of International Labour Conventions by Australia and Irish Free State.

441

No. 364.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5th January, 1925.)

[*Answered by No.* 365.]

(No. 330.)

Governor-General's Office, Melbourne, 21st November, 1924.

SIR,

I HAVE the honour, at the instance of my Prime Minister, to inform you that on 3rd September, 1924, I, with the advice of the Federal Executive Council,

* No. 51904/25: not printed; it dealt with certain points arising out of the accession of the Irish Free State to the Convention. † No. 362.

approved of a request being made to His Majesty the King for the ratification, on behalf of the Commonwealth of Australia, so far as the subject matter is within the legislative competence of the Commonwealth Parliament, of the following draft Conventions which were adopted at the Second Session of the International Labour Conference held at Genoa in June-July, 1920:—

1. Draft Convention fixing the minimum age for admission of children to employment at sea.
2. Draft Convention concerning unemployment indemnity in case of loss or foundering of the ship.
3. Draft Convention for establishing facilities for finding employment for seamen.

I should be glad if you would be so good as to cause the necessary action to be taken to effect such ratification.

My Prime Minister asks that an exception be made at the time of ratification in respect to the Territories of Papua and Norfolk Island, and the Mandated Territories of New Guinea and Nauru, as it is not deemed desirable that the Conventions should be made applicable to these Territories.

I have, &c.,
FORSTER,
Governor-General.

441

No. 365.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No. 367.*]

(No. 35.)

MY LORD, Downing Street, 3rd February, 1925.

I HAVE the honour to acknowledge the receipt of Your Excellency's despatch No. 330 of the 21st November,* regarding the ratification on behalf of the Commonwealth of Australia of certain draft Conventions adopted by the Second Session of the International Labour Conference in 1920.

2. The practice in the case of draft Labour Conventions which are accepted by His Majesty's Government is not to effect ratification by an instrument signed by His Majesty the King, but to signify confirmation and approval by the issue of an Order of the Lords of the Council, the agreements in question being regarded as analogous to those referred to in Part II of the Resolution of the Imperial Conference of 1923 on the subject of the Negotiation, Signature, and Ratification of Treaties. Copies of the Orders approving and confirming in respect of the United Kingdom certain of the draft Conventions adopted by the First and Second Sessions of the International Labour Conference were enclosed in Mr. Churchill's despatch Dominions No. 371 of the 6th September, 1921.† The procedure adopted is somewhat similar to that followed in the case of Conventions negotiated at Congresses of the Universal Postal Union.

3. In the circumstances, your Ministers may think it desirable to adopt a similar procedure and to signify their confirmation and approval of these draft Conventions on behalf of the Commonwealth in the same manner as in the case of the Postal Convention of 1920 (*vide* your despatch No. 401 of the 1st December, 1921‡).

I have, &c.,
L. S. AMERY.

30043

No. 366.

LEAGUE OF NATIONS to FOREIGN OFFICE.

(Received in Colonial Office, 2nd July, 1925.)

(C.L. 61. 1925. V.)

SIR, Geneva, 16th June, 1925.

I HAVE the honour to inform you that the Representative of the Irish Free State accredited to the League of Nations has handed to me the formal ratification

* No. 364. † 40620/21: not printed; it enclosed copies of the Orders referred to. ‡ 1381/22: not printed; it enclosed a document signed by the Governor-General confirming and approving the Postal Convention of 1920.

by his Government of the Convention concerning the age for admission of children to employment in agriculture, adopted by the International Labour Conference at Geneva (25th October—19th November, 1921).

I have the honour to inform you also that, in accordance with Article 406, Part XIII of the Treaty of Versailles, this formal ratification was registered with the Secretariat on 26th May, 1925.

The text of the ratification has been communicated to the International Labour Office for publication in its "Official Bulletin."

The present notification is made with reference to the terms of Article 5 of the above-mentioned Convention.

I have, &c.,
For the Secretary-General,
VAN HAMEL,
Director of the Legal Section.

40713

No. 367.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7th September, 1925)

(No. 195.)

SIR, Governor-General's Office, Melbourne, 5th August, 1925.

WITH reference to your despatch dated 3rd February, 1925, No. 35,* relative to the procedure connected with the ratification of draft Conventions adopted by the Second Session of the International Labour Conference in 1920, I have the honour to inform you that I am advised by my Prime Minister that the procedure suggested therein has been adopted by the Commonwealth Government, and that the Secretary-General of the League of Nations has been advised regarding ratification by the Commonwealth of the draft Convention for establishing facilities for finding employment for seamen.

I have, &c.,
FORSTER,
Governor-General.

46900

No. 368.

LEAGUE OF NATIONS to FOREIGN OFFICE.

(Received in Dominions Office, 19th October, 1925.)

(C.L. 102. 1925. V.)

SIR, Geneva, 6th October, 1925.

I HAVE the honour to inform you that the Representative of the Irish Free State accredited to the League of Nations has communicated to me the formal ratifications by his Government of the following Conventions, adopted by the International Labour Conference at Washington (29th October—29th November, 1919).

1. Convention concerning unemployment.
2. Convention concerning the employment of women during the night.
3. Convention fixing the minimum age for admission of children to industrial employment.
4. Convention concerning the night work of young persons employed in industry.

I have the honour to inform you also that, in accordance with Article 406, Part XIII of the Treaty of Versailles, these formal ratifications were registered with the Secretariat on 4th September, 1925.

The text of the ratifications has been communicated to the International Labour Office for publication in its "Official Bulletin."

The present notification is made with reference to the terms of Articles 7, 11, 10 and 11 respectively of the above-mentioned Conventions.

I have, &c.,
For the Secretary-General,
VAN HAMEL,
Director of the Legal Section.

---

* No. 365.

46900

No. 369.

LEAGUE OF NATIONS to FOREIGN OFFICE.

(Received in Dominions Office, 19th October, 1925.)

(C.L. 103. 1925. V.)

Geneva, 6th October, 1925.

SIR,

I HAVE the honour to inform you that the Representative of the Irish Free State accredited to the League of Nations has communicated to me the formal ratification by his Government of the Convention fixing the minimum age for admission of children to employment at sea, adopted by the International Labour Conference at Genoa (15th June—10th July, 1920).

I have the honour to inform you also that, in accordance with Article 406, Part XIII of the Treaty of Versailles, this formal ratification was registered by the Secretariat on 4th September, 1925.

The text of the ratification has been communicated to the International Labour Office for publication in its "Official Bulletin."

The present notification is made with reference to the terms of Article 8 of the Convention.

I have, &c.,
For the Secretary-General,
VAN HAMEL,
Director of the Legal Section.

---

(2) Amendment of Article 393, Treaty of Versailles.

(*Treaty Series* 1925, *No.* 6.)

21284

No. 370.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 11th May, 1925.)

(No. 145.)

Vice Regal Lodge, Dublin, 9th May, 1925.

SIR,

I HAVE the honour to refer to Mr. Thomas's despatch No. 342 of the 4th June last* and to previous correspondence regarding the ratification of the Protocol embodying an Amendment of Article 393 of the Treaty of Versailles and the corresponding Articles of the other Treaties of Peace.

2. My Ministers note that it is admitted that the Irish Free State cannot be bound by an agreement except with the expressed sanction of the Irish Free State Government. They regret that in the present instance the ratification was deposited without their knowledge and advice, but in the special circumstances and on the understanding that their prior sanction will be sought in all such matters henceforth, they agree to notify the League that the Irish Free State is included in the list of States Members of the International Labour Office which have accepted the Protocol. Steps are being taken to inform the Secretary-General accordingly.

3. In order to avoid any confusion in future, my Ministers consider that every instrument of ratification purporting to include more than one member of the Commonwealth should set out *nominatim* the members on whose behalf the ratification is made.

I have, &c.,
T. M. HEALY.

---

* No. 239 in Dominions No. 93.

36068

467

No. 371.

LEAGUE OF NATIONS to FOREIGN OFFICE.

(Received in Dominions Office, 6th August, 1925.)

(C.L. 82. 1925. V.)

Geneva, 21st July, 1925.

LEAGUE OF NATIONS.

Amendment to Article 393 of the Treaty of Versailles and the Corresponding Articles of the other Treaties of Peace.

Ratification by the Irish Free State.

I HAVE the honour to bring to your knowledge that the Minister for External Affairs of the Irish Free State has informed me that the Irish Free State is to be included among those Members of the League of Nations and the International Labour Organization which have ratified the amendment to Article 393 of the Treaty of Versailles, and the corresponding articles of the other Treaties of Peace which was adopted by the International Labour Conference at its Fourth Session, in accordance with Article 422 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace.

The communication from the Minister, dated 30th May, 1925, and received on 26th June, 1925, has been deposited in the archives of the Secretariat, and a copy has been sent to the Director of the International Labour Office.

I have, &c.,
For the Secretary-General:

Director of the Legal Section.

INTERNATIONAL OFFICE OF PUBLIC HEALTH.

Agreement of 1907 establishing

30846

No. 372.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7th July, 1925.)

(No. 201.)

Vice Regal Lodge, Dublin, 6th July, 1925.

SIR,

I HAVE the honour to refer to your despatch No. 714 of the 30th December, 1924,* relative to the establishment in Paris of an International Office of Public Hygiene, and to convey the thanks of my Ministers for the information contained in your despatch under reply.

2. My Ministers have given this matter careful consideration and have decided, in view of the fact that the needs of the Irish Free State from the point of view of Public Health are sufficiently served by the Health Organization of the League of Nations, not to adhere to the International Agreement signed at Rome on 9th December, 1907, for the establishment in Paris of an International Office of Public Hygiene.

I have, &c.,
T. M. HEALY.

---

* No. 256 in Dominions No. 93.

INTERNATIONAL RADIO-TELEGRAPH CONVENTION, 1912.

Proposed Conference at Washington for Revision of

39998

No. 373.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

[*Answered by Nos.* 374, 375, 376, 377 *and* 379.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 369.)
Dominions No. 419.)

[MY LORD,] [SIR,] Downing Street, 16th September, 1925.

WITH reference to previous correspondence on the subject of a proposed International Conference on Radio-telegraphy, I have the honour to transmit to [Your Excellency,] [you,] for the consideration of your Ministers, a copy of a note from the United States Ambassador in London conveying, on behalf of the Government of the United States of America, an invitation to His Majesty's Government and to the Governments of those Dominions, Colonies, Protectorates, etc., which are parties to the International Radio-telegraph Convention, 1912, to participate in an International Radio-telegraph Conference to be held at Washington in the spring of 1926.

2. A copy of a note to the United States Ambassador informing him that His Majesty's Government and the Government of India accept the invitation of the United States Government is also enclosed.

3. It will be observed that the exact date for the holding of the Conference, and a programme for the Conference amplifying the summary contained in the last paragraph of the United States Ambassador's note will be communicated later.

I have, &c.,
L. S. AMERY.

Enclosure 1 in No. 373.

(No. 217.)

Embassy of the United States of America,
SIR, London, 20th August, 1925.

THE United States Government is making arrangements to hold a Radio-telegraph Conference in Washington, in accordance with a provision made in an Act of Congress approved 4th March, 1925. I am accordingly instructed to extend to His Majesty's Government an invitation, as follows:—

Article 11 of the Convention signed at London on 5th July, 1912, provides that each Conference shall fix the time and place of the next meeting. It will be recalled that at the close of the Radio-telegraph Conference held in London in July, 1912, the delegates that represented the United States invited the Governments to hold the next Radio-telegraph Conference at Washington. The invitation of the United States was accepted, and it was agreed that the next Conference should take place at Washington in 1917. Later, proposals were made with a view to holding a joint Conference of parties to the Telegraph Convention and parties to the Radio-telegraph Convention, and a draft for a Universal Communications Union was prepared and circulated. As unanimity could not be obtained for these proposals, the French Government has proceeded with arrangements to hold the Telegraph Conference at Paris, beginning 1st September, 1925.

Accordingly, the United States Government has taken the necessary steps for holding the Radio-telegraph Conference, and I hereby, pursuant to instructions of my Government, have the honour to extend to you, as one of the parties to the Radio-telegraph Convention, a courteous invitation to participate in a Radio-telegraph Conference to be held in the spring of 1926 at Washington, the exact date for the

468

holding of the Conference to be communicated to you later. This invitation is also extended on the part of my Government to the Governments of Canada, Australia, New Zealand, The Union of South Africa, India, and the various British Colonies and Protectorates on whose behalf ratification of the International Radio-telegraph Convention was deposited on 2nd June, 1913, by His Majesty's Government; as well as to the following Dominions, Mandates, Colonies, Protectorates and Possessions, which have acceded to the Convention: Newfoundland, Papua, Norfolk Island, Zanzibar, Sarawak, Tonga, New Hebrides, Brunei, Tanganyika Territory, and the Irish Free State.

As regards the subjects to be considered at the Conference at Washington, I am instructed to refer to the fact that the provisions of the Radio-telegraph Convention signed at London deal with communication between ships and shore, and do not cover many uses of radio which have been developed since 1912. Furthermore, many of the provisions of the 1912 Convention with respect to communication between ships and between ship and shore are not in general practice followed to a considerable extent.

In the circumstances, I am instructed to state that the Government of the United States believes that at the forthcoming Conference to be held at Washington the following subjects should be taken up for consideration: (1) Revision of the Convention and regulations signed at London 5th July, 1912; (2) Preparation of new articles and modification of present articles of Convention and regulations, so that they will be applicable to and regulate (*a*) communication between [by] radio between fixed points, (*b*) radio-telegraph broadcasting including press messages, (*c*) radio-telephony including broadcasting, (*d*) allocation of frequencies to classes of service such as fixed stations, mobile stations, broadcasting stations, etc., (*e*) elimination of interference as far as practicable, (*f*) distress messages so as to take cognizance of increased uses and classes of service, (*g*) radio aids to navigation, (*h*) all other international uses of radio. A more complementary programme amplifying the statements above made will be forwarded by my Government as soon as possible for your consideration and an expression of your views.

I have, &c.,
(For the Ambassador)
F. A. STERLING,
Counsellor of Embassy.

The Right Honourable
Austen Chamberlain.
The Foreign Office.

[41461]

Enclosure 2 in No. 373.

YOUR EXCELLENCY, Foreign Office, S.W.1, 9th September, 1925.

IN your note of the 20th ultimo you were so good as to invite His Majesty's Government and Dominion and Colonial Governments, parties to the International Radio-telegraph Convention, to attend the forthcoming Radio-telegraph Conference in Washington.

2. I have the honour to inform Your Excellency that His Majesty's Government and the Government of India gladly accept the invitation of the United States Government. I shall not fail to inform you in due course of the replies of the Dominion and Colonial Governments concerned.

I have, &c.,
(For the Secretary of State),
C. W ORDE.

His Excellency
The Honourable
Alanson B. Houghton,
&c., &c., &c.

47287

No. 374.

CANADA.

THE DEPUTY GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 20th October, 1925.)

(No. 412.)

SIR, Ottawa, 9th October, 1925.

WITH reference to your despatch, Dominions No. 419 of the 16th September,* I have the honour to inform you that, on the recommendation of the Department of Marine and Fisheries, the Canadian Government accepts with pleasure the invitation of the United States Government to participate in an International Radio-telegraph Conference to be held in Washington in the spring of 1926.

The names of the Canadian delegates will be communicated to you later.

I have, &c.,
FRANK A. ANGLIN.
Deputy Governor-General.

51636

No. 375.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 17th November, 1925.)

(No. 592.)

SIR, Governor-General's Office, Pretoria, 22nd October, 1925.

I HAVE the honour to transmit to you herewith, with reference to your despatch Dominions No. 419 of the 16th September, 1925,* copy of Minute from Ministers on the subject of the acceptance by the Government of the Union of South Africa of the invitation from the United States Government to attend a Radio-telegraph Conference at Washington in the spring of 1926.

I have, &c.,
ATHLONE,
Governor-General.

Enclosure in No. 375.

Prime Minister's Office, Pretoria, 21st October, 1925.

MINUTE No. 923.

MINISTERS have the honour to acknowledge receipt of His Excellency the Governor-General's Minute No. 43/892 of the 12th October transmitting a copy of despatch Dominions No. 419 from the Secretary of State for Dominion Affairs conveying an invitation from the United States Government to the Government of the Union of South Africa to attend a Radio-telegraph Conference at Washington in the spring of 1926, and request that His Excellency may be pleased to inform His Majesty's Government they intend to accept the invitation.

J. B. M. HERTZOG.

52063

No. 376.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 19th November, 1925.)

(No. 322.)

SIR, Vice Regal Lodge, Dublin, 18th November, 1925.

I HAVE the honour to refer to your despatch, Dominions No. 419 of the 16th September,* transmitting a copy of a note from the United States Ambassador conveying an invitation to participate in an International Radio-telegraph Conference

* No. 373.

469

to be held at Washington in the spring of 1926, and to inform you that my Ministers have instructed the Minister Plenipotentiary of the Irish Free State at Washington to convey their acceptance of the invitation to the United States Government.

2. They would be glad if you would be good enough to inform the United States Ambassador accordingly.

I have, &c.,
T. M. HEALY.

53962

No. 377.

SOUTHERN RHODESIA.

THE DEPUTY GOVERNOR to THE SECRETARY OF STATE.

(Received 1st December, 1925.)

(No. 311.)

SIR, Governor's Office, Salisbury, Southern Rhodesia, 4th November, 1925.

WITH reference to your despatch No. 369 of the 16th of September* in regard to the International Radio-telegraph Conference which is to be held in Washington in the spring of 1926, I have the honour to inform you that, while appreciating the invitation of the United States Government to participate in that Conference, my Ministers consider that the interests of Southern Rhodesia will be fully protected by the delegate nominated by His Majesty's Government.

I have, &c.,
P. D. L. FYNN,
Governor's Deputy.

Attached 53946

No. 378.

UNION OF SOUTH AFRICA.

LORD ATHLONE to MR. AMERY.

(Received 1st December, 1925.)

(Extract.)

(Private and Personal.)

DEAR AMERY, Government House, Pretoria, 11th November, 1925.

I AM sending by this week's mail a despatch (No. 613 dated 9th November†) containing my Government's reply to the United States Government's invitation to the Radio-telegraphic Conference next year. You will notice that Hertzog has written directly to the American Secretary of State at Washington, a copy of his letter being sent for the information of His Majesty's Government. This action is not altogether unexpected for you are aware of the present Government's anxiety to establish their independent status in the eyes of the world and especially of the United States Government, which has shown some reluctance in the past to recognize the Dominions as separate entities. The letter had been despatched some days previously to my receiving Ministers' Minute, and I could not therefore do anything to modify their action even if such a course had been desirable. I discussed the subject with my Prime Minister and he apologised to me for the mistake which, he said, was the fault of his Secretary for having placed the letter before him for his signature. The letter was drafted by the Minister of Posts and Telegraphs (Mr. Boydell), and though he may have had the intention of depriving me of my prerogative I feel certain that Hertzog had no intention of doing so. I purposely did not refer to the medium of communication but merely treated the complaint as a personal one, namely, that as the invitation had been forwarded to me, and I had handed it on to Ministers for their reply, I naturally expected the acknowledgment to go through me.

* * * * * * *

---

* No. 373. † No. 379.

53946

No. 379.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1st December, 1925.)

(No. 613.)

SIR, Governor-General's Office, Pretoria, 9th November, 1925.

I HAVE the honour to transmit to you herewith, with reference to your despatch Dominions No. 419 of the 16th September, 1925,* copy of Minute from Ministers on the subject of an International Radio-telegraph Conference to be held at Washington in the spring of 1926.

I have, &c.,
ATHLONE,
Governor-General.

Enclosure in No. 379.

Prime Minister's Office, 6th November, 1925.

MINUTE No. 960.

MINISTERS have the honour to inform His Excellency the Governor-General, with further reference to His Excellency's Minute No. 43/892 of 12th October, 1925, that they have accepted the invitation of the United States Government to the Union of South Africa to participate in a Radio-telegraph Conference to be held at Washington in the spring of 1926.

Ministers enclose herewith a copy of their letter to the American Government which they have the honour to request that His Excellency will be pleased to transmit to London for the information of the Secretary of State for Dominion Affairs together with an expression of their thanks for conveying the invitation.

J. B. M. HERTZOG.

SIR, Pretoria, 3rd November, 1925.

ADVICE has been received from the Right Honourable the Secretary of State for Dominion Affairs in London of a cordial invitation extended to the Union of South Africa by the United States Government to participate in the Radio-telegraph Conference which it is proposed to hold at Washington during the coming spring.

I have the honour to inform you that the Government of the Union of South Africa gladly accept the invitation and, whilst they have taken cognizance of the subjects which the Government of the United States believe will be considered at the Conference, the receipt of copies of the more complete programme, referred to in the despatch of the United States Ambassador in London, dated 20th August, 1925,† to the British Foreign Office, will be awaited with pleasure.

I have, &c.,
J. B. M. HERTZOG,
Prime Minister: Union of South Africa.

The Honourable Frank B. Kellogg,
Secretary of State of the United States,
Washington, U.S.A.

---

* No. 373. † Enclosure 1 in No. 373.

INTERNATIONAL SANITARY CONVENTION, 1912.

(*Treaty Series* 1921, *No.* 2.)

Conference for Revision of

8438

No. 380.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

[*Answered by Nos.* 383 *and* 387.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. — Dominions No. 96.)

[MY LORD,] [SIR,] Downing Street, 6th March, 1925.

I HAVE the honour to transmit to [Your Excellency,] [you,] for the consideration of your Ministers, the accompanying copy of a Note from the French Ambassador regarding a proposal that an International Sanitary Conference should be held at Paris, beginning on the 26th of October, for the purpose of revising the International Sanitary Convention of the 17th of January, 1912.

2. The terms of the French Ambassador's note are under consideration by His Majesty's Government and a copy of the reply sent on their behalf will be communicated later.

I have, &c.,
L. S. AMERY.

Enclosure in No. 380.

LE Gouvernement français, qui avait été saisi, à différentes reprises, de propositions tendant à la revision de la Convention sanitaire internationale du 17 janvier, 1912, n'avait pas pu jusqu'ici, en raison des circonstances, donner satisfaction à ces demandes. Aujourd'hui, il lui paraît possible d'envisager la réunion d'une Conférence qui serait chargée de cette revision.

Le Comité de l'Office International d'Hygiène Publique a procédé, au cours de plusieurs de ses sessions, à l'étude des modifications qu'il serait opportun d'apporter au texte de ladite Convention.

M. Herriot m'a chargé de faire parvenir à Votre Excellence dix exemplaires* des résolutions de ce Comité.

La suggestion a été faite de constituer en conférence le Comité de l'Office International d'Hygiène Publique, dont les membres, munis de pleins pouvoirs, rédigeraient et signeraient la nouvelle convention. Il ne paraît pas possible au Gouvernement français d'entrer dans cette voie parceq'il y a des pays non adhérents à l'Office et parceque certains Etats voudront adjoindre des conseillers techniques pour le commerce et la navigation à leurs délégués spécialistes en matière d'hygiène. Mais il estime qu'il y aurait avantage à ce que les pays participant à l'Office d'Hygiène comprissent au nombre de leurs délégués leurs représentants à l'Office. Afin d'eviter à ces derniers un double déplacement, le Gouvernement français propose de choisir pour l'ouverture de la Conférence sanitaire une date rapprochée de la fin d'une des sessions du Comité de l'Office.

J'ai en consequence, été chargé de demander à Votre Excellence si le Gouvernement britannique entend envoyer des délégués munis de pleins pouvoirs à une conférence sanitaire qui se tiendrait à Paris et s'il accepte la date du lundi 26 octobre, 1925, pour la séance d'ouverture de ladite conférence. Le Gouvernement français serait heureux de connaître également l'avis à ce sujet des Dominions et des Colonies de l'Empire britannique.

Il y aurait intérêt à ce que les services d'hygiène de la Grande Bretagne et des pays ci-dessus mentionnés fussent invités à examiner le projet de revision de la Convention sanitaire du 17 janvier, 1912, rédigé par le Comité de l'Office International

---

* Not reprinted.

d'Hyglène Publique et que leurs observations pussent parvenir aux services compètents à Paris, en temps utile.

M. de Fleuriau saisit cette occasion pour renouveler à Son Excellence M. Austen Chamberlain les assurances de sa haute considération.

Ambassade de France à Londres,
Albert Gate House,
le 7 février, 1925.

14977

No. 381.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

[*Answered by Nos.* 383 *and* 389.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
Dominions No. 214.)

[MY LORD,] [SIR,] Downing Street, 20th May, 1925.

WITH reference to my despatch Dominions No. 96 of the 6th of March* I have the honour to enclose, for the information of [Your Excellency's] [your] Ministers, a copy of a note to the French Ambassador regarding the participation of His Majesty's Government and the Government of India in the Conference which it is proposed to hold at Paris, opening on the 26th of October, to consider the revision of the International Sanitary Convention of 1912.

I have, &c.,
L. S. AMERY.

Enclosure in No. 381.

YOUR EXCELLENCY, Foreign Office, S.W.1, 27th March, 1925.

WITH reference to your note of 7th February last, I have the honour to state that His Majesty's Government and the Government of India will be pleased to participate in a Conference to be opened at Paris on 26th October next to consider the revision of the International Sanitary Convention of 1912.

2. When the views of the Governments of the Dominions and Colonies are received, I will communicate them to Your Excellency. In the meantime I shall be glad if you will be so good as to supply me with fifty additional copies of the draft revision of the Convention for the information of the Governments of the Colonies and the Protectorates.

I have, &c.,
(For the Secretary of State),
G. H. VILLIERS.

His Excellency
Monsieur A. de Fleurian, G.C.V.O.,
&c., &c., &c.

---

* No. 380.

18305

No. 382.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

[*Answered by Nos.* 388, 390, 391 *and* 392.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
Dominions No. 229.)

[MY LORD,] [SIR,] Downing Street, 29th May, 1925.

WITH reference to my despatch Dominions No. 214 of the 20th of May,* I have the honour to request [Your Excellency] [you] to inform your Ministers that an Inter-Departmental Committee has been appointed to advise on the instructions to be given to delegates from this country to the Conference which it is proposed to hold at Paris for the purpose of revising the International Sanitary Convention of the 17th of January, 1912. The Minister of Health considers that the work of the Committee would be materially assisted if it could be informed of the views of Dominion Governments on the main points of policy involved, since he considers it important that on the main issues the delegates from all parts of the Empire should be as far as possible in accord.

2. I enclose copies of the revised draft† prepared by the Committee of the Office International d'Hygiène Publique which, it is anticipated, will be adopted as the basis of discussion at the Conference, together with two memoranda† prepared by Sir George Buchanan, C.B., the British representative on the Committee of the Office International. The first memorandum examines the draft in detail while the shorter summarizes the main points which call for consideration. Copies of the model Bill of Health referred to in Sir G. Buchanan's memorandum will be sent as soon as they are available.

3. The Minister of Health would be obliged if your Ministers would be so good as to communicate their views on the questions at issue as soon as may be convenient to them, and he has suggested that, if any technical expert or other representative of your Government happens to be in England during the summer, he might, perhaps, be willing to afford representatives of the Ministry the opportunity of discussing with him any questions of detail which present special difficulties.

I have, &c.,
L. S. AMERY.

27769

No. 383.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 3.20 p.m., 18th June, 1925.)

TELEGRAM.

[*Answered by Nos.* 384 *and* 385.]

18TH JUNE. Your despatches Dominions No. 96 of the 6th March‡ and Dominions No. 214, 20th May,§ regarding the proposed International Sanitary Conference at Paris beginning 26th October, 1925. Ministers have received telegram from the High Commissioner for the Union of South Africa in London from which it would appear that meeting of the Conference will be in all probability postponed until May, 1926. They would be glad to learn present position and proposals.—ATHLONE.

---

* No. 381. † Not printed here. ‡ No. 380. § No. 381.

27769

No. 384.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 6.15 p.m., 23rd June, 1925.)

TELEGRAM.

[*Answered by No.* 388.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

My despatch 29th May Dominions 229* International Sanitary Conference at Paris. Note has now been received from French Government stating that, as certain States wished for postponement of Conference, date of opening has been definitely fixed for 10th May, 1926.—AMERY.

27769

No. 385.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 6.15 p.m., 23rd June, 1925.)

TELEGRAM.

YOUR telegram 18th June.† Sanitary Conference. See my telegram of to-day.‡—AMERY.

27769

No. 386.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 257.)

Downing Street, 26th June, 1925.

SIR,

WITH reference to my despatch Dominions No. 229 of the 29th of May* and previous correspondence regarding the International Sanitary Conference to be held at Paris, I have the honour to request Your Excellency to inform your Ministers that a note has now been received from the French Government stating that, as certain States wished for a postponement of the Conference, the date of opening has been definitely fixed for the 10th of May, 1926.

I have, &c.,
L. S. AMERY.

29395

No. 387.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 29th June, 1925.)

(No. 128.)

Governor-General's Office, Melbourne, 21st May, 1925.

SIR,

WITH reference to your despatch dated 6th March, 1925, Dominions No. 96,§ covering a copy of a note from the French Ambassador in London, regarding a proposal that an International Sanitary Conference should be held at Paris in October next, I have the honour to inform you that I am advised by my Prime

* No. 382. † No. 383. ‡ No. 384. § No. 380.

472

Minister that the terms of the note have been considered by the Commonwealth Government who have decided to send a delegate to the Conference.

My Prime Minister adds that the date suggested in the note is acceptable to the Government.

I have, &c.,
FORSTER,
Governor-General.

33232

No. 388.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 21st July, 1925.)

(No. 318.)

Governor-General's Office, Cape Town, 2nd July, 1925.

SIR,

I HAVE the honour to transmit to you herewith, with reference to your despatch Dominions No. 229 of 29th May, 1925,* and your telegrams (2) of 23rd June, 1925,† copy of Minute from Ministers regarding the International Sanitary Conference to be held in Paris, May, 1926.

I have, &c.,
ATHLONE,
Governor-General.

Enclosure in No. 388.

Prime Minister's Office, 29th June, 1925.

MINUTE 558.

WITH reference to Minute No. 33/1583, dated 23rd June, 1925, from His Excellency the Governor-General, transmitting despatch Dominions No. 229, dated 29th May, 1925, from the Right Honourable the Secretary of State for the Colonies, with enclosures, regarding the International Sanitary Conference proposed to be held in Paris, also to His Excellency's Minute No. 33/1585 of 24th June, 1925, transmitting telegrams dated 23rd June, 1925, from the Right Honourable the Secretary of State for the Colonies, intimating that the Conference has been postponed and that the date of opening has been definitely fixed for 10th May, 1926, Ministers have the honour to inform His Excellency that they concur broadly in the views expressed in the Memoranda prepared by Sir George Buchanan, C.B., which accompanied the despatch referred to; there are, however, certain points raised in these Memoranda and in the draft Convention which, in view of the special circumstances of the Union of South Africa, call for further consideration.

Ministers are therefore pleased to note the invitation conveyed in paragraph 3 of the despatch dated 29th May, 1925, and have to state that Dr. J. A. Mitchell, Secretary for Public Health and Chief Health Officer of the Union, is shortly proceeding to Europe on three months' leave, is due to arrive in London about 27th August, 1925, and thereafter will call upon the Honourable the Minister of Health with a view to arranging to discuss the matter with representatives of the Ministry, as suggested. Dr. Mitchell will be authorized to represent, and act on behalf of, this Government in connexion with the matter.

J. B. M. HERTZOG.

37952

No. 389.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 19th August, 1925.)

(No. 158.)

Government House, Wellington, 18th July, 1925.

SIR,

I HAVE the honour to acknowledge the receipt of your despatch Dominions No. 214 of the 20th May,‡ forwarding a copy of a Note to the French Ambassador

* No. 382. † Nos. 384 and 385. ‡ No. 381.

regarding the participation of His Majesty's Government and the Government of India in the Conference which it is proposed to hold at Paris to consider the revision of the International Sanitary Convention of 1912.

2. My Ministers advise me that they hope to be able to arrange for New Zealand to be represented at the Conference which, as advised in your telegram of the 23rd June,* is now due to open at Paris on the 10th May, 1926.

I have, &c.,
CHARLES FERGUSSON,
Governor-General.

42170

No. 390.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 16th September, 1925.)

(No. 184.)

SIR, Government House, Wellington, 17th August, 1925.

WITH reference to your despatch, Dominions No. 229, of the 29th May,† relative to the International Sanitary Convention, I have the honour to inform you that my Ministers advise me that Doctor Valintine, Director-General of Health, who is at present in England, has been in personal touch with Sir George Buchanan on this subject.

2. Ministers state that Doctor Valintine expects to return to New Zealand at the end of September, and that the views of the New Zealand Government will be communicated to you as soon as possible thereafter.

I have, &c.,
CHARLES FERGUSSON,
Governor-General.

44854

No. 391.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5th October, 1925.)

(No. 216.)

SIR, Governor-General's Office, Melbourne, 24th August, 1925.

WITH reference to your despatch dated 29th May, 1925, Dominions No. 229,† on the subject of the Conference for the purpose of revising the International Sanitary Convention 1912, which it is proposed to hold at Paris during May, 1926, I have the honour, at the instance of my Prime Minister, to forward herewith, a statement‡ relating thereto prepared by the Commonwealth Director-General of Health.

With regard to the request contained in paragraph 3 of the despatch under reference, my Prime Minister informs me that Dr. C. L. Park, Director of the Division of Marine Hygiene, Commonwealth Department of Health, is now in Europe, and has been instructed to communicate with the Ministry of Health on his arrival in England towards the end of September, with the object of entering into such preliminary discussions as may be necessary prior to the meeting of the October Session of the Office International d'Hygiène Publique at Paris.

I have, &c.,
FORSTER,
Governor-General.

49927

No. 392.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5th November, 1925.)

(No. 311.)

SIR, Vice Regal Lodge, Dublin, 4th November, 1925.

I HAVE the honour to refer to your despatch Dominions No. 229 of the 29th May last† on the subject of the Conference which it is now proposed to hold at Paris

* No. 384. † No. 382. ‡ Not printed; it contained comments on certain detailed provisions of the draft Convention.

on the 10th May, 1926, for the purpose of revising the International Sanitary Convention of the 17th January, 1912.

2. I am to convey the following observations of my Ministers on the main questions at issue as summarized in the memoranda prepared by Sir George Buchanan, C.B., the British representative on the Committee of the Office Internationale, which accompanied your despatch:—

(1) *Basis of discussion at the Conference.*

It does not seem advisable that any other document than that submitted by the Office Internationale should be admitted as the basis of discussion.

(2) *Basic principle of Convention.*

The present system of dealing with ships from infected ports consists of prompt inquiries, medical examination on landing and hospital treatment for the sick, whilst healthy passengers are allowed to go about their business, subject to notification to the health authorities of the districts to which they are bound, in order that they may be kept under surveillance. It is suggested that this administrative procedure should be adhered to.

(3) *Central Intelligence Office.*

It is considered that the functions hitherto discharged by the Office Internationale should be retained.

(4) *Deratisation.*

A revision of the text of the Convention of 1912 in the sense suggested by the Office Internationale appears to confer sufficient security.

(5) *Bills of Health.*

As the present system is unsatisfactory on account of the various forms in use, it would appear necessary that a uniform and comparatively simple Bill of Health be adopted, provided that compensation can be secured to shipping interests by the simplification of the requirements of foreign countries and by the adoption of a reasonable scale of fees for visas and other expenses connected with these documents.

I have, &c.,
T. M. HEALY.

INTERNATIONAL TELEGRAPH CONVENTION.

Accession of Southern Rhodesia.

17789

No. 393.

SOUTHERN RHODESIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 20th April, 1925.)

[*Answered by No.* 394.]

(No. 90.)

Governor's Office, Salisbury, Southern Rhodesia,

SIR, 25th March, 1925.

I HAVE the honour to inform you that my Government desire to adhere to the International Telegraph Union in terms of Article 18 of the International Telegraph Convention (Lisbon Revision 1908), which reads as follows:—

"States which have not taken part in the present Convention will be allowed to adhere to it on their request. This adhesion will be notified through the diplomatic channel to the Contracting State in which the last Conference was held and by that State to all the others."

2. My Ministers request me to ask you to be so good as to notify the Contracting State in which the last Conference was held, which they understand was Portugal, of the adhesion of Southern Rhodesia to this Union.

I have, &c.,
J. R. CHANCELLOR,
Governor.

25629

No. 394.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 12.20 p.m., 17th June, 1925.)

TELEGRAM.

[*Answered by No.* 395.]

17TH JUNE. Your despatch 25th March, No. 90.* His Majesty's Ambassador, Lisbon, has been instructed to notify Portuguese Government of accession of Southern Rhodesia to International Telegraph Convention.

Understand from Postmaster-General that it is usual for acceding State when notifying accession to mention—

(*a*) In what class it wishes to be placed for purpose of contribution to expenses of International Telegraph Bureau (see Regulation 82 annexed to Convention);

(*b*) Terminal and transit rates charged on international telegrams;

(*c*) Equivalent of gold franc in local currency.

Should be glad to receive this information by telegraph. As regards (*c*) it is presumed that this will be notified as in case of this country and Colonies as 96 pence. Congress of Telegraph Union meets at Paris 1st September. Documents relating to Congress follow by mail. Should be glad to learn whether your Ministers contemplate separate representation of Southern Rhodesia at Congress.

29797

No. 395.

SOUTHERN RHODESIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 4.28 p.m., 30th June, 1925.)

TELEGRAM.

30TH JUNE. Your telegram 17th June† concerning accession of Southern Rhodesia to the International Telegraph Convention. (*a*) Colony of Southern Rhodesia should be placed in Class 6 (Regulation 82). (*b*) Terminal and transit rates charged on International telegrams 2d. per word ordinary, 1d. per word deferred, ½d. per word Press. (*c*) Equivalent gold franc same as the United Kingdom. Separate representation of Southern Rhodesia at the forthcoming Congress not contemplated.—CHANCELLOR.

44029

No. 396.

SOUTHERN RHODESIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 29th September, 1925.)

(Confidential.)

Governor's Office, Salisbury, Southern Rhodesia,

SIR, 19th August, 1925.

I HAVE the honour to acknowledge the receipt of your Confidential despatch of the 29th June‡ in regard to the Conference of the International Telegraph Union which is to be held in Paris on the 1st of September next.

2. My Ministers desire me to inform you that no arrangements have been made for the representation of Southern Rhodesia at the Conference, as it was not known whether the Colony would be admitted to membership of the Convention before the 1st of September.

* No. 393. † No. 394. ‡ 25629/25: not printed; it enclosed papers relating to the Conference

3. As the interests of Southern Rhodesia are identical with those of Great Britain and the Union of South Africa, my Ministers are satisfied that they will be safeguarded by the delegates of those countries. They do not therefore consider that the separate representation of this Colony at the Conference is necessary.

I have, &c.,

J. R. CHANCELLOR,

Governor.

474

INTERNATIONAL VETERINARY BUREAU.

Convention for Creation of

(*Treaty Series* 1926, *No.* 11.)

3692

No. 397.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 26th January, 1925.)

(No. 354.)

SIR, Governor-General's Office, Melbourne, 19th December, 1924.

WITH reference to your predecessor's despatch dated 20th February, 1924, Dominions No. 68,* on the subject of the Convention for the creation of an International Veterinary Bureau, I have the honour, at the instance of my Prime Minister, to inform you that it is desired that, in accordance with the terms of Article 6, adherence to the Convention may be notified on behalf of the Commonwealth of Australia.

In this connexion, my Ministers also desire that a declaration be made that the Commonwealth Government reserves its right to withdraw from participation in the Bureau at any time if it is not placed under the direction of the League of Nations.

With regard to Australia's contribution towards the expenses of the Bureau, the Commonwealth Government is desirous of being included in the fourth category of subscribing States, as set out in Article 11 of the Organic Statute of the Bureau.

I have, &c.,

FORSTER,

Governor-General.

3692

No. 398.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 2.50 p.m., 28th January, 1925.)

TELEGRAM.

YOUR telegram 5th March, 1924,† Veterinary Bureau. Commonwealth of Australia have decided to adhere with inscription in fourth category and with declaration reserving right to withdraw from Bureau at any time if it is not placed under League of Nations.—AMERY.

20110

No. 399.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4th May, 1925.)

(No. 172.)

SIR, Governor-General's Office, Cape Town, 17th April, 1925.

I HAVE the honour to transmit to you herewith, with reference to Prince Arthur of Connaught's despatch No. 478 of 29th August, 1922, and Mr. Winsten

* No. 259 in Dominions No. 93. † No. 260 in Dominions No. 93.

Churchill's despatch Dominions No. 171 of 30th May, 1922,* Minute from Ministers on the subject of a proposed International Convention for the creation of an International Veterinary Bureau.

I have, &c.,
ATHLONE,
Governor-General.

Enclosure in No. 399.

MINUTE No. 331.

Prime Minister's Office, 14th April, 1925.

MINISTERS have the honour to refer to their Minute No. 680 of the 28th August, 1922, in reply to His Excellency the Governor-General's Minute No. 62/2510 of the 20th June, 1922, on the subject of a proposed International Convention for the creation of an International Veterinary Bureau, and to recommend that His Excellency may be pleased to inform the Right Honourable the Secretary of State for the Colonies that Ministers regret that they do not see their way to adhere to the Bureau for the present, but may do so at a later date

J. B. M. HERTZOG.

19770

No. 400.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 187.)

SIR, Downing Street, 7th May, 1925.

I HAVE the honour to acknowledge the receipt of Your Excellency's despatch No. 108 of the 1st April† regarding the International Veterinary Bureau, and to request you to inform your Ministers that the French Government have notified the accession of the Irish Free State to the Convention for the creation of an International Veterinary Bureau, to the various States signatory thereto.

2. Your Ministers will see from the enclosed note addressed by His Majesty's Ambassador at Paris to the French Minister of Foreign Affairs that inquiry has been made as to the date of formation of the Bureau, and a further communication will be sent as soon as the desired information has been obtained.

I have, &c.,
L. S. AMERY.

[18742]

Enclosure in No. 400.

(No. 285.)

MONSIEUR LE PRÉSIDENT DU CONSEIL, 16th April, 1925.

UNDER instructions from His Majesty's Principal Secretary of State for Foreign Affairs, I have the honour to transmit to Your Excellency herewith His Majesty The King's ratification of the International Convention providing for the establishment of an International Veterinary Bureau, which was signed at Paris on 28th February, 1924.

In depositing this ratification, I am directed to state that His Majesty's Government should be entered in the first category of subscribers under Article 11 of the statutes annexed to the Convention.

I should be glad to learn when it is anticipated that the International Veterinary Bureau will be formed, as His Majesty's Government hope that the Bureau will be in a position to commence operations in the near future.

I have, &c.,
CREWE.

His Excellency
Monsieur Edouard Herriot,
President of the Council.

---

* Nos. 144 and 141 in Dominions No. 87. † 15242/25: not printed; it inquired what was the present position.

475

25267

No. 401.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada. No. 267.)
(Commonwealth of Australia. No. 161.)
(New Zealand. No. 102.)
(Union of South Africa. No. 113.)
(Newfoundland. No. 60.)

[MY LORD,] [SIR,] Downing Street, 10th June, 1925.

WITH reference to my predecessor's despatch Dominions No. 110 of the 10th March, 1924,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a note† addressed by His Majesty's Ambassador at Paris to the French Minister for Foreign Affairs notifying His Majesty's ratification of the Convention for the Creation of an International Veterinary Bureau.

[*To Commonwealth and New Zealand only:* 2. I would add that notification of the accession of [the Commonwealth] [New Zealand] to the Convention was given to the French Government in a note of [9th February, 1925,] [19th August, 1924,] which has been acknowledged by the French Government in a note of the 29th May, 1925.]

I have, &c.,
L. S. AMERY.

37298

No. 402.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of S. Africa.
(Irish Free State.
(Newfoundland. } Dominions No. 367.)

[MY LORD,] [SIR,] Downing Street, 22nd August, 1925.

WITH reference to my despatch [*To Irish Free State:* No. 187 of the 7th of May,‡] [*To the others:* No. 267,] [No. 161,] [No. 102,] [No. 113,] [No. 60,] of the 10th of June,§] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a note from the French Ministry for Foreign Affairs with regard to the date of formation of the International Veterinary Bureau.

2. His Majesty's Chargé d'Affaires at Paris reports that the *procès verbal* of the deposit of His Majesty's ratification of the Convention establishing the Bureau has been dated the 11th of July, which will apparently be taken as that of the deposit of the ratification.

I have, &c.,
L. S. AMERY.

Enclosure in No. 402.

Ministère des Affaires Etrangères.
Direction des Affaires administratives et techniques.
Sous-Direction des Affaires Administratives et des Unions Internationales.
République Française, Paris.

LE Ministère des Affaires Etrangères a l'honneur de faire connaître à l'Ambassade de Grande-Bretagne, en réponse à sa note No. 523 du 21 juillet dernier, que la Chambre des Députés a voté, avant de se réparer, le projet de loi portant ratification de l'Arrangement international pour la création, à Paris, d'un Office international des Epizooties.

---

* No. 262 in Dominions No. 93. † Enclosure in No. 400. ‡ No. 400. § No. 401.

Dès la rentrée du Parlement, ce projet sera soumis au Sénat qui l'adoptera sans doute immédiatement.

La loi sera ensuite promulguée aussitôt par M. le Président de la République et l'Office international pourra commencer ses travaux tout de suite après sa publication au Journal Officiel de la République.

Paris, le 5 août, 1925.
Ambassade de Grande-Bretagne,
Paris.

Dominions No. 94.

Part II.

CONFIDENTIAL.

INTERNATIONAL ARRANGEMENTS AND TREATY RELATIONS.

POSITION OF THE SELF-GOVERNING DOMINIONS AND SOUTHERN RHODESIA.

CORRESPONDENCE, 1925.

(in Two Parts).

Part II.

Index to Parts I and II, and Serial Numbers 403 to 812.

(*In continuation of Dominions Nos.* 75, 76, 78, 80, 81, 87, 88 *and* 93; *continued by Dominions No.* 102.)

NOTE.

The telegrams to the Dominions printed in these volumes contain only a very few of the "News" telegrams conveying information on various aspects of foreign affairs, which were sent to the Dominions during 1925. The total number of these "News" telegrams, classified under subjects, was as follows:—

Albania	1	Mexico	1
Arabia	3	Morocco and Tangier	5
Bulgaria	6	Opium Conference	1
China	35	Persia	3
Egypt	6	Reparations	2
France	3	Russia	2
Germany—Political	2	Russo-Turkish Treaty	1
Occupied Territory	14	Security (including telegrams as to the Locarno Treaties)	74
Greece	3	Security Pact for the Balkans	1
Inter-Allied Debts	2	Syria	1
Iraq	15		
League of Nations, Geneva Protocol and Disarmament	9	Total	190
Locarno Treaties (see under Security)			

In addition, Foreign Office prints on subjects connected with foreign affairs were sent to the Dominion Prime Ministers and Governors-General as follows:—

Abyssinia	1	Italy	15
Afghanistan	5	Japan	7
Albania	8	Latvia	1
Arabia	2	Locarno Treaties (see under "Security")	
Arms Traffic	1	Mexico	1
Austria	4	Morocco	15
Balkan Security	6	Opium	1
Belgium	2	Persia	25
Brazil	2	Poland	5
Bulgaria	18	Geneva Protocol	5
China	25	Reparations	4
Czechoslovakia	3	Roumania	2
Disarmament	10	Russia	35
Egypt and the Sudan	13	Security (including Locarno Treaties)	155
Esthonia	3	Serb-Croat-Slovene State	7
Finland	2	Siam	1
France	8	Singapore Base	3
Germany—Political	17	Syria	9
Occupied Territory	46	Turkey	44
and the League of Nations	6	United States of America	10
Greece	9		
Hungary	4	Total	576
Inter-Allied Debts	17		
Iraq	21		

INTERNATIONAL ARRANGEMENTS & TREATY RELATIONS.

Position of the Self-Governing Dominions and Southern Rhodesia.

478

CORRESPONDENCE, 1925.

(In Two Parts).

PART II

(Serial Numbers 403 to 812).

INDEX.

PAGE IN PART I.

Aerial Navigation Convention, 1919.

(Treaty Series 1922, Nos. 2 and 11).
(1) Amendment of Articles 5 and 34. (Treaty Series 1925, Nos. 12 and 13.) ... 1
Applications for derogations by His Majesty's Government, Canada, France and Belgium ... 1
(2) Application for derogation by Italy ... 5
(3) Application for derogation by Poland ... 7

Albania.

(1) Commercial Agreement, 1925. (Treaty Series 1925, No. 47.) ... 9
(2) Proposed Extradition Treaty.
(*See under* Extradition Treaties).

Angola Boundary.

Negotiations between Union Government and Portuguese Government ... 10

Antarctic.

Territorial Claims ... 13

Arbitration Agreements.

(1) Denmark and Iceland. (Treaty Series 1922, Nos. 12 and 13.) ... 36
(2) Netherlands. (Treaty Series 1925, No. 36.) ... 37
(3) Norway. (Treaty Series 1925, No. 30.) ... 42
(4) Portugal. (Treaty Series 1925, No. 41.) ... 42
(5) Sweden. (Treaty Series 1925, No. 28.) ... 42
(6) Siam ... 47

Arbitration, Commercial.

(*See under* League of Nations.)

Arctic Regions, Canadian Claims in the ... 50

Armaments, Limitation of

(1) Proposed Naval Disarmament Conference at Washington ... 74
(2) Discussions at the Sixth Assembly of the League of Nations ... 89

Arms Traffic Convention, 1925.

(League of Nations paper A.13. 1925. IX).
(1) Position of Colonies, etc., under Convention and question of its inter-Imperial applicability ... 89
(2) Exclusion of South West Africa from "Special Zone" under the Convention ... 101
(3) Signature of Convention on behalf of Canada ... 106

Austria.

(1) Commercial Treaty, 1924. (Treaty Series 1925, No. 21.) ... 106
(2) Agreement relating to Commercial Travellers' Samples. (Treaty Series 1925, No. 27.) ... 108

Belgium.

(1) Abrogation of the Treaties of 1839 establishing the Status of Belgium ... 110
(2) Convention relating to Legal Proceedings in Civil and Commercial Matters. (Treaty Series 1924, No. 13.) ... 117
(3) Commercial Convention with Canada. (Treaty Series 1925, No. 7.) ... 121
(4) Proposed Agreement relating to Legalization of Documents ... 121
(5) Extradition Treaty, 1923.
(*See under* Extradition Treaties).

31954. Wt. 8060/1677. 30. 5/27. J. J. K. & Co., Ltd.

Brazil. PAGE IN PART I.

Proposed Extradition Treaty.
(*See under* Extradition Treaties).

British Subjects.

Position of, under Commercial Treaties 124
(*See also* under Esthonia).

Bulgaria.

Commercial Agreement, 1925. (Treaty Series 1925, No. 53.) 126

Canada.

(1) Commercial Convention with Belgium.
(*See under* Belgium).
(2) Commercial Convention with the Netherlands.
(*See under* Netherlands).
(3) Commercial Agreement with Spain.
(*See under* Spain).
(4) Pacific Halibut Fishery Treaty.
(*See under* United States).
(5) Treaties with United States as to Smuggling and Extradition for Narcotic Offences.
(*See under* United States).
(6) Treaties with United States as to the International Boundary and the Lake of the Woods.
(*See under* United States).

China.

(1) Ratification of Washington Treaties. (Treaty Series 1925, Nos. 42 and 43.) 129
(2) Customs Tariff Conference, 1925-26 132
(3) Commission on Extra-Territorial Jurisdiction 143
(4) Proposed Convention relating to Weihaiwei.
(*See under* Weihaiwei).

Civil Procedure Conventions.

(*See under* Belgium, Czechoslovakia).

Customs Formalities Convention.

(*See under* League of Nations).

Customs Tariffs.

International Convention for the Publication of 145

Czechoslovakia.

(1) Commercial Treaty, 1923. (Treaty Series 1924, No. 35.) 148
(2) Convention respecting Legal Procedure in Civil and Commercial Matters ... 152
(3) Extradition Treaty, 1924.
(*See under* Extradition Treaties).

Denmark.

(*See under* Arbitration Agreements).

Dominican Republic.

Proposed Commercial Treaty 153

Electric Power Convention.

(*See under* Freedom of Transit).

Esthonia.

(1) Commercial Treaty, 1926. (Treaty Series 1926, No. 18.) Position of British subjects under Commercial Treaties 153
(2) Extradition Treaty.
(*See under* Extradition Treaties).

Exploration of the Sea, International Council for the

Admission of the Irish Free State 155

Extradition Treaties. PAGE IN PART I.

(1) Albania 157
(2) Belgium. (Treaty Series 1924, No. 1.) 157
(3) Brazil 158
(4) Czechoslovakia 162
(5) Esthonia (Treaty Series 1926, No. 18.) and Lithuania 163
(6) Finland. (Treaty Series 1925, No. 22.) 164
(7) Latvia. (Treaty Series 1925, No. 44.) 171
(8) Poland 177
(9) Russia 177
(10) United States. Proposed new Extradition Treaty... 178
(11) United States. Treaty with Canada as to Extradition for Narcotic Offences.
(*See under* United States).

Finland.

(1) Commercial Treaty, 1923. (Treaty Series 1924, No. 34.) 181
(2) Extradition Treaty, 1924.
(*See under* Extradition Treaties).

Foreign Affairs.

System of Consultation with Dominions as to 189

France.

Denunciation of Agreement of 1899 for Free Delivery and Attestation of Certificates of Origin 190

Freedom of Transit.

Conventions adopted by the Second General Conference on the Freedom of Communications and Transit held at Geneva, 1923. (Treaty Series 1925, Nos. 23, 24, 25 and 26.) 193

Geneva Protocol.

(*See under* League of Nations).

Germany.

Commercial Treaty, 1924. (Treaty Series 1925, No. 45.) 198

Greece.

Proposed Commercial Treaty 203

Greenland.

Treatment of British subjects, Companies and Vessels. (Treaty Series 1925, No. 35.) 208

Hague Convention VI of 1907.

Denunciation of 209

Iceland.

(*See under* Arbitration Agreements).

Industrial Property Convention.

(1) Industrial Property Conventions, 1883 and 1911. Position of Dominions as separate contracting countries. Representation of Dominions at Industrial Property Conference at The Hague, 1925 214
(2) Industrial Property Convention, 1911. Accession of Australia and Irish Free State 223
(3) Industrial Property Convention, 1925. Procedure for Signature ... 228

International Labour Conference.

(1) Ratification of International Labour Conventions by Australia and Irish Free State 239
(2) Amendment of Article 393, Treaty of Versailles. (Treaty Series 1925, No. 6.) 242

International Office of Public Health.

Agreement of 1907 establishing 243

International Radio-Telegraph Convention, 1912.

Proposed Conference at Washington for revision of 244

International Sanitary Convention, 1912.

(Treaty Series 1921, No. 2.) Conference for revision of... 249

International Telegraph Convention.

Accession of Southern Rhodesia 255

International Veterinary Bureau.

Convention for Creation of. (Treaty Series 1926, No. 11.) 257

PART II.

PAGE IN PART II.

Iraq.

Frontier line between Turkey and 'Iraq. Treaty Series 1925, No. 17, and 1926, No. 10.) 1

Irish Free State.

(1) Ratification of International Labour Conventions.
(*See under* International Labour Conference).
(2) Registration of Articles of Agreement with League of Nations.
(*See under* League of Nations).
(3) Accession to the International Metric Convention.
(*See under* Metric System).
(4) Position in relation to White Phosphorus Convention.
(*See under* Phosphorus, White).
(5) Position in relation to Real and Personal Property Convention with the United States.
(*See under* United States).

Italy.

Agreement regulating Professional Practice of Medical Practitioners, 1925. (Treaty Series 1925, No. 50.) ... ... 6.
(*See also under* Jubaland).

Japan.

Supplementary Convention to the Treaty of Commerce and Navigation, 1911 7

Jubaland, Treaty regarding cession of

(Treaty Series 1925, No. 29.)... 13

Latvia.

(1) Proposed Agreement relating to Estates of Deceased Seamen 13
(2) Extradition Treaty, 1924.
(*See under* Extradition Treaties).

Laws of War, Revision of 15

League of Nations.

(1) Amendment of Article 16 of Covenant. (Treaty Series 1924, No. 32.) ... 17
(2) Geneva Protocol for Pacific Settlement of International Disputes (Cmd. 2273, Cmd. 2368, Cmd. 2458, and Cmd. 2492) 19
(3) Registration of Treaties under Article 18 47
(4) Registration by Irish Free State of Articles of Agreement of 6th December, 1921 49
(5) Inter-Imperial Applicability of Conventions negotiated under the Auspices of the League, and Procedure for Signature of such Conventions 50
(6) Customs Formalities Convention. (Treaty Series 1925, No. 16.) 60
(7) Protocol concerning Arbitration Clauses in Commercial Matters. (Treaty Series 1925, No. 4.) 61

Lithuania.

(*See under* Extradition Treaties and Memel).

Locarno, Treaties of, 1925.

(Cmd. 2435, Cmd. 2468 and Cmd. 2525) 63

Mandates.

(1) Attitude of United States Government.
(*a*) Conventions relating to Palestine and "B" Mandated Territories. Treaty Series 1925, No. 54, and 1926, Nos. 22, 23 and 24.) 107
(*b*) United States rights in "C" Mandated Territories 110
(2) Position of Mandated Territories in relation to Treaties. Discussion by Permanent Mandates Commission 120
(3) Position of Mandated Territories in relation to Commercial Treaties ... 123
(4) Position of Mandated Territories in relation to Extradition Treaties ... 126

PAGE IN PART II.

Memel, Convention Relating to
(Treaty Series 1925, No. 48.) 132

Metric System, International Convention Relating to the
(Treaty Series 1923, No. 24.) Accession of the Irish Free State 133

Mexico.
Resumption of Diplomatic Relations and proposed Claims Convention 134

Muscat.
Commercial Treaty, 1891 142

Negotiation, Signature and Ratification of International Agreements.
Resolution of the Imperial Conference, 1923 143

Netherlands.
(1) Commercial Convention with Canada. (Treaty Series 1925, No. 52.) ... 145
(2) Renewal of Arbitration Convention.
(*See under* Arbitration Agreements.)

Norway.
(1) Proposed Commercial Agreement with Australia 148
(2) Agreement for the Reciprocal Exchange of Information concerning Lunatics 149
(3) Negotiations relating to Territorial Waters.
(*See under* Territorial Waters.)

Obscene Publications Convention, 1923.
(Treaty Series 1926, No. 1.) 152

Opium Conventions, 1925. 153

Panama.
Proposed Commercial Treaty 162

Persia.
Agreement, 1920, modifying the Commercial Convention of 1903. (Treaty Series 1920, No. 17.) 162

Phosphorus, White.
Convention Prohibiting the Use of, in the Manufacture of Matches. Position of the Irish Free State 163

Poland.
Commercial Treaty, 1923. (Treaty Series 1924, No. 26.) 164

Portugal.
(1) Tonnage Measurement Agreement, 1926. (Treaty Series 1926, No. 15.) ... 165
(2) Renewal of Arbitration Agreement.
(*See under* Arbitration Agreements).
(3) Negotiations with the Union of South Africa as to the Angola Boundary.
(*See under* Angola Boundary).

Postal Conventions, 1924 168

Reparation.
Conference of Financial Experts in Paris (Cmd. 2339) 188

Russia.
(*See under* Extradition Treaties and Territorial Waters).

Siam.
(1) General Treaty and Commercial Treaty, 1925. (Treaty Series 1926, Nos. 7, 8 and 9.) 192
(2) Arbitration Convention, 1925.
(*See under* Arbitration Agreements.)

Spain.
(1) Commercial Agreement with Canada, 1925 201
(2) Limits of Territorial Waters.
(*See under* Territorial Waters).

Sweden.
(*See under* Arbitration Agreements and Territorial Waters).

PAGE IN PART II.

Territorial Waters.

(1) Discussion at the Imperial Conference, 1923 209
(2) Italy: Extent of Territorial Waters 210
(3) Norway: Negotiations relating to the Limits of Norwegian Territorial Waters, and proposed Fisheries Convention 218
(4) Soviet Fishery Regulations 236
(5) Spain: Claim to a six-mile limit 239
(6) Sweden: Extent of Territorial Waters 240
(7) United States: Liquor Treaty.
(*See under* United States).

Turkey.

(1) Proposed Convention to Regulate the Admission of British Subjects in Turkey and of Turkish Citizens in the United Kingdom to the Various Forms of Commerce, Professions and Industries 251
(2) 'Iraq Frontier Question.
(*See under* 'Iraq).

Union of South Africa.

(1) Attitude as regards International Status of Dominions.
(*See under* Foreign Affairs).
(2) Attitude as regards Negotiations relating to "C" Mandated Territories.
(*See under* Mandates (1) (b), (3) and (4)).
(3) Attitude as regards position of Dominions in relation to Commercial Treaties
(*See under* Mandates (3)).

United States.

(1) Pacific Halibut Fishery Treaty, 1923. (Treaty Series 1925, No. 18.)... ... 255
(2) Treaties with Canada regarding the Suppression of Smuggling on the International Boundary and Extradition for Narcotic Offences. (Treaty Series 1925, Nos. 39 and 40.) 256
(3) Treaties with Canada relating to the International Boundary and the Lake of the Woods. (Treaty Series 1925, Nos. 37 and 38.) 260
(4) Liquor Treaty, 1924. (Treaty Series 1924, No. 22.) 271
(5) Real and Personal Property Convention, 1899. Position of the Irish Free State 277
(6) Negotiations relating to Mandated Territories.
(*See under* Mandates).
(7) Suggested Disarmament Conference.
(*See under* Armaments, Limitation of).

Venereal Diseases among Seamen.

International Agreement. (Treaty Series 1926, No. 20.) 277

Weihaiwei.

Proposed Convention for retrocession of 280

PART II.

TABLE OF CONTENTS.

'IRAQ.

Frontier line between Turkey and 'Iraq.

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
403 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 8 January 7	Reports exchange of ratifications of Anglo-'Iraq Treaty on 19th December, 1924 1
404 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... September 18	Summarizes statement of present position of 'Iraq frontier dispute which was recently made to representatives of Dominions at Geneva 1
405 To the Governor-General Irish Free State, Secret ... September 21	Transmits copy of No. 404 3
406 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram September 21	Quotes Resolution of 19th September adopted by the Council of League of Nations regarding the reference of certain questions to the Permanent Court of International Justice for an advisory opinion thereon ... 4
407 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram November 23	Quotes advisory opinion of Permanent Court of International Justice that the "decision to be taken" by the Council will be binding on the parties and that the "decision to be taken" must be taken by a unanimous vote 4
408 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Telegram December 17	Communicates text of decision taken by League of Nations Council on 16th December regarding the frontier line between Turkey and 'Iraq, and outlines the new Treaty ensuring continuance for 25 years of the mandatory regime unless 'Iraq previously obtains entry to the League of Nations 5

ITALY.

Agreement regulating Professional Practice of Medical Practitioners, 1925.

1925	
409 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 542, Southern Rhodesia, 490 ... ... December 22	Transmits copies of an Agreement with Italy regulating the professional practice of medical practitioners. States circumstances which have necessitated the negotiation of this Agreement 6

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
JAPAN.	
Supplementary Convention to the Treaty of Commerce and Navigation, 1911.	
1925	
410 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Confidential ... February 5	Summarizes draft Supplementary Convention prepared for presentation to Japanese Government 7
411 To the Governor-General Canada, Telegram February 5	Desires to receive any observations Ministers may have upon the draft Supplementary Convention as soon as possible 8
412 To the Governor-General Irish Free State, Confidential ... February 6	Transmits copy of No. 410 and inquires whether Ministers have any observations to offer on draft Supplementary Convention 8
413 The Governor-General Commonwealth of Australia, Telegram March 11 (Rec. Mar. 11)	States with reference to No. 410 that Ministers have no comments to offer 8
414 The Governor-General Irish Free State, Confidential ... March 31 (Rec. Apr. 1)	States that Ministers have no observations to offer on the draft Supplementary Convention 9
415 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Confidential ... May 28	Indicates amendments made to Supplementary Convention in accordance with wishes of Japanese Government. Proposes to present draft as amended for signature and at time of signature to place on record note of understandings reached on certain points indicated 9
416 To the Governor-General Irish Free State, Confidential (3) ... May 20	Transmits copy of No. 415 and indicates further understanding which it is proposed to place on record at the time of signature of convention 10
417 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Confidential ... June 17	Quotes, with reference to No. 415, formula which it is proposed to place on record, for defining application to British ships of condition of reciprocity contained in Article II 10
418 To the Governor-General Irish Free State, Confidential ... ... June 19	Transmits copy of No. 417 10
419 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 416, Confidential ... September 15	Transmits copies of Supplementary Convention and of Minutes of Meeting at which it was signed and points out that the second sentence of Article I has been restored to the form originally proposed in No. 410 and a further sentence added 11
420 To the Governor Southern Rhodesia, Confidential ... September 15	Transmits copies of Supplementary Convention and of Minutes of Meeting at which it was signed 11

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
421 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 505, Confidential, Southern Rhodesia, Confidential November 27	Transmits copies of correspondence with the Japanese Chargé d'Affaires regarding (a) the title of, and (b) the interpretation of, the word "proposed" in Article I of the Supplementary Convention 11
JUBALAND.	
Treaty regarding Cession of:	
1925	
422 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 174, Southern Rhodesia, 138 ... ... April 24	Transmits copies of the Anglo-Italian Treaty (East African Territories) Act, 1925 13
LATVIA.	
Proposed Agreement relating to Estates of Deceased Seamen.	
1925	
423 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 158 April 15	Transmits draft of an Agreement with Latvia respecting the disposal of estates of deceased seamen, which has been communicated to the Latvian Minister 13
LAWS OF WAR.	
Revision of:	
1925	
424 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 149, Secret ... ... April 7	Transmits copies of correspondence with the French Ambassador regarding a proposed Convention embodying the rules for the control of radio in time of war, and rules for aerial warfare drawn up by the International Commission at the Hague in 1922-23 ... 15
425 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 168, Secret ... ... April 22	Transmits copy of note to United States Chargé d'Affaires stating that His Majesty's Government have decided to await further international discussion before formulating considered views on the Report of the Hague Commission 16

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.

LEAGUE OF NATIONS.

(1) Amendment of Article XVI of Covenant.

	1925		
426	The Governor-General Union of South Africa, Telegram ... January 13 (Rec. Jan. 13)	States that Ministers have requested High Commissioner to sign the Protocol, embodying amendment to Article XVI, and agree to ratification by His Majesty the King on their behalf 17	
427	The Governor-General Commonwealth of Australia, 14 ... January 20 (Rec. Mar. 9)	Requests that necessary steps be taken with a view to the ratification of the Protocol on behalf of the Commonwealth 17	
428	The Governor-General Irish Free State, Confidential ... August 24 (Rec. Aug. 25)	States that as amendment to Article XVI of Covenant will be considered at next Assembly of League of Nations, no action will be taken until the views of the delegates have been obtained 18	
429	The Governor-General Canada, Telegram September 5 (Rec. Sept. 5)	States that Senior Canadian delegate to Sixth Assembly of the League of Nations has been authorized to sign Protocol and requests that His Majesty be asked to ratify Protocol 18	
430	To the Governors-General Canada, 474, Commonwealth of Australia, 316, New Zealand, 201, Union of South Africa, 269 ... November 3	Inquires, with reference to an amendment of the second paragraph of the existing text of Article 16 of the Covenant, whether [*Not to New Zealand:* Ministers desire signature and ratification on their behalf.] [*To New Zealand:* Ministers desire ratification on their behalf] 18	
431	The Governor-General Union of South Africa, Telegram ... December 5 (Rec. Dec. 5)	States, in reply to No. 430, that High Commissioner has been instructed to sign Protocol and requests that His Majesty may be asked to ratify Protocol on behalf of the Union 19	

(2) Geneva Protocol for Pacific Settlement of International Disputes.

	1925		
432	The Governor-General Union of South Africa, Telegram, Secret January 3 (Rec. Jan. 3)	Transmits message for Prime Minister from Prime Minister stating that he has no views to offer at present as to the holding of proposed Conference to discuss Geneva Protocol, feeling that the matter should be more fully considered on receipt of the opinion of the Committee of Imperial Defence, and stating that in any case it would be impossible for him or any of his colleagues to attend a Conference before August, 1925 19	
433	The Governor-General New Zealand, Telegram, Confidential January 9 (Rec. Jan. 9)	Transmits message for Prime Minister from Prime Minister discussing the advisability of holding proposed Conference, setting out the principal objections of the New Zealand Government to the Protocol and inquiring whether France, Italy and Japan have given formal adhesion to Protocol and if not as to whether such adhesion is probable 19	
434	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Confidential ... January 15	Transmits message for Prime Minister from Prime Minister summarizing replies from Dominion Prime Ministers which indicate difficulty that would be experienced in arranging for proposed Conference and stating that in the circumstances the matter of the Protocol must be discussed by correspondence ... 20	

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
435 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... ... January 15	Transmits message for Prime Minister from Prime Minister summarizing views expressed by Dominion Prime Ministers with regard to provisions of Protocol and hoping to send considered views of His Majesty's Government at an early date 21
436 To the Governor-General Irish Free State, Confidential ... January 16	Transmits copy of No. 434 22
437 To the Governor-General Irish Free State, Secret ... ... January 16	Transmits copy of No. 435 23
438 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Telegram ... January 19	Quotes statement to be issued to Press on 21st January regarding the impossibility of holding proposed Conference 23
439 The Governor-General New Zealand, Telegram, Confidential January 22 (Rec. Jan. 22)	States, with reference to No. 433, that Prime Minister would be glad to be informed whether France, Italy and Japan had actually given or are likely to give adhesion to the Protocol 23
440 To the Governor-General New Zealand, Telegram, Confidential January 26	Transmits message for Prime Minister from Prime Minister stating that French Government have signed Protocol and ratification has been proposed to French Parliament; attitude of Italy and Japan however not yet defined 24
441 To the Governors-General and Governor Canada, Commonwealth of Australia, Union of South Africa, Newfoundland, Telegram, Secret ... January 26	Quotes Prime Minister's message in No. 440 24
442 The Governor-General Union of South Africa, Telegram, Secret January 26 (Rec. Jan. 26)	Transmits message from Prime Minister for Prime Minister setting forth the reasons that have led Ministers to decide against the acceptance of the proposed Protocol 24
443 To the Governor-General Irish Free State, Secret ... ... January 27	Transmits copy of No. 441 25
444 To the Governor-General Union of South Africa, Telegram, Secret February 2	Transmits message from Prime Minister for Prime Minister acknowledging No. 442 and proposing to communicate copies to other Dominions and India ... 26
445 The Governor-General New Zealand, Confidential ... ... January 6 (Rec. Feb. 4)	Transmits copy of a memorandum by the Prime Minister defining the principal objections which the New Zealand Government has to the Protocol ... 26
446 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Most Secret ... February 5	Transmits message from Prime Minister for Prime Minister indicating impressions gained as to the attitude of the United States Government towards the Protocol 29

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
447 The Governor-General Union of South Africa, Telegram, Secret February 6 (Rec. Feb. 6)	States that Prime Minister has no objection to communication of No. 442 to other Dominions and India 30
448 To the Governor-General Irish Free State, Secret ... ... February 6	Transmits copy of No. 446 30
449 To the Governor-General New Zealand, Telegram ... ... February 9	Inquires whether Prime Minister has any objection to the communication of his memorandum in No. 445 to the other Dominions and India 30
450 The Governor-General New Zealand, Telegram, Confidential February 11 (Rec. Feb. 11)	States that Prime Minister has no objection to the communication of his memorandum in No. 445 to other Dominions and India 30
451 The Governor-General Union of South Africa, Secret ... ... January 28 (Rec. Feb. 17)	Transmits, in confirmation of No. 442, copy of Ministers' Minute conveying reasons which have led them to decide against the acceptance of the Geneva Protocol 31
452 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 66, Secret ... ... February 17	Transmits copies of Memorandum in No. 445 and of No. 442 32
453 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Telegram, Secret March 3	Transmits message from Prime Minister for Prime Minister stating that the Cabinet, after most careful and exhaustive inquiry, have come to the conclusion that they cannot accept the Protocol or recommend its acceptance to the other Governments of the Empire. The Foreign Secretary has been authorized to prepare a statement accordingly, the terms of which will be communicated as soon as finally approved by the Cabinet 32
454 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram March 3	Advises the possible despatch of a telegram regarding subsequent policy as well as text of proposed statement and suggests that arrangements be made to expedite decoding 33
455 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... ... March 4	Embodies text of statement referred to in No. 453, and states that Cabinet has approved latter and has authorized Foreign Secretary to use it in such manner as he may find desirable either as a statement or as a communication to the Secretary-General, League of Nations 33
456 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... ... March 4	States that as Cabinet discussions have not yet reached stage at which definite suggestions can be put forward, telegram regarding subsequent policy referred to in No. 454 is not being sent 34
457 To the Governor-General Irish Free State, Secret ... ... March 4	Transmits Parts I-IV of text of statement 34

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
458 To the Governor-General Irish Free State, Telegram, Secret ... March 4	Refers to No. 457 and embodies Part V of the statement. States that Cabinet has approved latter and has authorized Foreign Secretary to use it in such manner as he may find desirable either as a statement or as a communication to the Secretary-General, League of Nations 34
459 The Governor-General Canada, Telegram March 4 (Rec. Mar. 5)	Transmits message from Prime Minister for Prime Minister summarizing conclusions reached by his Government regarding the Protocol 34
460 The Governor-General Commonwealth of Australia, Telegram, Secret ... ... March 5 (Rec. Mar. 5)	Ditto 35
461 The Governor-General Union of South Africa, Telegram, Private and Personal ... ... March 5 (Rec. Mar. 5)	States that rumours that British Government had entered into some form of Security Pact, arising from Press reports, are likely to create an unsympathetic atmosphere and that every care should be taken to avoid this 38
462 The Governor-General New Zealand, Telegram, Secret ... March 7 (Rec. Mar. 7)	Transmits message from Prime Minister for Prime Minister concurring in the course His Majesty's Government propose to take and with the tenor of the statement in No. 455, but desiring that it be noted that this concurrence does not indicate that the statement sets forth all the reasons which have induced the several Governments of the Empire to refuse concurrence in the Protocol 38
463 The Governor-General New Zealand, Telegram, Secret ... March 7 (Rec. Mar. 7)	Conveys message from Prime Minister expressing his concurrence in the alternative course to be recommended at Geneva as defined in the latter part of Part V of No. 455 39
464 To the Governors-General Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Telegram ... ... March 7	Inquires as to Ministers' wishes with regard to the publication of their views on the Protocol 39
465 To the Governor-General Union of South Africa, Telegram, Private and Personal ... March 7	States, with reference to No. 461, that it is hoped that rumour will be effectually counteracted by Foreign Secretary's speech of 5th March in House of Commons. States that memorandum outlining European situation and possible lines of policy was drawn up but altogether superseded by new situation created by German proposals of which full summary is being telegraphed 40
466 The Governor-General Canada, Telegram March 7 (Rec. Mar. 8)	Transmits message from Prime Minister for Prime Minister remarking on the statement embodied in No. 455 40
467 The Governor-General Canada, Telegram March 8 (Rec. Mar. 9)	States, with reference to No. 464, views of Ministers on publication 40
468 The Governor-General Canada, Telegram March 8 (Rec. Mar. 9)	Inquires as to date on which it is anticipated that Foreign Secretary will make his Protocol announcement to the Council of the League of Nations ... 41
469 The Governor-General New Zealand, Telegram, Secret ... March 9 (Rec. Mar. 9)	States, with reference to No. 464, views of Ministers as regards publication 41

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
470 To the Governor-General Canada, Telegram ... March 9	Transmits message from Prime Minister for Prime Minister proposing, if there is no objection, to communicate copies of No. 459 to other Dominions and India 41
471 To the Governor-General Commonwealth of Australia, Telegram, Secret ... ... March 9	Conveys message for Prime Minister proposing, if there is no objection, to communicate copies of No. 460 to other Dominions and India 42
472 To the Governor-General Canada, Telegram ... March 9	States, in reply to No. 468, that it is not possible at present to give date on which Foreign Secretary will make his Protocol announcement to Council of the League of Nations, but inquiry is being made and further telegram will be sent 42
473 The Governor-General Union of South Africa, Telegram ... March 9 (Rec. Mar. 9)	Conveys Prime Minister's reply to questions raised in No. 464 regarding publication of views on Protocol ... 42
474 The Governor-General Commonwealth of Australia, Telegram, Secret ... ... March 10 (Rec. Mar. 10)	Conveys message from Prime Minister approving the text of statement contained in No. 455 and expressing views as to publication 42
475 To the Governor-General Canada, Telegram March 10	States that the discussion of the Protocol by the Council of the League of Nations will take place on Thursday, 12th March 43
476 The Governor-General Canada, Telegram March 10 (Rec. Mar. 11)	Transmits message from Prime Minister for Prime Minister approving the communication of No. 459 to other Dominions and India with a certain amendment 43
477 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 106, Secret ... ... March 12	Transmits copy of telegram conveying views of the Government of India on the Protocol 43
478 The Governor-General Commonwealth of Australia, Telegram, Secret ... ... March 13 (Rec. Mar. 13)	States that Prime Minister has no objection to communication of No. 460 to other Dominions and India 45
479 The Governor-General Union of South Africa, Telegram, Secret March 14 (Rec. Mar. 14)	Quotes question to be asked in the House, and indicates proposed reply. States that Prime Minister would like the advice of the British Government as to documents most suitable for publication 45
480 To the Governor-General Union of South Africa, Telegram, Secret March 16	Submits observations on No. 479 and discusses question of publication 45
481 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 121, Secret ... ... March 19	Transmits copies of Nos. 459 and 460 46

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
482 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 127, Southern Rhodesia, 101 ... ... March 23	Transmits copy of Cmd. 2368 containing Mr. Chamberlain's statement at Geneva on 12th March regarding the Protocol together with an Addendum thereto ... 46

(3) Registration of Treaties under Article 18.

1925	
483 Sir R. Garran, to Mr. E. J. Harding ... March 11 (Rec. Apr. 20)	Explains how various agreements came to be sent direct to the League for registration but thinks this method of transmission need not be considered as a precedent. Cannot trace that the decision to regard Postal Conventions between parts of the Empire as outside the scope of Article 18 of the Covenant, has been communicated to the Commonwealth 47
484 Mr. H. F. Batterbee to Sir R. Garran ... May 27	Regrets that instructions did not make it clear that only international as apart from inter-Imperial agreements should be registered with the League of Nations, and discusses machinery by which such registration on behalf of the Commonwealth should be effected 48
485 Dr. W. Henderson, Melbourne, to Mr. R. G. Casey (Extract). November 11	States that in future inter-Imperial agreements will not be communicated to the League. Proposes to bring the matter up at the next Imperial Conference ... 48

(4) Registration by Irish Free State of Articles of Agreement of 6th December, 1921.

1925	
486 To the Governor-General Irish Free State, 81 March 9	Explains attitude of His Majesty's Government with regard to the registration of the Agreement with the League of Nations 49
487 To the Governors-General Canada, 109, Commonwealth of Australia, 83, New Zealand, 41, Union of South Africa, 44 ... ... March 9	Transmits copies of Nos. 300 in Dominions No. 93 and No. 480 50
488 To Foreign Office ... March 9	Transmits copies of Nos. 360 in Dominions No. 93 and No. 486 50

(5) Inter-Imperial Applicability of Conventions negotiated under the Auspices of the League and Procedure for Signature of such Conventions.

1925	
489 Mr. W. E. Beckett, Foreign Office ... June 19	Memorandum on the views of the Irish Free State and Canadian delegates on the form of preamble, signature and ratification of Treaties, with special reference to Arms Traffic and Obscene Publications Conventions 50

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
490 Sir C. J. B. Hurst, Foreign Office ... July 4	Memorandum pointing out the dangers of the present method of signing Conventions negotiated under the auspices of the League of Nations on behalf of the British Empire and its Dominions 52
491 Sir C. T. Davis to Sir C. J. B. Hurst ... December 3	Transmits with observations memorandum embodying Mr. Amery's views on points raised in No. 490 together with a memorandum circulated by Sir Robert Borden to the British Empire Delegation at Paris Peace Conference 53
(6) Customs Formalities Convention.	
1925	
492 To the Governor-General Commonwealth of Australia, Telegram February 4	States that steps are being taken with a view to ratification of the Convention by His Majesty on behalf of the Commonwealth of Australia (excluding Papua, Norfolk Island and the Mandated Territory of New Guinea) 60
493 To the Governor-General Commonwealth of Australia, 116 ... April 14	Notifies the deposit of the Instrument of Ratification on behalf of the Commonwealth of Australia (excluding Papua, Norfolk Island and the Mandated Territory of New Guinea) of the Convention and Protocol with the League Secretariat on 13th March, and states that members of the League and other States signatory to the Convention are being so informed ... 61
(7) Protocol concerning Arbitration Clauses in Commercial matters.	
1925	
494 To the Governor Southern Rhodesia, 44 February 11	Transmits copy of circular letter from the Secretary-General, League of Nations, notifying the accession of Southern Rhodesia to the Protocol concerning Arbitration clauses in Commercial matters 61
495 The Governor Newfoundland, 64 ... May 28 (Rec. June 12)	States that Ministers desire that notification of adhesion under Article 8 of the Protocol be made on behalf of Newfoundland 62
496 To the Governor Newfoundland, 76 ... July 24	Transmits copy of correspondence with the Secretary-General, League of Nations, notifying the adhesion of Newfoundland to the Protocol 62
LOCARNO, TREATIES OF, 1925.	
1925	
497 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret (Extract) February 4	Communicates information derived from a conversation between Mr. Chamberlain and the German Ambassador regarding Germany's attitude towards the proposed Security Pact with France, and her refusal of a seat on the Council of the League of Nations ... 63
498 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... ... March 5	Communicates the feeling in France and Italy with regard to Germany's willingness to enter into a Pact to guarantee the existing boundary line between Germany, France and Belgium, as indicated by French and Italian Press articles 64

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
499 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram March 6	Communicates the substance of a speech by the Foreign Secretary indicating Great Britain's policy towards the German proposals for a Security Pact, and for the maintenance of European pacification 64
500 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram. Secret ... ... March 8	Communicates a summary of facts connected with German overtures for a Security Pact and recites the gist of conversations with the French and German Ambassadors regarding the eastern and western frontiers of Germany 65
501 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... ... March 12	Summarizes briefly the substance of conversations between the Foreign Secretary and M. Herriot in Paris on the 6th and 7th of March on the question of a possible limited Anglo-French or Anglo-Franco-Belgian pact 67
502 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... ... March 17	Communicates substance of discussions between the British Ambassador at Berlin and members of the German Government regarding the frontiers question and the probable assurance of Germany's entry into the League of Nations provided that Pact discussions developed satisfactorily 68
503 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... ... March 20	Communicates instructions given to the British Ambassador in Berlin for guidance in the conduct of the German Government's hopes in respect of frontier questions and the impression on the French, Belgian and Italian Press of German proposals for the Pact ... 69
504 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Telegram, Secret March 21	Communicates the outline of the speech to be made by the Foreign Secretary in Parliament on 24th March, following his visits to Paris and Geneva, particularly with regard to the Geneva Protocol, the frontier question and general review of the whole situation ... 70
505 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Telegram ... March 25	Hopes that a statement made on winding up the debate in Parliament on the 24th March that negotiations with the Dominions could be conducted by cable, and that Dominion representatives should meet and proceed united to Geneva, will be realized 71
506 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... ... May 23	Summarizes the draft reply of the French Government to the German proposals of 9th February 72

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
507 The Governor-General New Zealand, Telegram, Secret ... ... May 26 (Rec. May 26)	States that the New Zealand Government is content to leave the decision of any point in connexion with the reply to the German proposals to His Majesty's Government, except that it maintains its protest against arbitration by a Foreign Court of matters of International Law in which British and Continental Jurists disagree 73
508 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... ... May 29	Communicates text of despatch to His Majesty's Ambassador, Paris, approved by the Cabinet following receipt of explanations from the French Government of the terms of their reply to the German proposals 73
509 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... ... May 29	Communicates translation of text of the original French draft, and of modifications proposed by His Majesty's Government 73
510 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... ... June 6	Communicates the substance of the French Government's reply to the despatch to the British Ambassador, Paris, of 28th May 74
511 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... ... June 10	Intimates the communication to the French Government of the acceptance of His Majesty's Government of the further French amendments to the draft note to Germany and amplifies the point referred to in No. 510 regarding the proposed Rhineland Pact ... 75
512 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... ... June 10	Reports agreement between the Foreign Secretary and M. Briand on the terms of the French reply to the German Pact proposals, quotes an answer given by the Prime Minister to a question in the House of Commons and corrects mis-statements made by the French Havas Agency regarding the proposals ... 75
513 The Governor-General New Zealand, Telegram, Secret ... June 16 (Rec. June 16)	States that the New Zealand Government is content to accept and stand by decisions of His Majesty's Government in respect of negotiations with foreign Governments relating to security of frontiers ... 76
514 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... ... June 17	Reports delivery of the French reply to German proposals to the German Government on the 16th June, and states the points of difference in the final version to that communicated by the French Ambassador on 5th June 77
515 The Governor-General New Zealand, Telegram ... ... June 18 (Rec. June 18)	States the substance of the first reference made by the new Prime Minister, Mr. Coates, to the attitude of New Zealand towards the negotiations by Great Britain with European Powers 77

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
516 The Governor-General Canada, Telegram June 20 (Rec. June 21)	Inquires as to what communications can be published 78
517 To the Governor-General Canada, Telegram June 22	Gives suggestions for immediate publication 78
518 The Governor-General Canada, Telegram June 22 (Rec. June 23)	States that Ministers concur in publication of White Paper and texts of German Memorandum of 9th February and French note of 16th June 78
519 To the Governor-General Canada, Telegram June 23	Communicates text of Nos. 1 and 9 in Cmd. 2435 ... 79
520 To the Governors-General Commonwealth of Australia, New Zealand, Union of South Africa, Telegram ... June 24	Communicates substance of correspondence with Canada and inquires whether full text of Nos. 1 and 9 in Cmd. 2435 should be telegraphed with a view to publication of recent correspondence, if desired, in the Dominions 79
521 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 264 June 24	Transmits copies of Cmd. 2435 80
522 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Telegram ... June 25	Communicates reply of Foreign Secretary to points raised in debate in the House on 24th June regarding the discussion of negotiations, the non-undertaking of obligations without ratification by Parliament, the attitude and non-committing of the Dominion Governments 80
523 The Governor-General Commonwealth of Australia, Telegram June 26 (Rec. June 26)	Asks for the full text of documents mentioned in No. 520 by telegraph and for the parts of other recent communications which the Secretary of State agrees to being laid before the Commonwealth Parliament ... 81
524 The Governor-General Union of South Africa, Telegram ... ... June 27 (Rec. June 27)	Asks for the full text of documents referred to in No. 520, and details of any recent telegrams which His Majesty's Government deem it advisable to be published 81
525 The Governor-General New Zealand, Telegram ... ... June 30 (Rec. June 30)	States that Ministers do not require the text of documents mentioned in No. 520 by telegraph, but will await arrival of the White Paper which they understand may be laid on the Table in New Zealand ... 81
526 To the Governors-General Commonwealth of Australia, New Zealand, Union of South Africa, Telegram ... June 30	Considers it preferable to publish text of communications between British and French Governments in addition to documents mentioned in No. 520, and gives references to, and descriptions of documents published in the White Paper 81
527 To the Governor-General New Zealand, Telegram June 30	Explains why two telegrams of 30th June were repeated to New Zealand and indicates the character of correspondence which is being published forthwith in the Commonwealth of Australia and the Union of South Africa 82
528 To the Governors-General Commonwealth of Australia, New Zealand, Union of South Africa, Telegram Parts 1-3, June 30 Parts 4-6, July 1	Refers to No. 526 and quotes text of documents referred to therein 83

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
529 To the Governor-General Commonwealth of Australia, Telegram July 1	Agrees with view expressed in No. 523 that publication in Australia should be as complete as possible ... 83
530 To the Governor Newfoundland, Telegram ... ... July 1	Requests that fullest publicity be given to White Paper enclosed in No. 521 83
531 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Telegram, Secret July 3	Notifies the completion of a tentative draft of a document designed to show how the principles in the White Paper might be embodied in a formal instrument, which is being communicated to the French Ambassador as a suggestion to facilitate negotiations 84
532 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Telegram, Secret July 3	Quotes the preamble and numbered clauses of the draft referred to in No. 531 84
533 To the Governors-General and Governor, Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Telegram, Secret July 4	Quotes the explanatory comments referred to in the last sentence of No. 531 85
534 The Governor-General Union of South Africa, Telegram ... ... July 6 (Rec. July 6)	States that as there has been no strong desire for publication of documents referred to in No. 526, and as the Union Government is not a party to the negotiations they have no suggestions as to method of publication. They are, however, laying the documents as telegraphed on the Table of the House 86
535 The Governor-General Union of South Africa, Telegram, Confidential July 6 (Rec. July 6)	Understands confidentially that the wording of Ministers' reply to No. 534 is intended to indicate that they are unlikely to assume any responsibility in connexion with the Pact 86
536 To the Governor-General Irish Free State, Telegram ... ... July 21	Note received from German Government, 20th July, and will be published 22nd July. Text will be sent by mail 86
537 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram Part 1, July 21 Part 2, July 22	Quotes translation of a note from the German Government handed to the Foreign Secretary by the German Ambassador, 20th July, and to be published 22nd July 86
538 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram July 30	Message to Prime Minister that, in view of recent developments, a meeting of representatives of Dominions in London prior to League of Nations Assembly seems unnecessary and, as the Foreign Secretary will be at Geneva before the Assembly, consultations can take place there 87

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
539 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... ... July 31	Summarizes a despatch sent to the British representative in Paris on 27th July for communication to M. Briand, containing the observations of the Foreign Secretary on the German note 87
540 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... ... August 7	Notifies receipt from M. Briand of his observations upon amended draft Treaty and the draft of reply to last German note, and that M. Briand is coming to London to discuss the drafts with the Foreign Secretary 88
541 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... ... August 13	Reports complete agreement between M. Briand and the Foreign Secretary on the texts of the French draft reply to the last German note and the draft Treaty, and intimates the steps which will follow the delivery of the reply to the German Government 89
542 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... ... August 17	Message for Prime Minister giving a résumé of the discussions with French Government since the communication to them of the original British draft of a Treaty of Mutual Guarantee, and intimating the need for strict secrecy regarding these conversations, until a meeting with the Germans has been secured 89
543 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... ... August 17	Message for Prime Minister communicating the believed satisfaction in Berlin at the communiqué issued at close of Briand-Chamberlain conversations, the influence exerted by M. Briand, and hopes for an early meeting with the German representatives ... 91
544 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram Secret ... ... August 22	Communicates the suggested proposal for a meeting of the British, French, Belgian and German Legal Advisers to discuss the form which the proposed Treaty should take, and to prepare the way for a meeting of Foreign Ministers 92
545 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... September 15	Gives gist of a conversation at Geneva on 9th September between Ms. Briand, Vandervelde Scialoja and Mr. Chamberlain regarding the Jurists' meeting and the proposed Ministers' meeting; and states that the French and British representatives in Berlin are handing simultaneous invitations to the German Government 92
546 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... September 15	Communicates the substance of the French note referred to in No. 545 93

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
547 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland. Telegram, Secret ... September 28	Reports the acceptance by the German Government of the invitation to a Conference of Ministers in Switzerland, and the issue of a German declaration regarding war responsibility and desirability of settlement of Cologne and disarmament questions before entry into the League 94
548 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram September 30	Quotes substance of texts of German note referred to in No. 547, and of the reply thereto and to the Declaration regarding Germany's war responsibility, etc. 94
549 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... September 30	Communicates substance of a verbal declaration made by the German Ambassador defining Germany's attitude on the questions of the making of the conclusion of a Security Pact conditional upon the entry of Germany into the League, the evacuation of the North Rhenish zone and disarmament 95
550 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... ... October 6	Communicates the proceedings at the first meeting of the Locarno Conference, and the amendments suggested by Germany to Articles 1, 4(3), 6 and 8; Articles 3, 5, 9 and 10 being agreed to without comment, and the preamble with Articles 7 and 11 at Germany's request being referred back to the Jurists 96
551 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... ... October 7	Communicates proceedings at meeting of Locarno Conference on 6th October regarding leakage of information to Italian newspaper, the arranging of a meeting between French and German delegates in connexion with Germany's objection to Article 6 of the draft Treaty, and the attitude of the British Government towards question of eastern frontier ... 97
552 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... ... October 9	States that, at a conversation between Mr. Chamberlain and the German Foreign Minister, the latter suggested that the German objection to Article 16 of the League of Nations Covenant might be got over by an interpretation rather than a modification of the Article: and that the suggestion is to be explored by French, British and German legal advisers 98
553 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... ... October 12	Communicates the salient points of the Conference meeting of 10th October regarding the alteration of the preamble to include Italy, and the amendments submitted by the Jurists; and states that Articles 6 and 7 were the chief points of discussions between the Foreign Secretary and the French and German delegates on October 10th 98
554 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... ... October 14	Outlines the declaration accepted by the German delegates as safeguarding their position under Article 16 of the Covenant, and states that upon signature of the Pact the Allies would declare the security of Europe sufficiently assured to permit of the practical application of Article 8; also that the only question outstanding is the guarantee of Eastern Arbitration Treaties 99

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
555 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... ... October 15	Reports the acceptance by all parties of the amended draft text of the Pact and observes as to the final signatures and the acceptance of the French as the authoritative text 100
556 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... ... October 16	Reports final approval by the Conference of the draft Pact and that the Czech and Polish Foreign Ministers hoped to reach a settlement regarding draft Arbitration treaties in time for presentation to the Conference on 16th October 100
557 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... ... October 17	Reports the attempts of the German delegates to obtain eleventh hour concessions and the raising by them of the question of the League scheme of military investigation. States that Mr. Chamberlain convinced them that the danger was imaginary and that the danger of a rupture was averted 101
558 The Governor-General New Zealand, Telegram ... ... October 19 (Rec. Oct. 19)	Requests that the congratulations of New Zealand Government upon the success of the negotiations at Locarno may be conveyed to His Majesty's Government 102
559 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram October 20	Enumerates the documents which have been published 102
560 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Telegram, Confidential ... November 18	Communicates message from Prime Minister suggesting that examination of the situation created by the Treaty be deferred until opportunity arises of personal discussion between Ministers here and representatives of the Dominions and India at the next Imperial Conference 102
561 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Telegram November 18	Gives substance of Foreign Secretary's speech in House of Commons on 18th November relating to the position of the Dominions 103
562 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 491, Southern Rhodesia, 435 ... ... November 18	Transmits certified copies of the final Protocol of the Conference at Locarno 104

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
563 The Governor-General New Zealand, Telegram ... A. November 19 (Rec. Nov. 19)	Communicates extract from Prime Minister's speech on 17th November regarding ratification of the Security Pact by the New Zealand Parliament ... 104
564 The Governor-General Canada, Telegram, Confidential ... November 23 (Rec. Nov. 23)	Transmits message from Prime Minister for Prime Minister stating, in reply to No. 560, that it is noted that further suggestions are to be made in the near future in connexion with Imperial Conference proposals, and that Government will, in the meantime, give the present proposals its careful consideration ... 104
565 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 500, Southern Rhodesia, 448 ... ... November 24	Transmits copies of Cmd. 2525 105
566 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Telegram December 1	Reports signature in London on 1st December of the Treaties initialled at Locarno 105
567 The Governor-General New Zealand, Telegram ... December 10 (Rec. Dec. 10)	Conveys congratulations of New Zealand Government on the results of the negotiations, and states that treaties to which Great Britain is a party will be ratified by the Dominion at the earliest possible date 105
568 To the Governor-General New Zealand, Telegram, Secret and Personal ... December 15	Gives reasons why it is preferred that Dominion Governments reach a final decision regarding ratification of the Pact, and asks whether Prime Minister would be embarrassed, in view of his statements reported in No. 563, if it were suggested that reference to New Zealand Government should be deferred until after Imperial Conference 106
569 To the Governor-General New Zealand, Telegram, Private and Personal ... December 15	Quotes text of telegram from High Commissioner to Prime Minister stating the general conclusion of a meeting of High Commissioners was that it would be better for Dominions not to act independently at present but to await Imperial Conference 106
570 The Governor-General New Zealand, Telegram, Secret and Personal ... December 23 (Rec. Dec. 23)	Communicates brief summary of Prime Minister's views asked for in No. 568 107
571 To the Governor-General New Zealand, Telegram, Secret and Personal ... December 24	Thinks it will be necessary to await replies from other Dominions before giving date of next Imperial Conference. In any case, Foreign Secretary must be consulted as to paragraph 3 of No. 570 107

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
MANDATES.	
(1) Attitude of the United States Government.	
(a) Conventions relating to Palestine and "B" Mandated Territories.	
1925	
572 To the Governors-General Canada, Confidential (2), Commonwealth of Australia, Confidential (2), New Zealand, Confidential (2), Union of South Africa, Confidential ... January 9	Transmits copies of correspondence with the United States Ambassador regarding the conclusion of proposed Anglo-American treaties concerning the former German territories in Central Africa, now administered under mandate by His Majesty's Government ... 107
573 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 61, Confidential ... February 16	Transmits copy of Convention with United States regarding Palestine, indicating arrangements made as regards publication and ratification thereof ... 109
574 To the Governors-General Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Confidential ... February 25	Transmits copies of three Conventions with America concerning (1) the former German Colony of East Africa; (2) the former German Protectorate of Togoland; and (3) the former German Protectorate of the Cameroons, as signed on 10th February, 1925 ... 109
575 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 543, Confidential ... December 22	Reports exchange of ratifications of Anglo-United States Convention regarding Palestine on 3rd December, 1924, from which date Convention enters into operation 109
576 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 550, Southern Rhodesia, 503 ... ... December 31	Transmits copy of Cmd. 2559 containing the text of the Anglo-United States Convention regarding Palestine 110
(b) United States rights in "C" Mandated Territories.	
1925	
577 To the Governor-General Union of South Africa, Telegram, Private and Personal ... January 14	Requests that certain considerations with regard to United States and "C" mandates be brought before General Hertzog, and urges desirability of completing present correspondence through channel hitherto adopted, i.e., United States Ambassador in London 110
578 To the Governor-General Union of South Africa, Telegram, Secret and Personal ... January 14	Refers to No. 577 and states that further explanation will be given of any point not made clear 111

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
579 The Governor-General Union of South Africa, Telegram, Private and Personal ... January 22 (Rec. Jan. 22)	Reports that Prime Minister is prepared to allow the negotiations with the United States regarding "C" mandates to continue in the present channel subject to the agreement of his colleagues 112
580 The Governor-General Union of South Africa, Telegram, Confidential January 26 (Rec. Jan. 26)	Summarizes Ministers' Minute stating that they are willing that the present correspondence with United States should be completed through the channel hitherto adopted and that they concur in course proposed in Secretary of State's despatch of 6th September, 1924, only desiring that, as usual, Ministers shall be consulted as to further terms of any note which may be sent to United States Government concerning South West Africa 113
581 The Governor-General Union of South Africa, Confidential ... January 28 (Rec. Feb. 17)	Transmits copy of Ministers' Minute summarized in No. 580 113
582 To the Governor-General Union of South Africa, Telegram, Personal March 2	Assumes that concluding words of Ministers' Minute in No. 581 refer to any subsequent communication to United States Government 114
583 The Governor-General Union of South Africa, Telegram, Personal March 4 (Rec. Mar. 4)	States, in reply to No. 582, that assumption is correct 114
584 To the Governors-General Commonwealth of Australia, Confidential, New Zealand, Confidential, Union of South Africa, Confidential (2) ... ... April 17	Transmits copy of note to United States Chargé d'Affaires informing him that the Dominions are willing that an assurance should be given that United States nationals and goods will be treated in all respects on a footing equal to that enjoyed by the nationals and goods of any state member of the League of Nations with the exception of those within the British Empire 114
585 To the Governor-General Canada, Confidential April 23	Transmits copy of correspondence with United States Ambassador on the subject of "C" mandates ... 116
586 The Governor-General Union of South Africa, Telegram, Private and Personal ... ... May 29 (Rec. May 29)	Explains difficulties which have arisen over the new Customs Tariff and the dilemma in which Ministers find themselves through having overlooked the full extent of their commitments when they agreed to terms of note to United States Chargé d'Affaires (enclosure in No. 584) 116
587 To the Governor-General Union of South Africa, Telegram, Private and Personal ... ... July 3	States, in reply to No. 580, that position is being carefully examined and result will be telegraphed shortly 117
588 Dominions Office ... August	Memorandum regarding difficulty defined in No. 586 ... 117
589 To the Governor-General Union of South Africa, Telegram, Private and Personal ... ... July 3	Summarizes No. 588 119
590 Mr. W. C. Hankinson to Major E. N. Alexander, Confidential August 20	Transmits copy of No. 588 119

(2) Position of Mandated Territories in relation to Treaties. Discussion by Permanent Mandates Commission.

1925	
591 League of Nations ... July 10	Extract from the Report of the Permanent Mandates Commission on the work of its Sixth Session regarding the extension of special International Conventions to Mandated Territories 120

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
592 To Foreign Office August 29	States that draft Resolution of Permanent Mandates Commission regarding Loans, Advances and Investments of Public and Private Capital in Mandated Territories seems satisfactory and encloses explanatory memorandum regarding the Resolution as to the extension of Special International Conventions to Mandated Territories 120
593 League of Nations September 15	Resolution adopted by the Council of the League of Nations regarding the extension of special International Conventions to Mandated Territories ... 123

(3) Position of Mandated Territories in relation to Commercial Treaties.

1925	
594 To the Governors-General Commonwealth of Australia, 33, New Zealand, 14, Union of South Africa, 16 January 28	Transmits copy of note from the Greek Minister inquiring as to the applicability of commercial treaties between Great Britain and Foreign Countries to territories under British Mandate, and of the reply thereto 123
595 The Governor-General Union of South Africa, 91 ... ... March 13 (Rec. Mar. 30)	Transmits copy of Ministers' Minute suggesting that treaties should clearly indicate that the stipulations thereunder are not applicable to territories held under a "C" mandate, the mandatory whereof would negotiate its own treaty 124
596 To the Governor-General Union of South Africa, Telegram ... May 20	Suggests that relevant clause in future commercial treaties should be amended by adoption of some formula as to applicability to mandated territories as that proposed for extradition treaties (see No. 606) ... 125
597 The Governor-General Union of South Africa, Telegram ... ... June 1 (Rec. June 1)	States that Ministers cannot accede to suggestion that a commercial treaty between His Majesty's Government and a foreign Power should be capable of application to a mandated territory of which the Union holds the mandate, even with the proviso indicated, and they press for insertion of words in any new treaty making it clear that the treaty is not applicable to the Union or South West Africa ... 125
598 To the Governor-General Union of South Africa, Telegram ... November 14	Explains difficulty of inserting in text of commercial treaties provision on lines suggested in No. 597 ... 126

(4) Position of Mandated Territories in relation to Extradition Treaties.

1925	
599 To the Governor-General Union of South Africa, Telegram, Private and Personal ... January 15	Prefers to await result of discussion with General Hertzog referred to in No. 577 before replying officially to Governor-General's confidential despatch of 18th December, but since question of extradition may arise outlines reply which it is proposed to make 126
600 To the Governor-General Union of South Africa, Telegram ... February 4	States that it is now proposed to reply to Governor-General's telegram of 18th December on lines indicated 127
601 The Governor-General Union of South Africa, Telegram, Confidential February 11 (Rec. Feb. 11)	States that if Ministers can be satisfied that there is no fear of infringement of their rights as mandatory, it is possible they may agree to treaty negotiations as regards South-West Africa being conducted through the Foreign Office 127

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
602 To the Governor-General Union of South Africa, Telegram, Private and Personal ... February 28	States that alteration proposed as regards Article 18 of draft Extradition, United States Treaty would not be acceptable as it would prevent application of that Treaty to New Guinea and Western Samoa, which would presumably be desired by Commonwealth and New Zealand Governments 128
603 To the Governor-General Union of South Africa, Telegram, Confidential February 28	Explains points which have arisen in connexion with the procedure contemplated regarding the extension of Extradition Treaties to mandated territories 128
604 The Governor-General Union of South Africa, Telegram, Confidential March 17 (Rec. Mar. 17)	States that Ministers do not propose to press further the suggestions made in the last paragraph of their Minute in No. 259. They suggest insertion of formula mentioned or any alternative having the same effect, in Article 18, whether as regards the United States or any other treaty 129
605 To the Governor-General Union of South Africa, Telegram, Confidential April 11	Agrees that specific references to territories administered by Dominions under mandates should be inserted in Article 18 of draft Treaty with United States and in any other extradition treaties to be negotiated, and in any formal extensions of existing Treaties and suggests alternative wording of formula 129
606 The Governor-General Union of South Africa, Telegram ... ... April 28 (Rec. Apr. 28)	Concurs in form of words suggested for insertion in Article 18, and in similar Articles in future, and expresses appreciation that the general tenor of Ministers' previous suggestions has been accepted ... 130
607 The Governor-General Commonwealth of Australia, Confidential (2) ... ... April 1 (Rec. May 4)	States that it does not appear to Ministers to be clear that any application of the new Treaty to New Guinea would be in the same manner as if that Territory were a possession of His Majesty. Suggests an amendment to Article 18 and considers it advisable that the corresponding article in all future Treaties should be similarly expressed ... 130
608 To the Governor-General Commonwealth of Australia, Confidential August 11	Considers that for reason stated it would be preferable not to alter the wording of the second paragraph of Article 18 of draft Treaty as suggested in No. 607, and makes alternative suggestion 131
MEMEL.	
Convention relating to:	
1925	
609 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 439 October 3	Transmits copy of despatch from Paris forwarding a copy of the proces-verbal of the deposit of ratifications of the Convention by the Allied Powers which were parties thereto 132
METRIC SYSTEM.	
International Convention relating to:	
Accession of the Irish Free State.	
1925	
610 The Governor-General Irish Free State, 284 September 30 (Rec. Oct. 1)	States that Ministers desire to adhere to the Convention of 1875 as modified by Convention of 6th October, 1921; requests that French Government be notified accordingly and inquires as to amount of subscription payable 133

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
611 To the Governor-General Irish Free State, 418 November 4	Transmits copy of note to French Government announcing accession of Irish Free State Government to the Convention and inquiring as to the amount of subscription payable 133
MEXICO.	
Resumption of Diplomatic Relations and proposed Claims Convention.	
1925	
612 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Secret ... ... August 25	States, as regards question of resumption of diplomatic relations with Mexico, that there is now every prospect of agreement on lines indicated 134
613 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Telegram ... August 28	Quotes announcement to be published on 29th August to the effect that His Majesty's Government have decided the procedure for the renewal of diplomatic relations with Mexico 135
614 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 469, Confidential ... October 27	Transmits copies of despatches from His Majesty's Chargé d'Affaires at Mexico forwarding copies of notes exchanged with the Mexican Minister for Foreign Affairs, placing on record the agreement reached regarding the arrangements for dealing with the claims against the Mexican Government 135
615 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Confidential ... November 16	Summarizes operative provisions of draft Convention with Mexico for the settlement of claims in respect of losses suffered by British interests during revolutionary period in Mexico, and requests early expression of any observations Ministers may desire to offer 137
616 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 480, Confidential ... November 17	Transmits copy of draft Convention 139
617 To the Governor-General Irish Free State, Confidential ... November 17	Transmits copy of No. 615, and requests early expression of Ministers' views 139
618 The Governor-General New Zealand, Telegram, Confidential November 19 (Rec. Nov. 19)	States that Ministers have no observations to offer on proposed Convention 139

528

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
619 The Governor-General Union of South Africa, Telegram, Confidential November 21 (Rec. Nov. 21)	States that Ministers have no observations to offer on proposed Convention 140
620 The Governor Newfoundland, Telegram, Confidential November 21 (Rec. Nov. 21)	Ditto 140
621 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram December 11	States that His Majesty's Chargé d'Affaires, Mexico City, reports that draft Convention was presented to Mexican Government, 19th November 140
622 To the Governor-General Irish Free State, Confidential ... December 15	Ditto 140
623 To the Governor-General Commonwealth of Australia, Telegram December 16 (Rec. Dec. 16)	States that, as no claims have been lodged with the Commonwealth Government, Ministers have no observations to make on proposed Convention 141
624 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Confidential ... December 21	States that Mexican Government have put forward counter-draft, differing in certain respects from British draft. Outlines variations, most important of which occurs in Article 3, and states that as special importance is attached to ratification during present session of Mexican Senate, His Majesty's Chargé d'Affaires has been instructed to concede, if necessary, chief Mexican desiderata as outlined, provided Mexican Government agree to accept the British draft modified on those lines 141
625 To the Governor-General Irish Free State, Confidential ... December 22	Transmits copy of No. 624 141
626 The Governor-General Irish Free State, Confidential ... December 29 (Rec. Dec. 30)	States that Ministers have no observations to offer on proposed draft Convention 142

MUSCAT.

Commercial Treaty, 1891.

1925	
627 To the Governors-General Canada, 203, Commonwealth of Australia, 127, Irish Free State, 175 ... ... April 27	Transmits copy of a document signed by the Sultan of Muscat and the Political Agent, prolonging the Commercial Treaty of 1891 for a further period of one year 142

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.

NEGOTIATION, SIGNATURE AND RATIFICATION OF INTERNATIONAL AGREEMENTS.

Resolution of the Imperial Conference of 1923.

1925	
628 The Governor-General Irish Free State, 31 January 22 (Rec. Jan 23)	States that Ministers accept procedure suggested for the negotiation, signature and ratification of Treaties, but understand that the instrument of ratification will state in all cases the member or members of the Commonwealth on whose behalf it is made 143
629 To the Governor-General Irish Free State, 80 March 9	Explains the existing practice in connexion with ratification of treaties 143
630 To the Governor-General Irish Free State, 135 April 3	States that No. 628 and connected correspondence have been sent to the other Dominions and India 144
631 To the Governors-General and Governor Canada, 161, Commonwealth of Australia, 106, New Zealand, 66, Union of South Africa, 69, Newfoundland, 34 April 6	Transmits copies of correspondence with the Governor-General, Irish Free State, on the subject 144

NETHERLANDS.

Commercial Convention with Canada.

1925	
632 To the Governor-General Canada, 330 ... August 7	Transmits copy of despatch from His Majesty's representative at The Hague forwarding copies and a translation of the law approving the Commercial Treaty between Canada and the Netherlands ... 145
633 The Deputy Governor-General Canada, 343 ... August 27 (Rec. Sept. 10)	Transmits certified copy of the Treaty concluded at Ottawa on 11th July, 1924, approved by the Canadian Parliament and by the States-General of the Netherlands, together with copy of Privy Council Minute advising that His Majesty be moved to ratify the Convention 146
634 The Governor-General Canada, Telegram October 5 (Rec. Oct. 5)	States that Consul-General for Netherlands has received Instrument of Ratification by Queen of the Netherlands, and inquires as to approximate date at which His Majesty's Instrument of Ratification may be expected 146
635 To the Governor-General Canada, Telegram October 13	States that Instrument of Ratification by His Majesty is being forwarded by mail of 15th October 147
636 To the Governor-General Canada, 441 ... October 14	Transmits His Majesty's Ratification of the Convention and requests that authenticated copy of certificate recording exchange of ratifications be forwarded in due course 147
637 The Governor-General Canada, 445 ... November 4 (Rec. Nov. 18)	Reports exchange of Ratifications and encloses authenticated copies of Certificate recording exchange, for transmission to the Foreign Office 147
639 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 554 December 28	Transmits copies of Treaty Series paper No. 52 of 1925, Cmd. 2555, containing the Commercial Convention between Canada and the Netherlands, signed at Ottawa on 11th July, 1924 148

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.

NORWAY.

(1) Proposed Commercial Agreement with Australia.

1925

639	The Governor-General Commonwealth of Australia, Telegram January 23 (Rec. Jan. 23)	States that Commonwealth Government does not propose at present to enter into negotiations with foreign countries for conclusion of commercial agreements, but the question of negotiations with Norway will be given further consideration at a later date ... 148
640	To the Governor-General Commonwealth of Australia, 39 ... February 6	Transmits copy of note to the Norwegian Chargé d'Affaires, conveying decision expressed in No. 639 ... 149

(2) Agreement for the Reciprocal Exchange of Information concerning Lunatics.

1925

641	The Governor-General Commonwealth of Australia, 348 December 13, 1924 (Rec. Jan. 19, 1925)	States that Ministers agree that arrangements be made on behalf of the Commonwealth for the reciprocal exchange of information with Norway concerning lunatics 149
642	The Governor-General Canada, 17 ... January 16 (Rec. Jan. 30)	Reports that the Ontario Government have expressed their readiness to supply the information desired and asks whether a number of prints of the Anglo-Norwegian Agreement could be supplied. Adds that the other Provincial Governments are being pressed for a reply 150
643	The Governor-General Canada, 128 ... March 26 (Rec. Apr. 8)	States that Governments of all the Canadian Provinces have expressed willingness to supply information desired. Suggests agreement might be effected by an exchange of notes 150
644	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 317 July 27	Transmits copy of note to Norwegian Chargé d'Affaires reporting that Dominion Governments are willing that provisions of Agreement should apply also to them, and forwarding draft of note which might serve as a basis for further arrangements contemplated 150

OBSCENE PUBLICATIONS CONVENTION, 1923.

1925

645	The Governor-General Irish Free State, 151 May 12 (Rec. May 13)	States that Ministers do not desire the inclusion of the Irish Free State in the Instrument of Ratification of the Obscene Publications Convention, as the arrangements for carrying out of the provisions of the Convention have not yet been completed 152
646	To the Governors-General Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Dominions Treaty, 42 ... December 21	Transmits copy of communication to League of Nations forwarding His Majesty's ratification of Convention in respect of Great Britain and Northern Ireland, New Zealand, including Western Samoa, Union of South Africa, including South-West Africa, and India ... 152

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.

OPIUM CONVENTIONS, 1925.

1925

647	Mr. H. W. Malkin, Foreign Office ... February 19	Memorandum explaining the reason for the omission from the Opium Convention of the article providing that the Convention is not to be interpreted as regulating the rights and obligations *inter se* of the various parts of the British Empire 153
648	To the Governors-General Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Telegram ... ... May 21	States that the work of two Opium Conferences held at Geneva resulted in (*a*) the adoption of an agreement supplementary to Opium Convention, 1912, and (*b*) a Convention relating to Dangerous Drugs, with Protocols in both cases. Proposed that (*a*) should be ratified by His Majesty, subject to any necessary exceptions as regards territories under His Majesty's protection and that (*b*) should be ratified on behalf of this country. Inquires whether Ministers desire that latter should also be ratified on their behalf 155
649	To the Governor-General Commonwealth of Australia, Telegram May 21	Requests that, in the event of Ministers desiring ratification of Dangerous Drugs Convention on behalf of Commonwealth, intimation may be given whether excluding declaration under Article 39 should be made in respect of Papua, Norfolk Island or New Guinea, and as to the application of the Convention and Protocol to Nauru 155
650	To the Governors-General Canada, New Zealand, Union of South Africa, Telegram ... ... May 21	States that if Ministers desire ratification of Dangerous Drugs Convention on their behalf His Majesty's Government would be glad to learn what arrangements they contemplate for signature. [*To New Zealand and Union of South Africa:* and in the event of their deciding that excluding declaration under Article 39 should be made in respect of [Western Samoa] [South-West Africa] whether it is intended to make declaration at time of signature or desired that matter should be dealt with in instrument of ratification 156
651	To the Governor-General Irish Free State, 205 May 23	Invites reference to Agreement and Convention which resulted from the work of the Opium Conferences held at Geneva. Proposes that Agreement and Protocol thereto should be ratified by His Majesty, subject to any necessary exceptions as regards protected territories, and that the Convention and Protocol thereto should be ratified on behalf of this country. Inquires whether it is desired that the latter should also be ratified on behalf of the Irish Free State ... 156
652	To the Governors Newfoundland, 54, Southern Rhodesia, 176 ... ... May 25	Transmits copies of (*a*) an Agreement supplementary to the Opium Convention, 1912, with Protocol thereto, and (*b*) a Convention relating to Dangerous Drugs with Protocol thereto. Proposes that (*a*) should be ratified by His Majesty, subject to any necessary exceptions as regards territories under protection and that (*b*) should be ratified on behalf of this country. Inquires whether Ministers desire a declaration under Article 39 of the Convention to be made at the time of ratification 156
653	The Governor-General Commonwealth of Australia, Telegram ... June 3 (Rec. June 3)	Requests that necessary measures be taken to effect ratification of Dangerous Drugs Convention on behalf of Commonwealth. Desires its application to Papua, Norfolk Island and New Guinea, and sees no objection to its application to Nauru 157
654	The Governor-General Union of South Africa, Telegram ... ... June 24 (Rec. June 24)	States that High Commissioner in London has been instructed to sign Dangerous Drugs Convention and Protocol on behalf of the Union and of South-West Africa, and requests that His Majesty will ratify Convention and Protocol on behalf of both 157

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
655 The Governor-General New Zealand, Telegram ... ... July 4 (Rec. July 4)	Requests ratification of Dangerous Drugs Convention and Protocol on behalf of New Zealand, either by His Majesty's Government or the High Commissioner for New Zealand. Desires its application to Western Samoa and states that legislation will be introduced as soon as possible to give effect to terms of Convention and Protocol 158
656 The Governor Southern Rhodesia, Telegram ... ... July 11 (Rec. July 11)	States, with reference to No. 652, that Government accepts Supplementary Agreement and Convention with Protocols thereto, subject to certain reservations regarding the Convention 158
657 To the Governor Southern Rhodesia, Telegram ... ... August 6	States, in reply to No. 656, that Article IX of Convention does not apply to the supply of tincture of opium to stock-owners and ranchers who have been authorized to possess it for veterinary purposes. Requests that Ministers will not press for the adoption of yearly or half-yearly returns 158
658 The Governor Newfoundland, Telegram ... ... August 28 (Rec. Aug. 29)	Agrees that Articles of Convention shall apply to Newfoundland 159
659 The Governor-General Canada, Telegram September 5 (Rec. Sept. 5)	States that Senior Canadian Delegate to Sixth Assembly of the League of Nations has been authorized to sign Opium Convention and Protocol 159
660 The Governor Southern Rhodesia, Telegram ...September 22 (Rec. Sept. 22)	Inquires whether, for reasons stated, the quarterly returns of imports and exports certificates will be sufficient for the purpose required 159
661 To the Governor-General Canada, Telegram September 25	Requests early intimation whether ratification of Opium Convention and Protocol by His Majesty on behalf of Canada is desired 160
662 To the Governor-General Irish Free State, 376 September 26	Requests early intimation as to whether ratification of Opium Convention and Protocol by His Majesty on behalf of the Irish Free State is desired 160
663 To the Governor Southern Rhodesia, Telegram ... October 23	States, in reply to No. 660, that statistics based on import certificates and export licences would not be sufficient to meet requirements of Convention, which calls for statistics of actual imports and exports. Suggests certain course for Ministers' consideration ... 160
664 The Governor Southern Rhodesia, Telegram ... December 3 (Rec. Dec. 3)	States that arrangements have been made for quarterly returns of actual imports and exports of drugs to be furnished beginning with quarter ending 31st December, 1925 161
665 To the Governor-General Canada, Telegram December 21	States that it is considered undesirable that deposit of His Majesty's Ratification of Convention and Protocol should be delayed beyond 31st December. Instrument of ratification is therefore being prepared and should Ministers desire inclusion of Canada therein, early notification is requested, although in the absence of such notification provision will be made in instrument that ratification shall not apply to Canada without prejudice to right of His Majesty to ratify on behalf of Canada at a later date 161
666 To the Governor-General Irish Free State, 474 December 22	States that it is considered undesirable that deposit of His Majesty's ratification of Convention and Protocol should be delayed beyond 31st December. Instrument of ratification is therefore being prepared and should Ministers desire inclusion of Irish Free State therein, early notification is requested although, in the absence of such notification, provision will be made in Instrument that ratification shall not apply to Irish Free State, without prejudice to right of His Majesty to ratify on behalf of Irish Free State at a later date 161

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
667 The Governor-General Canada, Telegram December 31 (Rec. Dec. 31)	States that as possibility of submitting Convention to Parliament is still under consideration it is not desired that Canada be included in ratification 161

PANAMA.

Proposed Commercial Treaty.

1925	
668 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 314, Southern Rhodesia, 200 ... ... July 24	Transmits copy of draft Treaty of Friendship, Commerce and Navigation with Panama which has been forwarded to His Majesty's Minister at Panama for submission to the Panamanian Government 162

PERSIA.

Agreement, 1920, Modifying the Commercial Convention of 1903.

1925	
669 The Governor-General Canada, 598 December 29, 1924 (Rec. Jan. 9, 1925)	States that, on reconsideration, the Canadian Government has decided to take no further steps in the matter, so that the notification of withdrawal given to the Persian Government may be disregarded ... 162
670 To the Governors-General Canada, 100, Commonwealth of Australia, 81 ... ... March 7	Transmits copy of despatch to His Majesty's Minister at Tehran regarding the cancellation of the withdrawal of Canada and the withdrawal of the Commonwealth of Australia from the Anglo-Persian Agreement of 1920 162

PHOSPHORUS, WHITE.

Convention Prohibiting the Use of: in the Manufacture of Matches.

Position of the Irish Free State.

1925	
671 The Governor-General Irish Free State, 349 December 23 (Rec. Dec. 24)	Requests that Swiss Government be informed of the accession of the Irish Free State to the Berne Convention of 1906 regarding the use of white phosphorus in the manufacture of matches 163

POLAND.

Commercial Treaty, 1923.

1925	
672 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 2, Southern Rhodesia, 1 January 2	Transmits copy of a despatch from Warsaw forwarding a translation of the law empowering the Polish Government to increase existing customs duties and to charge customs duties on goods, the import of which is, at present, free 164

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
673 The Governor-General Commonwealth of Australia, 343 December 9, 1924 (Rec. Jan. 19, 1925)	States that the Commonwealth Government does not desire to accede to the Treaty at present 165

PORTUGAL.

Tonnage Measurement Agreement, 1926.

1925	
674 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram June 9	Inquires if Ministers concur in the proposed Agreement with Portugal relating to tonnage measurement of ships 165
675 To the Governor-General Irish Free State, 230 June 13	Transmits copy of No. 674 and inquires whether Ministers concur in proposed Agreement 166
676 The Governor-General New Zealand, Telegram ... ... June 19 (Rec. June 19)	States that Portuguese regulations for tonnage measurement of ships, referred to in No. 674, will be recognized in New Zealand 166
677 The Governor Newfoundland, Telegram ... ... June 23 (Rec. June 23)	States that Ministers concur in proposal in No. 674 ... 166
678 The Governor-General Commonwealth of Australia, Telegram June 25 (Rec. June 25)	Ditto 166
679 The Governor-General Union of South Africa, Telegram ... ... July 8 (Rec. July 8)	Ditto 166
680 The Governor-General Irish Free State, 200 July 6 (Rec. July 7)	Ditto 167
681 The Governor-General Canada, Telegram August 13 (Rec. Aug. 13)	Ditto 167
682 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 422 September 18	Transmits copy of note to Portuguese Ambassador enclosing copy of draft Agreement for the consideration of the Portuguese Government 167

POSTAL CONVENTIONS, 1924.

1925	
683 To the Governors-General Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Dominions Treaty, 9 ... February 10	Transmits copy of note from Swedish Minister in London together with one set of certified copies of the Convention and other Arrangements signed at the Congress. Points out that ratifications should reach Stockholm by 1st September, 1925, and indicates action proposed by His Majesty's Government in the matter 168

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
684 The Governor-General Canada, 107 ... March 9 (Rec. Mar. 23)	States that Canada's ratification of Convention and of the final Protocol was forwarded direct to the Swedish Government on 16th January, 1925 171
685 The Governor-General Commonwealth of Australia, Telegram May 14 (Rec. May 14)	Requests His Majesty's Government to make arrangements for signature on behalf of Australia of the principal Convention and final Protocol, together with Convention Regulations and Protocol thereto ... 171
686 The Governor-General New Zealand, 78 ... April 17 (Rec. May 30)	States that action is being taken in connection with the instruments of ratification to be deposited at Stockholm 172
687 To the Governor Newfoundland, 56 ... June 4	Transmits copies of Universal Postal Convention and of Agreement concerning Insured Letters and Boxes, and desires that documents of confirmation and approval thereof may be drawn up and forwarded as soon as possible 172
688 To the Governor Southern Rhodesia, 187 ... ... June 4	Ditto 172
689 To the Governors-General Commonwealth of Australia, 172, New Zealand, 111, Union of South Africa, 118, Irish Free State, 238 June 18	Transmits copy of note from Swedish Minister in London together with a certified copy of an amendment to the Final Protocol of the Convention 173
690 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 287, Southern Rhodesia, 235 ... ... July 11	Transmits prints of certain relative documents and embodies conclusions reached by the Postmaster-General in connexion with certain decisions of the Congress 174
691 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 288, Confidential, Southern Rhodesia, Confidential July 11	Transmits copies of Confidential Report of British Delegation to the Eighth Congress of the Universal Postal Union held at Stockholm and invites special reference to paragraphs regarding Dominion and Colonial Votes 175
692 To the Governor-General Commonwealth of Australia, Telegram August 7	States that His Majesty's Minister at Stockholm was instructed to arrange with Swedish Government for signature of Convention Regulations and Protocols on behalf of Commonwealth and suggests procedure for adhesion 176
693 The Governor-General Union of South Africa, 379 ... ... July 23 (Rec. Aug. 10)	Transmits copy of Minute from Ministers stating that ratification of Convention was transmitted directly to Swedish Government early in June, and that similar action will be taken in regard to the Final Protocol of the Convention 177
694 To the Governor-General Commonwealth of Australia, 224 ... August 15	Transmits copy of despatch from Stockholm enclosing copy of note from Swedish Government stating that it is not considered necessary that Convention should be signed on any of the documents relative thereto, but that it is sufficient for Ambassador to notify Swedish Government of Commonwealth's desire to adhere to them 177

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
695 The Governor-General New Zealand, 155 ... July 15 (Rec. Aug. 19)	Transmits instruments of ratification setting forth New Zealand's formal acceptance of the Convention and Agreement 179
696 The Governor General Commonwealth of Australia, Telegram August 22 (Rec. Aug. 22)	States that the Commonwealth Government has decided to adhere to the Convention Regulations and Protocol, and asks that Swedish Government be so informed ... 180
697 To the Governor-General New Zealand, Telegram ... ... August 22	Inquires whether document of confirmation and approval of amended text of final Protocol of Convention is being sent by mail 180
698 The Governor-General New Zealand, Telegram ... ... August 31 (Rec. Aug. 31)	States, in reply to No. 697, that document of Confirmation and approval is in course of transmission 181
699 The Governor Newfoundland, 83 August 28 (Rec. Sept. 12)	Transmits formal document conveying confirmation and approval of Convention and Agreement 181
700 The Governor Southern Rhodesia, 273 ... ... August 25 (Rec. Oct. 7)	Transmits document notifying adherence to Convention and states that decision regarding adhesion to Agreement is deferred pending correspondence with Union Government 182
701 The Governor-General Commonwealth of Australia, Telegram October 9 (Rec. Oct. 9)	Requests to be informed whether notification of accession of Commonwealth Government to Convention was made to Swedish Government before 1st September... 183
702 To the Governor-General Commonwealth of Australia, Telegram October 10	States, in reply to No. 701, that notification of adhesion was made to Swedish Government on 20th August and acknowledged by latter on 31st August with intimation that members of Postal Union and International Bureau would be informed accordingly 183
703 To the Governor-General New Zealand, 190 October 19	Transmits copy of note addressed to Swedish Minister for Foreign Affairs by His Majesty's Minister at Stockholm forwarding documents of confirmation and approval on behalf of New Zealand, together with a copy of the Swedish Government's acknowledgment thereof 183
704 To the Governor-General Commonwealth of Australia, Telegram October 31	States that further copy of document amending final Protocol, certified copy of which was enclosed in No. 689, has been received from Swedish Government with request that it may be signed by Commonwealth delegates at Congress. Presumes that adhesion, notified in No. 696, should be regarded as involving adhesion to Protocol in its amended form 184
705 To the Governor-General Commonwealth of Australia, 315 ... November 2	Transmits copy of note addressed to Swedish Minister for Foreign Affairs by His Majesty's Minister at Stockholm, notifying the desire of the Commonwealth Government to accede to the Convention and Protocol together with the reply from the Swedish Government 185
706 The Governor-General Commonwealth of Australia, Telegram November 13 (Rec. Nov. 13)	Requests that Swedish Government be informed that Act of Adhesion included adhesion to Final Protocol in its amended form 186
707 The Governor-General Commonwealth of Australia, 255 ... October 12 (Rec. Nov. 16)	Transmits copies of an Order published in the *Commonwealth Gazette* of 27th August approving adhesion to Convention Regulations and Protocols of the Stockholm Postal Conference 186

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
708 To the Governor-General and Governor New Zealand, 210, Southern Rhodesia, 450 ... ... November 25	Transmits copy of note addressed to Swedish Minister for Foreign Affairs by His Majesty's Representative at Stockholm, forwarding certain instruments of confirmation and approval, together with a note received in reply 187

REPARATION.

Conference of Financial Experts in Paris (Cmd. 2339).

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
709 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Telegram, Confidential ... ... January 3	Transmits message from Chancellor of Exchequer indicating questions to be discussed at the Conference in Paris and the attitude which it is proposed to adopt 188
710 To the Governors-General Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Telegram, Confidential January 3	States that questions referred to in No. 709 have been studied by a preliminary Committee of Experts whose report has been communicated to High Commissioners and that Chancellor of the Exchequer has discussed principal questions with High Commissioners and proposes to keep in touch with them during course of negotiations 189
711 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Telegram, Confidential ... ... January 9	Reports on the opening proceedings of the Conference and states that Chancellor of Exchequer has discussed privately with United States delegates the claim of the United States to share in Dawes Annuities for reparation as well as for cost of occupation, and has been authorized by His Majesty's Government to accept, if none better can be obtained, the terms offered by United States ... 188
712 To the Governors-General Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Telegram, Confidential January 9	States, with reference to No. 711, that although the acceptance of the United States terms means a loss to the Dominions, His Majesty's Government felt justified in assuming that the Dominions would agree that the small financial sacrifice involved was outweighed by political advantages of a settlement ... 189
713 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Telegram, Confidential ... ... January 12	States that an amicable settlement has been reached as regards United States claim; as regards other questions, all points of principle have been settled in a manner which, in the Chancellor's opinion, fully safeguards financial interests of British Empire, and that draft Agreement is being drawn up and will be submitted to next meeting of Conference 190
714 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Telegram, Confidential ... January 15	Gives details of decisions reached at the Conference ... 190

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
715 The Governor-General Union of South Africa. Confidential (3) ... January 14 (Rec. Feb. 3)	Transmits copy of Ministers' Minute stating that they have no objection to His Majesty's Government having acquiesced in increase in annual payments to United States of America 191
716 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 70 February 19	Transmits copies of Cmd. 2339 containing the Agreement regarding the distribution of the Dawes Annuities, signed at Paris, 14th January, 1925 ... 191
717 To the Governor Southern Rhodesia, 84 March 11	Transmits copies of Cmd. 2339 and Cmd. 1616 ... 192

SIAM.

General Treaty and Commercial Treaty, 1925.

1925	
718 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Confidential ... March 14	States that question of revision of existing Treaties with Siam has been discussed with Dr. Sayre, Political Adviser to Government of Siam, who represented that any such revision should accord to Siam (1) full fiscal autonomy, and (2) autonomy in matters of jurisdiction. Details two separate Treaties—General and Commercial—which it is proposed should be negotiated 192
719 To the Governor-General Irish Free State, Confidential ... March 14	Transmits copy of No. 718, and requests observations, if any, be made as soon as possible 193
720 The Governor Newfoundland, Telegram, Confidential March 20 (Rec. Mar. 20)	States that Ministers have no observations to offer with regard to proposed revision of Treaties with Siam ... 193
721 The Governor-General Union of South Africa, Telegram, Confidential ... ... March 23 (Rec. Mar. 23)	Ditto 194
722 The Governor-General New Zealand, Telegram, Confidential April 11 (Rec. Apr. 11)	States that New Zealand Government is satisfied to leave whole question of status of Siam and treaties with that country to His Majesty's Government to determine, subject to condition stated 194
723 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 181, Confidential ... April 27	Transmits copies of drafts of (*a*) a General Treaty of Friendship and (*b*) a Commercial Treaty to replace certain existing Treaties with Siam, together with a copy of a despatch to His Majesty's Minister at Bangkok forwarding the draft Treaties for his observations 194
724 To the Governor Southern Rhodesia, Confidential ... April 27	Transmits copies of draft Treaties with Siam, explaining reason for their preparation, together with a copy of despatch to His Majesty's Minister at Bangkok, forwarding draft Treaties for his observations 196

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
725 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Confidential ... May 12	Indicates provisional agreement secured as regards Siamese import and export duties 196
726 The Governor-General Commonwealth of Australia, Telegram May 18 (Rec. May 18)	States that Ministers have no observations to offer regarding proposed revision of Treaties with Siam ... 197
727 To the Governor-General Irish Free State, Confidential ... ... May 18	Transmits copies of No. 725 197
728 The Governor-General Irish Free State, Confidential ... ... June 15 (Rec. June 16)	States that Ministers have no observations to offer on proposed Commercial Treaty with Siam 197
729 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 293, Confidential, Southern Rhodesia, Confidential July 15	States that draft Treaties enclosed in No. 723 have been further modified. Transmits copies in revised form and discusses certain of the modifications. Transmits also copy of telegram to Bangkok regarding the terms of notes which it is proposed should be exchanged with the Siamese Government at the time of signature of the Treaties 198
730 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 370, Confidential, Southern Rhodesia, Confidential August 28	Transmits copies of the new General and Commercial Treaties with Siam signed in London on 14th July, together with copies of certain notes exchanged with Siamese Minister regarding questions of export duties, Judicial Advisers, cases before International or Empowered Courts and Consular Probate Jurisdiction 199
731 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram November 21	States that as Siamese Minister is pressing for very early ratification of Treaties, it is proposed that instruments of ratification should be prepared immediately 200
732 To the Governor-General Irish Free State, Confidential ... November 23	Ditto 200
733 The Governor-General Canada, Telegram, Confidential ... December 12 (Rec. Dec. 12)	Agrees that ratification of Treaties should be effected by His Majesty at the instance of the British Government and states that question of adherence by Canada will be considered later 200
734 The Governor-General New Zealand, Telegram .. December 19 (Rec. Dec. 19)	States that Ministers agree that His Majesty's plenipotentiary should execute the instrument of ratification of Treaties on behalf of New Zealand, but if it is preferred, High Commissioner for New Zealand will be instructed to do so 201

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.

SPAIN.

Commercial Agreement with Canada, 1925.

1925

735	The Governor-General Canada, 84 ... February 25 (Rec. Mar. 9)	Transmits copy of Privy Council Minute submitting a draft provisional Trade Agreement between Canada and Spain which it is proposed to conclude. Requests that His Majesty's Ambassador at Madrid may be authorized to sign Agreement on behalf of Canada 201
736	To the Governor-General Canada, 206 ... April 29	Transmits copy of despatch from His Majesty's Representative at Madrid reporting the negotiations between the Canadian Trade Delegate and the Spanish Government in which he also took part ... 202
737	The Governor-General Canada, Telegram April 29 (Rec. Apr. 29)	Reports that the arrangements providing for the provisional trade agreement have been concluded and requests that inquiries may be made as to the possibility of arrangements being made for an agreement as to the taxation of Companies 205
738	To the Governor-General Canada, 210 ... May 9	Transmits copy of despatch from His Majesty's Representative at Madrid forwarding note from Spanish Ministry of State stating that there is no satisfactory method by which Canada can adhere to the Companies Agreement, since the Dominion has refused to adhere to the Anglo-Spanish Commercial Treaty of which it forms a part 205
739	The Governor-General Canada, 202 ... ... May 6 (Rec. May 18)	Transmits copy of Privy Council Minute expressing the willingness of the Canadian Government to proceed with the negotiation of a commercial agreement with Spain. Requests that Spanish Government be informed accordingly 207
740	To the Governor-General Canada, Telegram ... June 5	States that in the opinion of the Secretary of State for Foreign Affairs the Canadian Government would be well advised not to resist the Spanish view that Canada is not entitled to accede to the Companies Agreement, and that the best course would appear to be for Canada to negotiate a separate arrangement 207
741	To the Governor-General Canada, 311 ... July 8	Transmits copy of note addressed to the Spanish Government by His Majesty's Ambassador at Madrid stating that the Canadian Government is willing to proceed with the negotiation of a Commercial Treaty and inquiring when these may be commenced 208
742	The Governor-General Canada, Telegram October 14 (Rec. Oct. 14)	Inquires, with reference to No. 741, whether any reply has yet been received from the Spanish Government on the subject 208
743	To the Governor-General Canada, Telegram October 26	States, in reply to No. 742, that no reply has yet been received from the Spanish Government but that further inquiry has been addressed to His Majesty's Ambassador at Madrid 209
744	To the Governor-General Canada, Telegram October 31	States that note has been received from Spanish Minister of State to the effect that after having heard the opinion of the Treaty Department of the Council of National Economy, a draft project will be transmitted to His Majesty's Embassy as soon as possible for transmission to Canadian Government ... 209

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.

TERRITORIAL WATERS.

(1) Discussion at the Imperial Conference, 1923.

1925

745	The Governor-General New Zealand, Confidential ... ... February 18 (Rec. Apr. 1)	States that Ministers do not desire to press for any of the waters adjoining the Dominion to be recognised as "territorial inlets" 209

(2) Italy: Extent of Territorial Waters.

1925

746	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 54, Confidential ... February 13	Transmits copy of a despatch to His Majesty's Ambassador at Rome, regarding an Italian notice to mariners of 15th November, 1924, which contains a claim to exercise jurisdiction in waters lying outside the three-mile limit 210
747	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 100, Confidential ... March 9	Transmits copy of Note Verbale from British Embassy at Rome to Italian Ministry of Foreign Affairs renewing the protests of His Majesty's Government against Italian legislation in regard to territorial waters ... 212
748	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 306, Confidential ... July 22	Transmits copies of Italian Decrees regarding fishing by mechanically propelled vessels in Italian waters and of a Notice regarding firing practice in the vicinity of Capes Linaro and Palo, together with copies of three Notes Verbale on the subject from His Majesty's Embassy at Rome to the Italian Government and of a Note Verbale in reply suggesting the submission of the whole question of the limits of territorial waters to the Committee of Jurists established by the League of Nations to make suggestions for the codification of International Law ... 213
749	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 326, Confidential ... August 8	Transmits copy of Note Verbale from Italian Government replying to Note enclosed in No. 748, and again suggesting that the matter be referred to the League of Nations Committee of Jurists 215
750	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 458, Confidential ... October 17	Transmits copy of despatch to His Majesty's Chargé d'Affaires at Rome, stating that it is not considered desirable that encouragement should be given to the League of Nations Committee for Codification of International Law to make a report that the extent of territorial waters is a fitting subject for a Codification Convention; that views have been conveyed to British Member of Committee in view of probable Italian attempt to induce Committee to make such a report, and that it is desirable that no further communication be made to the Italian Government on the subject 217

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.

(3) Norway: Negotiations relating to the limits of Norwegian Territorial Waters and proposed Fisheries Convention.

1925

751	The Governor-General Canada, Confidential December 20, 1924 (Rec. Jan. 6, 1925)	Requests copy of any report or recommendations made by the committees of experts appointed by His Majesty's Government and the Norwegian Government to discuss question of Norwegian territorial waters in relation to fisheries 218
752	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 72, Confidential ... February 10	Transmits copy of despatch from His Majesty's Minister at Christiania reporting on the proceedings of the Anglo-Norwegian Committee on Territorial Waters, together with a copy of the report of the British experts 218
753	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 153, Confidential ... April 11	Transmits copy of telegram to His Majesty's Representative at Oslo requesting that the Norwegian Government be informed that His Majesty's Government are not prepared to continue discussions on lines described in report of experts at Oslo Conference, but are ready to enter into agreement outlined 220
754	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 165, Confidential ... April 20	Transmits copy of despatch from His Majesty's Representative at Oslo forwarding copy of despatch which he has addressed to Norwegian Government as instructed in No. 753 221
755	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 196, Confidential ... May 11	Transmits copy of correspondence with His Majesty's Minister at Oslo regarding the claim of the Norwegian Government to Varanger Fjord and Vest Fjord ... 222
756	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 262, Confidential ... June 23	Transmits copies of further despatches from His Majesty's Minister at Oslo regarding the status of the Vest Fjord and the Varanger Fjord 224
757	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland Dominions, 270, Confidential ... ... July 3	Transmits copies of telegraphic correspondence with, and of a despatch from, His Majesty's Minister at Oslo on the subject of the proposed discussion in London regarding Norwegian Territorial Waters ... 229
758	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Telegram ... July 16	Embodies recommendations made by Conference held between representatives of British and Norwegian Governments. States that it is desired to proceed with preparation of necessary Conventions to give effect to recommendations and inquires whether Ministers have any observations to make 231
759	The Governor-General New Zealand, Telegram ... ... July 18 (Rec. July 18)	States that Ministers have no observations to offer on arrangement with Norway proposed in No. 758, and are content to leave negotiations for Convention entirely to His Majesty's Government 232
760	The Governor Newfoundland, Telegram, Confidential ... July 21 (Rec. July 21)	States with reference to No. 758 that Ministers have no observations to make; they concur in provisions of the Convention 232
761	The Governor-General Irish Free State, Telegram ... ... July 21 (Rec. July 21)	States with reference to No. 758 that Ministers have no observations to make 233
762	The Governor-General Union of South Africa, Telegram, Confidential July 22 (Rec. July 22)	States that as proposed Convention does not affect the Union, Ministers have no observations to make thereon 233
763	The Governor-General Commonwealth of Australia, Telegram July 24 (Rec. July 24)	States that Ministers concur in course proposed in respect to maintaining the three-mile limit with the exception of territorial inlets and have no observations to make on the Fisheries Convention ... 233
764	The Governor-General Canada, Telegram, Confidential ... July 25 (Rec. July 25)	States, with reference to No. 758, that Ministers see no objection to recommendations of the Conference ... 233
765	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 378, Confidential ... August 20	Transmits copy of despatch to His Majesty's Minister at Oslo forwarding a copy of a communication to the principal Norwegian delegate to Conference, with draft Conventions, and stating that His Majesty will be prepared to enter into Conventions on lines indicated 234
766	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 468, Confidential ... October 27	Transmits copy of despatch from His Majesty's Representative at Oslo reporting on a discussion with Mr. Mowinckel regarding the proposed fishery and territorial agreements and urging that the trawling industry should avoid all incidents likely to influence Norwegian opinion against proposed agreements 235

(4) Soviet Fishery Regulations.

1925

767	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 261, Confidential ... June 23	Transmits copies of two notices to mariners issued by the Soviet Government relating to the navigation of vessels in the territorial waters of the Union together with copy of note to Soviet Chargé d'Affaires on the matter 236

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
768 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 418, September 16	Transmits copy of despatch from His Majesty's Representative at Moscow forwarding a translation of a press notice regarding proposed measures for strengthening legislation for protection of Russian fisheries ... 237
769 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 485, November 13	Transmits copy of despatch from His Majesty's Representative at Moscow forwarding translation of a Decree relating to penalties for fishing in prohibited areas 238

(5) Spain: Claim to a six-mile limit.

1925	
770 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 126, Confidential ... March 23	Transmits copy of Article I of Spanish Royal Decree of 5th January, 1925, and states that the Spanish Government is being reminded that His Majesty's Government can only recognize a three-mile limit of territorial waters 239

(6) Sweden: Extent of Territorial Waters.

1923	
771 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 18, January 13	Transmits copy of despatch from His Majesty's Minister at Stockholm forwarding a translation of an article on the limit of Swedish waters, published in the *Stockholm Dagblad* of the 9th December ... 240
772 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 24, Confidential ... January 28	Transmits copy of despatch from His Majesty's Chargé d'Affaires, Stockholm, enclosing the translation of a Swedish Royal Decree relating to the extent of Swedish territorial waters in respect of the area adjoining the sea frontier between Norway and Sweden together with a copy of a despatch to His Majesty's Minister at Stockholm on the subject 242
773 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 194, Confidential ... ... May 9	Transmits copy of an extract from a despatch from His Majesty's Representative at Stockholm forwarding copy of a note addressed to the Swedish Minister for Foreign Affairs regarding Article 9 of the draft Convention for the prevention of smuggling of alcoholic liquors 245

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
774 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 435, Confidential ... September 30	Transmits copy of despatch from Stockholm enclosing copy of Note from Swedish Government stating that that Government is unable to share the view of His Majesty's Government regarding the extent of Swedish jurisdiction at sea, and considers that each State should put into practice within its own waters the rights due to it from internal practice and pointing out that right of search up to a 12 mile limit is only applicable to vessels of States which have ratified the Helsingfors Convention 248
775 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 481, Confidential ... November 6	States that His Majesty's Minister at Stockholm has been informed that it is considered that nothing can be gained by replying to the Swedish Government's Note of 18th August—enclosed in No. 774 251

TURKEY.

Proposed Convention to Regulate the Admission of British Subjects in Turkey and of Turkish Citizens in the United Kingdom to the various Forms of Commerce, Professions and Industries.

1925	
776 The Governor-General New Zealand, 15 January 30 (Rec. March 23)	States that Ministers do not consider there is now, or at any time in the future likely to be, any reason for desiring the application to New Zealand of the Convention respecting conditions of residence, business and jurisdiction and they have therefore no suggestions to make 251
777 The Governor-General Commonwealth of Australia, Telegram May 22 (Rec. May 22)	States that Commonwealth Government whilst having no objection to provision being made for future accession by the Dominions, are not desirous at present of becoming parties to the Convention ... 251
778 The Governor Newfoundland, 63 May 28 (Rec. June 12)	States that Ministers desire that the proposed Convention should be extended to Newfoundland ... 252
779 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 259, Confidential, Southern Rhodesia, Confidential June 25	Transmits copies of correspondence with His Majesty's Representative at Constantinople regarding the difficulties that would arise out of the proposed Convention with Turkey 252

UNITED STATES.

(1) Pacific Halibut Fishery Treaty, 1923.

1925	
780 To the Governor-General Canada, 2 ... January 2	Inquires whether Ministers would wish His Majesty's Government to include the Pacific Halibut Fishery Convention amongst those which they communicate to the League of Nations for registration under Article 18 of the Covenant 255

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
781 The Governor-General Canada, 19 ... January 16 (Rec. Jan. 30)	States that in accordance with the procedure intimated in No. 159, steps have already been taken for the registration of the Convention through the medium of the recently appointed Canadian Advisory Officer for League of Nations purposes at Geneva 255
(2) Treaties with Canada regarding the Suppression of Smuggling on the International Boundary and Extradition for Narcotic Offences.	
1925	
782 Foreign Office ... January 7	Transmits copy of despatch from Washington forwarding copy of despatch addressed to Governor-General of Canada stating that 8th January would be convenient date for signature of Convention regarding narcotic offences 256
783 The Governor-General Canada, 132 ... March 31 (Rec. April 14)	Transmits certified copies of Conventions between Canada and the United States for the purpose of suppressing smuggling operations along the boundaries and the prosecution of persons violating the narcotic laws and also for enlarging the list of crimes on account of which extradition might be granted ... 256
784 The Governor-General Canada, 147 ... April 8 (Rec. April 20)	Transmits Privy Council Minute requesting His Majesty's ratification of the Conventions enclosed in No. 783 and that instruments of ratification may be forwarded for exchange against those of the President of the United States 257
785 The Governor-General Canada, Telegram April 27 (Rec. April 28)	States that Ministers would be glad to receive instrument of ratification as soon as possible and inquire how soon it may be expected 258
786 To the Governor-General Canada, Telegram ... May 6	States that instrument of ratification is being prepared and will be forwarded in a few days 258
787 To the Governor-General Canada, 225 ... May 14	Transmits instruments of ratification of Conventions and requests that authenticated copies of certificates recording the exchange of ratifications may be sent in due course 258
788 The Deputy Governor-General Canada, 311 ... August 6 (Rec. Aug. 18)	Transmits copies of certificates recording exchange of ratifications 259
789 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 433, Southern Rhodesia, 379 .. ... September 29	Transmits copies of two Parliamentary Papers—(Cmd. 2512), (Cmd. 2513)—giving text of the two Conventions 260
(3) Treaties with Canada relating to the International Boundary and the Lake of the Woods.	
1925	
790 The Governor-General Canada, Telegram February 3 (Rec. Feb. 4)	Summarizes text of draft treaty and requests preparation of Full Powers for the Honourable C. Stewart so as to permit of signature by the middle of February 260
791 To the Governor-General Canada, 68 .. February 13	Transmits the Full Power granted to the Honourable Charles Stewart 261

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
792 The Governor-General Canada, Telegram February 20 (Rec. Feb. 21)	States that Ministers would be greatly obliged if British Ambassador can be informed by cable by Monday, 23rd February, that Full Powers for signature of both the Lake of the Woods Convention and the Boundary Treaty by the Honourable E. Lapointe are being sent. Summarizes text of former Convention 262
793 To the Governor-General Canada, Telegram February 21	Regrets that Full Powers desired will not be ready by Monday, 23rd February, but His Majesty's Ambassador is being informed that they are being prepared and it is hoped that United States Government will accept this statement as sufficient authority for signature of Conventions by the Honourable E. Lapointe 263
794 The Governor-General Canada, 56 ... February 9 (Rec. Feb. 23)	Transmits copy of Privy Council Minute requesting the issue to Honourable C. Stewart of the necessary Full Powers authorizing him to conclude and sign the Treaty 263
795 The Governor-General Canada, Telegram February 25 (Rec. Feb. 25)	States that Ministers appreciate the prompt and efficient steps taken for the issue of Full Power for the Honourable E. Lapointe. Adds that Conventions were signed at Washington, 24th February 264
796 To the Governor-General Canada, 107 ... March 9	Transmits the Full Power for Honourable E. Lapointe 264
797 The Governor-General Canada, 90 ... February 27 (Rec. March 17)	Transmits copies of the two Privy Council Minutes upon which No. 792 was based 265
798 The Governor-General Canada, 119 ... March 25 (Rec. April 6)	Transmits certified copy of the Boundary Treaty signed at Washington on 24th February and states that notification has been received of the United States Senate's approval of this Treaty on 12th March 267
799 The Governor-General Canada, 120 ... March 25 (Rec. April 6)	Transmits copy of Lake of Woods Convention together with an accompanying Protocol and an agreement for identic letters of reference all signed at Washington, on 24th February. Adds that notification has been received of the United States Senate's approval of this Convention on 12th March 267
800 The Governor-General Canada, Telegram May 22 (Rec. May 22)	States that Ministers would be grateful if instruments of ratification could be prepared and forwarded as soon as possible 267
801 To the Governor-General Canada, Telegram June 3	States that it is hoped to despatch instruments of ratification at an early date 268
802 The Governor-General Canada, 224 ... May 22 (Rec. June 8)	Transmits copy of Privy Council Minute on which No. 800 was based 268
803 To the Governor-General Canada, 270 ... June 12	Transmits instruments of ratification, and requests that certified copies of certificates recording the exchange of ratifications be forwarded in due course 269
804 The Deputy Governor-General Canada, 307 ... August 6 (Rec. Aug. 18)	Transmits certified copies of certificates recording the exchange of ratifications 269
805 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 434, Southern Rhodesia, 380 ... ... September 29	Transmits copies of two Treaty Series Papers (Nos. 37 and 38—1925) containing the text of the Treaty regarding the boundary between Canada and United States and the Convention, Protocol and Agreement between Canada and United States to regulate the Level of the Lake of the Woods 270

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
	(4) Liquor Treaty, 1924.
1925	
806 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 408, Secret ... September 11	Transmits copy of despatch to His Majesty's Chargé d'Affaires at Washington, dealing with the general question of the attitude to be adopted by His Majesty's Government in regard to the trial in the United States of British members of crews of ships seized by the United States authorities in accordance with the liquor treaty 271
807 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 552, Confidential December 28	Transmits copy of despatch from His Majesty's Ambassador at Washington forwarding copy of despatch addressed to certain British Consular Officers in the United States regarding co-operation with the local authorities in connexion with the Convention dealing with illicit liquor traffic 275
(5) Real and Personal Property Convention, 1899. Position of the Irish Free State.	
1925	
808 The Governor-General Irish Free State, 30 January 22 (Rec. Jan. 23)	States that Ministers have no objection to the publication of the correspondence between the Foreign Office and the United States regarding the position of the Irish Free State in relation to the Convention relative to the disposal of Real and Personal Property 277
VENEREAL DISEASES AMONG SEAMEN. INTERNATIONAL AGREEMENT.	
1925	
809 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 52 February 11	Reports that Agreement relating to the treatment of Venereal Diseases among Seamen was signed on behalf of Great Britain and Northern Ireland on 1st December, 1924, and encloses copy of the procès-verbal of signature 277
810 The Governor-General New Zealand, 52 March 18 (Rec. April 29)	Desires that notice of accession may be given under Article 7 of the Agreement 278
811 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 403 September 11	Transmits copy of despatch from His Majesty's Ambassador at Brussels reporting the deposit of His Majesty's ratification of the Agreement and of ratification of the accessions of Canada and New Zealand to the Agreement 278
WEIHAIWEI.	
Proposed Convention for Retrocession of.	
1925	
812 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 80, Secret ... ... March 3	Considers that the conclusion of the Convention for the retrocession of Weihaiwei must be suspended until a Government is in office in China, which the powers having diplomatic relations with that country can fully and formally recognize 280

INTERNATIONAL ARRANGEMENTS AND TREATY RELATIONS.

POSITION OF THE SELF-GOVERNING DOMINIONS AND SOUTHERN RHODESIA.

CORRESPONDENCE, 1925.

PART II.

'IRAQ.

Frontier line between Turkey and 'Iraq.

(*Treaty Series* 1925, *No.* 17, *and* 1926, *No.* 10.)

1097

No. 403.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.) Dominions No. 8.)

[MY LORD,] [SIR,] Downing Street, 7th January, 1925.

WITH reference to my despatch Dominions No. 531 of the 14th November,* I have the honour to request [Your Excellency] [you] to inform your Ministers that the High Commissioner for 'Iraq has reported that the exchange of ratifications of the Anglo-'Iraq Treaty of the 10th October, 1922, together with the Protocol of the 30th April, 1923, and Subsidiary Agreements, took place on the 19th December.

I have, &c.,
L. S. AMERY.

42723

No. 404.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 10.20 p.m., 18th September, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

18TH SEPTEMBER. Secret. I took the opportunity recently of making a full statement of present position of 'Iraq frontier dispute to representatives of Dominions now in Geneva and I think that following summary may be of interest.

The frontier between 'Iraq and Turkey was left undefined by the Treaty of Lausanne, Article 3 of which provided that the frontier should be settled by agreement between Great Britain and Turkey: failing such agreement it should be

* No. 414 in Dominions No. 93.

referred to the Council of the League for settlement. Conference held in Constantinople between representatives of Great Britain and Turkey in May, 1924, failed to reach agreement. General grounds which led His Majesty's Government to put forward claim for northern frontier of Mosul Vilayet with certain minor modifications may be summarized as follows:—

(1) Inhabitants comprise very small minority of Turks (mainly in southern area); the great majority being Kurds who are not necessarily well disposed towards Turkish rule as witness recent revolt of Kurdish tribes in present Turkish territory, while remainder, e.g., Arabs and Christians, are strongly in favour of 'Iraq connexion.

(2) On strategical grounds proposed frontier would provide adequate security against not only armed invasion but also periodical raids which could not be secured by any alternative frontier further south.

(3) On economic grounds separation from 'Iraq of rich agricultural province of Mosul would seriously affect financial stability of 'Iraq kingdom.

(4) Future welfare of Assyrian Christian population, to whom apart from general importance of protection of Christian minorities His Majesty's Government owe particular debt of gratitude for their conduct during the War, and who are determined not to return under Turkish rule, could be secured by their settlement within proposed frontier.

The Turkish Government, on the other hand, claim that Kurds, of whom a large number are in Turkey, are really in feeling and political association Turks, and feel most strongly that if the large Kurdish population of the Mosul Vilayet were to be removed from Turkish sovereignty remaining Kurds in Turkey would be encouraged to persist in their present attitude of unrest.

Question was brought before Council of League September, 1924. On that occasion, after both parties had formally declared their acceptance in advance of the Council's decision, Council decided to appoint a Commission of three neutral members to make inquiries on the spot and report to Council. Accordingly the Commission visited 'Iraq, and after some months spent in investigation presented their report to the Council last July. Briefly summarized, recommendations of the Commission were that from the point of view of the interests and wishes of the population concerned the disputed area should not be partitioned but should remain under the effective mandate of the League of Nations for about twenty-five years and that special steps should be taken to secure local autonomy for Kurdish elements. If these two conditions were not fulfilled Commissioners recommended that disputed area should remain under Turkish sovereignty. They left it to Council of League to decide whether in order to ensure permanent peace it might not be preferable to partition territory. The report came before the Council at the beginning of this month. Statements were made (1) by myself on behalf of His Majesty's Government in which *inter alia* I explained that His Majesty's Government were willing to replace the present Treaty with 'Iraq as already contemplated in the Protocol to that Treaty (see my despatch 6th April, Dominions 144*) by a Treaty of longer duration which should safeguard those conditions of stable government and reasonable consideration for local interests, subject to which the Commissioners recommended that the disputed territory should continue in its present union with 'Iraq; and (2) by the Turkish representative who reaffirmed the Turkish claim to the disputed area laying particular stress on the statements in the Commission's Report that the sovereignty over that district still remains with Turkey. The Council then decided to appoint a sub-committee of three to consider question. The sub-committee did not hear the British case until 11th September. Cause of delay is understood to be disquieting effect produced upon Swedish Chairman and Uruguayan member by Turkish legal arguments. These may be summarized under two main heads. First, Turkish acceptance in advance of League decision was given in circumstances which pointed to early termination of British connexion with 'Iraq and new element now introduced by Commission's recommendation for prolongation of 'Iraq Treaty is said to modify or even cancel Turkish assurance of last year. Secondly, Turks maintain that it is beyond competence of Council to insist when fixing frontier upon any condition such as those recommended in report. Turks are said to have threatened reference of these points to Permanent Court of International Justice in event of League giving decision unfavourable to them but

* 14689/25: not printed; it enclosed a copy of the Treaty.

to have announced that if partition is decided upon they will abandon these legal arguments. While remaining unconvinced that either of these points has any real weight I thought it desirable to consult with Mr. Chamberlain and Lord Cecil in light of serious warnings received by me that majority of sub-committee would inevitably head for partition unless their doubts on legal aspect could be finally allayed. It had been suggested to me that in order to forestall Turkish action it might be politic for me, after laying our legal case before sub-committee, to volunteer to refer the two points to the Permanent Court of International Justice if sub-committee remained in any doubt. After careful and prolonged discussion with my two colleagues we arrived at conclusion that while it would be wise to accept reference to International Court rather than to allow sub-committee to drift into a thoroughly vicious conclusion such as partition of disputed area it was not yet sufficiently established that this was to be anticipated. It seemed to us that to volunteer reference to International Court on mere hearsay rumour that sub-committee were deeply impressed by arguments which appear to have been presented to them informally and not be included in their official statements, and which appear easily capable of refutation, would be sign of weakness and would encourage Turks to redouble their efforts to frighten Council by vague threats of non-acceptance. I accordingly presented arguments for extreme frontier after first dealing with Turkish written rejoinder to my last speech. I then invited Hurst to argue the legal points which he did with great force visibly impressing the members of the sub-committee. Our argument on question of sovereignty is that by virtue of Articles 3 and 16 of Treaty of Lausanne Turkish Government have agreed to renounce all rights including that of sovereignty over territory to south of frontier to be defined in absence of mutual agreement by decision of Council and that therefore no legal distinction exists between position of Vilayet of Mosul and of Vilayets of Baghdad and Basra over which Turkish Government have admitted that they have renounced their rights. I did not suggest a reference to the International Court in so many words, but I invited sub-committee to consider the legal arguments carefully and to let me know as soon as possible whether they were satisfied or whether they wished any further steps taken in order to set their minds at rest on this point. I understand that the Turkish representative when pressing his case before sub-committee on 12th September produced arguments which have again caused doubts in mind of sub-committee and it is I fear possible that I may not be able to avoid reference to International Court. I am fully conscious of administrative and other objections to delay involved in this reference but these must be faced if alternative is decision that disputed territory should be partitioned.

Please inform your Prime Minister.—AMERY.

42723

No. 405.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Secret.)

SIR, Downing Street, 21st September, 1925.

I HAVE the honour to transmit to Your Excellency, for communication to the President of the Executive Council, a copy of a telegram* to the other self-governing Dominions regarding the frontier between Turkey and 'Iraq.

I have, &c.,
L. S. AMERY.

---

* No. 404.

42892

No. 406.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 8.15 p.m., 21st September, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

21ST SEPTEMBER. My telegram 18th September.* 'Iraq. Council of League of Nations adopted following Resolution 19th September:—

Begins: Council of League of Nations having been seized of question of frontier between Turkey and 'Iraq by application of Article 3 paragraph 2 of Treaty of Lausanne decides for purpose of elucidating certain points of law to request Permanent Court of International Justice to give an advisory opinion on following questions:

(1) What is character of decision to be taken by Council in virtue of Article 3 paragraph 2 of Treaty of Lausanne? Is it an arbitral award, a recommendation, or a simple mediation?

(2) Must decision be unanimous or may it be taken by a majority?

May representatives of interested parties take part in vote?

Permanent Court is requested to examine these questions if possible in an extraordinary session.

Council requests Governments of Great Britain and Turkey to be at the disposal of Court for the purpose of furnishing it with all relevant documents or information. It has the honour to transmit to Court minutes of meetings of Council at which question of frontier between Turkey and 'Iraq has been examined.

Secretary-General is authorized to submit present request to Court together with all relevant documents, to explain to Court action taken by Council in the matter, to give all assistance necessary in examination of question, and if necessary to take steps to be represented before Court. *Ends.*

Please inform your Prime Minister.—AMERY.

Note.—Copy sent to Irish Free State by despatch 22nd September.

52737

No. 407.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 8.10 p.m., 23rd November, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

23RD NOVEMBER. My telegram 31st October, Secret.† 'Iraq frontier question. Permanent Court of International Justice has given its Advisory Opinion on questions referred to it by Council of League of Nations. For reasons which are set out at length Court is of opinion:

* No. 404. † 47771/25; not printed; it summarized the case presented on behalf of His Majesty's Government.

(1) that the "decision to be taken" by the Council of the League of Nations in virtue of Article 3 (2) of the Treaty of Lausanne will be binding on the parties and will constitute a definitive determination of the frontier between Turkey and 'Iraq;

(2) that the "decision to be taken" must be taken by a unanimous vote, the representatives of the parties taking part in the voting, but their votes not being counted in ascertaining whether there is unanimity.

Please inform your Prime Minister.—AMERY.

Note.—Copy sent to Irish Free State by despatch 24th November.

56783

No. 408.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 5.0 p.m., 17th December, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)

17TH DECEMBER. [*Not to Irish Free State:* My telegram 12th December.*] 'Iraq. Following is text of decision taken by Council of League of Nations unanimously on afternoon of 16th December:—

Begins: 1. Frontier between Turkey and 'Iraq shall be as follows: (Here follows geographical description of Brussels line as in Council's Resolution of 29th October, 1924.)

2. British Government is invited to submit to Council a new treaty with 'Iraq ensuring continuance for twenty-five years of mandatory régime defined by Treaty of Alliance between Great Britain and 'Iraq and by British Government's undertaking approved by Council on 27th September, 1924, unless 'Iraq is in conformity with Article 1 of Covenant admitted as a member of League before expiry of this period.

As soon as—within a period of six months from present date—execution of this stipulation has been brought to the knowledge of the Council, the Council shall declare that present decision has become definitive and shall indicate measures required to insure delimitation on the ground of frontier line.

3. British Government as mandatory Power is invited to lay before Council the administrative measures which will be taken with a view to securing for Kurdish populations guarantees regarding local administration recommended by Commission in its final conclusions.

4. British Government as mandatory Power is invited to act as far as possible in accordance with other suggestions of Commission of Inquiry as regards measures likely to ensure pacification and to afford equal protection to all elements of population and also as regards commercial measures indicated in special recommendations of Commission's Report. *Ends.*

Please inform [*Not to Irish Free State:* your Prime Minister.] [*Irish Free State only:* President of the Executive Council.]

Note.—The decision of the Council was published in Cmd. 2562, of which copies were sent to the Dominions and Southern Rhodesia in a despatch of the 1st January, 1926. Other papers on the subject were published in Cmd. 2557, 2563 and 2565, of which copies were sent to the Dominions and Southern Rhodesia in despatches of the 28th December, 1925, and the 13th January, 1926.

* 35086/25; not printed; it described the proceedings of the Council on the 10th December.

ITALY.

Agreement Regulating Professional Practice of Medical Practitioners, 1925.

(*Treaty Series* 1925, *No.* 50.)

41055

No. 409.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 490.) Dominions No. 542.)

[My Lord,] [Sir,] Downing Street, 22nd December, 1925.

I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, copies of an agreement* with Italy regulating the professional practice of medical practitioners.

2. The effect of this agreement is to embody in an international instrument arrangements which have, in fact, existed for many years under the internal legislation of Great Britain and Italy. Up to March, 1923, it had been assumed by the General Medical Council in this country that complete reciprocity in regard to medical practice had been established in relation to Italy as a result of the Order of His Majesty in Council of the 9th March, 1901, and Italian legislation of the 10th July, 1910, and the 12th August, 1911. Copies of these documents† are enclosed.

3. On the 25th March, 1923, however, the Italian Government published a Royal Decree† (of which a copy is enclosed) modifying the law of the 10th July, 1910, and stipulating that foreign practitioners could only be registered in Italy provided that there was a special reciprocity agreement between Italy and the State concerned. His Majesty's Government made no protest against this Decree at the time as it was understood that the case was covered by existing legislation. Subsequently, specific cases of hardship imposed by the Italian Government upon certain British doctors wishing to practice in Italy were brought to their notice. In the course of conversations on the subject between His Majesty's Ambassador at Rome and the Italian Directorate-General of Public Health, it became evident that the Italian Government declined to agree with the opinion of both His Majesty's Government and the General Medical Council that the subsequent modification of the law of the 10th July, 1910, did not make it necessary for the position to be regularized by a formal international instrument. For some time His Majesty's Government upheld the view that no special agreement was necessary in existing circumstances, and were even prepared to consider rescinding Part II of the Medical Act of 1886 so far as concerns Italy. It was finally decided, however, that, in spite of the conflict of legal opinion, it would be advisable for His Majesty's Government to waive their technical objections and to urge the Italian Government to come to an agreement without delay in order that His Majesty's Ambassador at Rome might be on stronger ground in protecting the growing interests of British doctors in the Italian Riviera.

4. His Majesty's Ambassador at Rome has reported that the Italian *Official Gazette* of the 28th August published a Royal Decree, dated the 18th June, 1925, giving full and entire execution to the agreement.

I have, &c.,
L. S. AMERY.

* Treaty Series 1925, No. 50. † Not printed here.

JAPAN.

Supplementary Convention to the Treaty of Commerce and Navigation, 1911.

5291

No. 410.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 4 p.m., 5th February, 1925.)

TELEGRAM.

[*Answered by No.* 413.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

5TH FEBRUARY. Confidential. My despatch 11th September, Dominions 451.* Negotiations with Japanese representatives for revision of Commercial Treaty, 1911, have been in progress since April, and draft Supplementary Convention now prepared for presentation to them, of which following is summary:—

(1) Article I is similar to Articles I and II of Protocol to Anglo-German Treaty. See my despatch 9th December, Dominions 567.†

(2) Article II provides that stipulations of 1911 Treaty will not be held to preclude either party from making any special reduction of Customs duty for goods imported over land frontier which may be shown to be justified by considerations referred to in Article VII, Maritime Ports Statute (see my despatch 16th July, Dominions 321‡), and that should any question arise whether any such reduction is in accordance with that Article it shall in event of dispute be dealt with in manner prescribed in Articles XXI and XXII of Statute.

(3) Article III modifies Article XXI of 1911 Treaty by substituting "their respective laws" for "laws of United Kingdom and Japan respectively" in first sentence and by addition at end of second sentence of "but this benefit will be claimed only under condition of reciprocity in the event of such condition being required by laws of either party or by terms of arrangement with third party by which special concessions in that respect may be granted to that third party," as well as by making certain minor alterations of wording.

(4) Article IV provides that 1911 Treaty as modified by Supplementary Convention shall be applicable to all Japanese possessions, leased territories and mandated territories, and may be terminated separately in respect of such territories.

(5) Articles V to VII deal with position of British Dominions, Colonies, Protectorates, and Mandated Territories. Modifications of 1911 Treaty contained in Supplementary Convention are not to apply to Dominions, etc., which acceded to Treaty unless notice given. If no notice given, 1911 Treaty will continue to apply without modifications, unless terminated in accordance with second paragraph Article XXVII Treaty. If notice given, Treaty will apply as modified by Convention but right to terminate under second paragraph Article XXVII remains. Dominions, etc., which did not accede to 1911 Treaty may accede to Treaty as modified by Supplementary Convention, right of separate termination being as above.

(6) Articles VIII and IX provide that, notwithstanding provisions of first paragraph Article XXVII, remaining provisions of 1911 Treaty except as modified by Supplementary Convention shall continue in force until expiration of Convention, which is to remain in force for five years from exchange of ratifications, and thereafter until terminated by one year's notice.—AMERY.

* 42486/24: not printed; it enclosed copies of Treaty Series 1924, No. 31. † No. 220 in Dominions No. 93. ‡ 25790/24: not printed; it enclosed a copy of the Maritime Ports Convention and Statute.

5291

No. 411.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 4.5 p.m., 5th February, 1925.)

TELEGRAM.

5TH FEBRUARY. My telegram of to-day.* Revision of Commercial Treaty with Japan. Should your Ministers have any observations on provisions of draft Supplementary Convention should be glad to receive them as soon as possible as it is proposed to present draft to Japanese representatives at very early date.—AMERY.

5291

No. 412.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 414.]

(Confidential.)

SIR, Downing Street, 6th February, 1925.

WITH reference to my predecessor's despatch Dominions No. 451 of the 11th September, 1924,† I have the honour to transmit to Your Excellency, to be laid before your Ministers, a copy of a telegram* to the other self-governing Dominions regarding the revision of the Anglo-Japanese Commercial Treaty of 1911.

2. I would add, with reference to my predecessor's despatch No. 275 of the 8th May, 1924, and your despatch No. 247 of the 30th June, 1924,‡ that the draft Convention contains a clause supplementing the provisions referred to in the first part of (5) of the enclosed telegram, to the effect that these stipulations are to be understood to extend to the Irish Free State and that in addition the right of either Party under the second paragraph of Article XXVII of the 1911 Treaty to terminate it separately shall be understood to extend to separate termination in respect of the Irish Free State.

3. Should your Ministers have any observations on the provisions of the draft Supplementary Convention, I should be glad to receive them as soon as possible, as it is proposed to present the draft to the Japanese representatives at a very early date.

I have, &c.,
L. S. AMERY.

11388

No. 413.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1.20 p.m., 11th March, 1925.)

TELEGRAM.

11TH MARCH. Your telegram 5th February.* Revision of Anglo-Japanese Convention. My Ministers have no comments to offer.—FORSTER.

---

* No. 410. † 42486/24: not printed; it enclosed copies of Treaty Series 1924, No. 31.
‡ Nos. 279 and 280 in Dominions No. 93.

15040

No. 414.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1st April, 1925.)

(Confidential.)

SIR, Vice Regal Lodge, Dublin, 31st March, 1925.

I HAVE the honour to refer to your Confidential despatch of the 6th February,* on the subject of the revision of the Anglo-Japanese Treaty of 1911.

2. My Ministers note that the draft Convention contains a clause under which the Irish Free State is placed in the same position in respect of separate termination as the Dominions which acceded to the 1911 Treaty.

3. In these circumstances my Ministers have no observations to make on the provisions of the Draft Supplementary Convention.

I have, &c.,
T. M. HEALY.

20547

No. 415.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 4.50 p.m., 28th May, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

28TH MAY. Confidential. My telegram 5th February.† Supplementary Convention with Japan. Japanese Government unwilling to accept Article I of draft on grounds that it had so far appeared only in Anglo-German Treaty and not in other commercial treaties. They were reluctant to subscribe any written undertaking which might be held to limit their full economic freedom, but at the same time they did not wish this reluctance to be interpreted as unwillingness on their part to give sympathetic consideration in the future as in the past to any representations which His Majesty's Government might wish to offer with regard to trade with Japan. In the circumstances His Majesty's Government have agreed to omit Article I. Article II (now Article I) amended by substitution of words "effect shall not be given to the reduction until the matter has been dealt with" for "it shall in event of dispute be dealt with." Now proposed to present draft as so amended to Japanese representatives for signature and at time of signature to place on record note of understandings reached between parties on certain points, including following:—

(I) Formula for defining application to British ships of condition of reciprocity contained in Article II (formerly Article III) of Supplementary Convention. Exact form which this should take is at present under consideration and further telegram will be sent when it is settled.

(II) Statement to be made that it is assumed on both sides that clauses of Supplementary Convention relating to application to mandated territories of provisions of Treaty as amended by Supplementary Convention did not prejudice provisions of Covenant of League of Nations and terms of Mandates in respect of those territories.—AMERY.

---

* No. 412. † No. 410.

F02 20547

No. 416.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Confidential (3).)

SIR, Downing Street, 29th May, 1925.

WITH reference to Your Excellency's Confidential despatch of the 31st March,* I have the honour to transmit to you, to be laid before your Ministers, a copy of a telegram† to the other self-governing Dominions regarding the revision of the Anglo-Japanese Treaty of 1911.

2. In addition to the understandings mentioned in the telegram, it is proposed to place on record, at the time of signature of the supplementary Convention, a further understanding to the effect that, as the abrogation of Article VIII and the annexed schedule of the Treaty takes effect apart from the provisions of the supplementary Convention, the stipulations of Article V of the Supplementary Convention (i.e. the clause referred to in paragraph 2 of my Confidential despatch of the 6th February‡) are not to be applicable in respect of the said abrogation.

I have, &c.,
L. S. AMERY.

20547

No. 417.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 11.55 a.m., 17th June, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

17TH JUNE. Confidential. My telegram 28th May.† Supplementary Convention with Japan. Following is text of formula for defining application to British ships of condition of reciprocity contained in Article II which it is proposed to place on record at meeting at which Convention is signed.

Begins: Japanese Ambassador stated in reference to condition of reciprocity provided for in Article II, Supplementary Convention, that his Government had no intention of refusing benefits of any concession to ships registered in one part of British Empire on ground that another part of Empire failed to give reciprocity to Japanese ships. He suggested that detailed examination of questions involved might be left over for negotiation between representatives of the two Powers until decision to admit foreign ships to Japanese coasting trade had actually been taken by Japanese Government. Secretary of State for Foreign Affairs concurred. *Formula Ends.*

—AMERY.

20547

No. 418.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Confidential.)

SIR, Downing Street, 19th June, 1925.

WITH reference to my Confidential (3) despatch of the 29th of May,§ I have the honour to transmit to Your Excellency, to be laid before your Ministers, the accompanying copy of a further telegram‖ to the other self-governing Dominions relating to the Supplementary Convention with Japan.

I have, &c.,
L. S. AMERY.

---

* No. 414. † No. 415. ‡ No. 412. § No. 416. ‖ No. 417.

37932

508

No. 419.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. } Dominions No. 416. Confidential.)

[MY LORD,] [SIR,] 15th September, 1925.

WITH reference to my [*Not to Irish Free State:* telegram of the 17th June,*] [*To Irish Free State:* Confidential despatch of the 19th June,†] I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, copies of the Supplementary Commercial Convention‡ with Japan signed on the 30th July and of the Minutes‡ of the Meeting at which the Convention was signed.

2. It will be observed that the second sentence of Article I of the Convention is in the original form referred to in my telegram of the 5th February§ [*To Irish Free State:* to the other Dominions, of which a copy was enclosed in my Confidential despatch of the 6th February.‖] The Japanese Government were unwilling to accept the amendment referred to in my telegram of the 17th June* [*To Irish Free State:* to the other Dominions, of which a copy was enclosed in my Confidential despatch of the 19th June,†] on the ground that its effect would be to prevent a law passed by the Japanese Parliament being put into force until the consent of a foreign Power had been obtained. It was accordingly decided to restore this sentence to the form originally proposed and to add a sentence whereby, in the event of a dispute, both Parties would agree to be bound by the preliminary opinion, provision for which is made in Article 21 of the Statute on the International Regime of Maritime Ports.

I have, &c.,
L. S. AMERY.

37932

No. 420.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

(Confidential.)

SIR, Downing Street, 15th September, 1925.

I HAVE the honour to transmit to you, to be laid before your Ministers, copies of a Supplementary Commercial Convention‡ with Japan signed on the 30th July and of the Minutes‡ of the Meeting at which the Convention was signed.

I have, &c.,
L. S. AMERY.

52245

No. 421.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. } Dominions No. 505. Confidential.)
(Southern Rhodesia. Confidential.)

[MY LORD,] [SIR,] Downing Street, 27th November, 1925.

WITH reference to my Confidential despatch [Dominions No. 416 of the 15th of September,¶] [of the 15th of September,**] I have the honour to transmit to [Your

* No. 417. † No. 418. ‡ Not printed here. § No. 410. ‖ No. 412. ¶ No. 419. ** No. 420.

Excellency,] [you,] for the information of your Ministers, the accompanying copies of correspondence with the Japanese Chargé d'Affaires regarding (*a*) the title of, and (*b*) the interpretation of the word "proposed" in Article I of, the Convention of the 30th of July supplementing the provisions of the Anglo-Japanese Treaty of Commerce and Navigation of the 3rd of April, 1911.

I have, &c.,
L. S. AMERY.

Enclosure 1 in No. 421.

(No. 168.)

SIR, Japanese Embassy, London, W., 30th September, 1925.

I HAVE the honour to state that it would be desirable to give a title to the Convention signed on 30th July last supplementing the provisions of the Treaty of Commerce and Navigation signed at London on 3rd April, 1911, and to suggest that it should be called "The Supplementary Convention to the Treaty of Commerce and Navigation."

I; therefore, beg leave to request if you consent to the above suggestion.

I have, &c.,
ISABURO YOSHIDA.

The Right Honourable Austen Chamberlain, M.P.,
Secretary of State for Foreign Affairs,
Foreign Office, S.W.1.

Enclosure 2 in No. 421.

(No. 169.)

SIR, Japanese Embassy, London, W., 30th September, 1925.

I HAVE the honour to state that I have received an inquiry from my Government with regard to the word "proposed" in Article I of the "Supplementary Convention to the Treaty of Commerce and Navigation between the United Kingdom and Japan" signed at London on the 30th July last.

Accordingly, I shall be very grateful if you will be so good as to assure me that there is no intention on the part of the British Government to interpret on the strength of the existence of the word in question that a previous consent of the other party is required for giving effect to a special reduction of customs duty for goods imported over the land frontier of one party.

I have, &c.,
ISABURO YOSHIDA.

The Right Honourable Austen Chamberlain, M.P.,
Secretary of State for Foreign Affairs,
Foreign Office, S.W.1.

Enclosure 3 in No. 421.

SIR, Foreign Office, S.W.1, 18th November, 1925.

IN your note No. 168 of the 30th September you stated that it would be desirable to give a title to the Convention signed on 30th July last, supplementing the provisions of the Treaty of Commerce and Navigation signed at London on 3rd April, 1911, and suggested that it should be called "The Supplementary Convention to the Treaty of Commerce and Navigation."

2. I have the honour to inform you that His Majesty's Government concur in the above suggestion.

I have, &c.,
(For the Secretary of State),
S. P. WATERLOW.

Monsieur Isaburo Yoshida, C.B., C.V.O.,
&c., &c., &c.

Enclosure 4 in No. 421.

SIR, Foreign Office, S.W.1, 18th November, 1925.

IN reply to your note No. 169 of 30th September last, relative to the interpretation of the word "proposed" in Article I of the "Supplementary Convention to the Treaty of Commerce and Navigation" signed at London on the 30th July last, I have the honour to inform you that His Majesty's Government have no intention, on the strength of the presence of the word in question, of interpreting Article I to mean that the previous consent of the other party must be obtained before a special reduction of customs duty for goods imported over any land frontier of either party is put into effect.

I have, &c.,
(For the Secretary of State),
S. P. WATERLOW.

Monsieur Isaburo Yoshida, C.B., C.V.O.,
&c., &c., &c.

JUBALAND.

Treaty regarding Cession of

(*Treaty Series* 1925, *No.* 29.)

17513

No. 422.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. } Dominions No. 174.)

(Southern Rhodesia. No. 138.)

SIR, Downing Street, 24th April, 1925.

WITH reference to my predecessor's despatch [Dominions No. 356] [No. 297] of the 1st of August, 1924.* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copies of the Anglo-Italian Treaty (East African Territories) Act, 1925 (15 Geo. 5, Ch. 9.).

I have, &c.,
(for the Secretary of State),
W. ORMSBY-GORE.

LATVIA.

(1) Proposed Agreement relating to Estates of Deceased Seamen.

15605

No. 423.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. } Dominions No. 158.)

[MY LORD,] [SIR,] Downing Street, 15th April, 1925.

I HAVE the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, the accompanying draft of an Agreement with Latvia respecting the

* No. 287 in Dominions No. 90.

disposal of estates of deceased seamen, which has been communicated to the Latvian Minister.

I have, &c.,
(For the Secretary of State),
W. ORMSBY-GORE.

Enclosure in No. 423.

DRAFT AGREEMENT.

His Britannic Majesty's Government and the Government of the Democratic Republic of Latvia, having judged it expedient to make arrangements for the disposal of the estates of deceased seamen, have agreed as follows:—

Article I.—In the case of Latvian seamen dying on board British vessels or on British or foreign territory whilst serving on board a British ship, the competent Department of His Majesty's Government in London will furnish the Latvian Consul-General in London with copies of the accounts which may be received by them in respect of the wages and effects of such deceased seamen, together with any particulars which may be at their disposal likely to facilitate the identification of the deceased and of the legal heirs.

In every case where an estate of such a deceased Latvian seaman does not exceed £100 sterling in value and His Majesty's Government are satisfied that the legal heirs of the deceased seaman are resident in Latvian territory, and that there are no persons elsewhere who have any valid claim to the wages and effects left by such seaman they will dispense with the customary form of claim and will hand over the property in question to the Latvian Consul-General in London.

Where the property of a deceased Latvian seaman is not so handed over, the competent Department of His Majesty's Government in London will, before disposing of the estate of such seaman in accordance with the appropriate law, give notice to the Latvian Consul-General in London of their intention to hand over such property to those persons having claims upon it, and will consider any representations that the Consul-General will make thereon.

The Latvian Government on their part undertake that in the case of all estates received by them, of British seamen, whether dying on board Latvian merchant vessels or on Latvian or foreign territory whilst serving on board a Latvian ship, similar action will be taken and the estates similarly handed over to His Britannic Majesty's Consular Officers.

Article II.—The present Agreement shall come into force from the date of its signature. It shall be terminable at any time on a notice of one year given in advance by either of the contracting parties to the other.

Article III.—Liberty is reserved for the Governments of the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, the Irish Free State, Newfoundland and India and also the Government of any of His Majesty's Colonies, Possessions, Protectorates or of any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Britannic Majesty, to accede to this Agreement. In the event of any such Government acceding to the Agreement, the competent department of the Government of that territory will, where effect is to be given to the Agreement in the territory, be substituted in Article I for the competent Department of His Majesty's Government in London and the appropriate Latvian Consular Officer will be substituted for the Latvian Consul-General in London.

In the event of the provisions of this Agreement having been made applicable, in accordance with this Article, to the estates of Latvian seamen received by the competent department of the Government of any of His Britannic Majesty's self-governing Dominions, Colonies, Possessions or Protectorates, or of the Government of India or of the Government of any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Britannic Majesty, either of the Contracting Parties may terminate the Agreement separately in respect of any such self-governing Dominion, Colony, Possession or Protectorate or in respect of India or in respect of any such mandated territory, on giving to the other one year's notice to that effect.

In witness whereof the Undersigned, duly authorized to that effect, have signed this Agreement and have affixed thereon their seals.

Done in duplicate in the English and Lettish languages at London this day of

---

14903

No. 424.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
} Dominions No. 149. Secret.)

[My Lord,] [Sir,] Downing Street, 7th April, 1925.

With reference to my predecessor's Secret despatch Dominions No. 307 of the 8th of July last,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copies of correspondence with the French Ambassador concerning the rules for the control of radio in time of war and rules of aerial warfare, drawn up by the International Commission at The Hague in 1922-23.

I have, &c.,
(for the Secretary of State),
W. ORMSBY-GORE.

Enclosure 1 in No. 424.

Le Gouvernement des Etats-Unis a proposé du Gouvernement français de donner une adhesion définitive aux règles élaborées par la commission des Juristes réunir à la Haye en decembre, 1922, février, 1923, au sujet du contrôle de la radiographie en temps de guerre et de la guerre aérienne.

L'Ambassadeur de France est chargé de s'enquérir de l'avis du gouvernement britannique quant à la résponse à donner à la proposition du Gouvernement des Etats-Unis.

Cette proposition, qui en reviant à transformer en une Convention l'assemble des Régles de la Haye, a fait l'objet à Paris d'une étude dont les conclusions ne sont pas favorables à l'adoption de cette proposition.

Ambassade de France, à Londres.
20 janvier, 1925.

Enclosure 2 in No. 424.

Foreign Office, S.W.1.
4th February, 1925.

Your Excellency,

With reference to the memorandum which you were good enough to communicate on the 20th January, requesting information as to the views of His Majesty's Government in regard to a proposal made by the United States Government to the French Government for the conclusion of a convention embodying the rules for the control of radio in time of war and the rules for aerial warfare drawn up at The Hague in 1922-23, I have the honour to inform you that His Majesty's Government have been similarly approached by the United States Embassy in London.

2. No definite reply has yet been sent to the United States Embassy, as the whole question is still under consideration. It would, however, be of great interest to His Majesty's Government, to have some more detailed information as to the views of the French Government on this matter, and, in particular, as to the reasons for which your Government do not favour the adoption of the rules drawn up by the International Commission at The Hague.

I have, &c.,
(for the Secretary of State),
George Mounsey.

His Excellency
Monsieur A. de Fleuriau,
&c., &c., &c.

---

* No. 289 in Dominions No. 93.

Enclosure 3 in No. 424.

Se référant à la lettre du Foreign Office, en date du 4 fevrier dernier, l'Ambassadeur de France a l'honneur de communiquer, ci-joint, à Son Excellence le Principal Secrétaire d'Etat de Sa Majesté brittanique aux Affaires Etrangères copie d'une lettre adressée par M. Herriot à l'Ambassadeur des Etats-Unis à Paris, pour lui faire connaître le sentiment du Gouvernement français en ce qui concerne la transformation en Convention des règles élaborées par la Commission des Juristes de La Haye sur la radiotélégraphie et la guerre aérienne.

M. de Fleuriau saisit cette occasion pour renouveler à Son Excellence M. Austen Chamberlain les assurances de sa haute considération.

Ambassade de France, à Londres,
Albert Gate House.
le 19 mars, 1925.

Le Président du Conseil,
Ministre des Affaires Etrangères,

à Son Excellence
M. Myron T. Herrick,
Ambassadeur des Etats-Unis à Paris.

Votre Excellence a bien voulu, par une lettre du 14 février, 1924, faire connaître à mon prédécesseur que le Gouvernement des Etats-Unis d'Amérique proposait d'incorporer dans une Convention nouvelle les règles élaborées par la Commission des Juristes réunis à La Haye du 11 décembre, 1922, au 19 février, 1923. Le Gouvernement français ne méconnait pas le très grand intérêt que présente cette suggestion mais l'examen des règles proposées a fait ressortir que la plupart d'entre elles reproduisaient des solutions déjà adoptées par la France et comprises soit dans les Conventions internationales déjà en vigueur, telles que la Convention de La Haye de 1907, soit au nombre des pratiques du droit des gens consacrés par l'usage.

D'autres propositions ne seraient d'ailleurs pas sans inconvénient, car sur beaucoup de points, les innovations qu'elles impliquent ne sont pas conformes à certains principes tels que celui de la liberté des mers où sont critiquables à d'autres points de vue.

Les dispositions qui visent la guerre aérienne que la Commission précitée a plus particulièrement cherché à réglementer, figurent déjà en grande partie dans la Convention de navigation aérienne du 13 octobre, 1919, mais tendent parfois à s'en écarter.

La ratification par les Etats-Unis de la Convention aérienne de 1919 qu'ils ont déjà signée aurait l'avantage de mettre immédiatement en pratique les dispositions déjà acceptées depuis plusieurs années et qui ont reçu une base contractuelle, alors que la présente suggestion du Gouvernement des Etats-Unis risquerait de retarder leur application en soulevant de nouvelles discussions, soit de fond, soit de forme, qui pourraient être prolongées, étant donnée le nombre des Etats qui seraient appelés à y prendre part.

16213

No. 425.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.) Dominions No. 168. Secret.)

[My Lord,] [Sir,] Downing Street, 22nd April, 1925.

With reference to my Secret despatch Dominions No. 149 of the 7th of April,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a Note to the United States

* No. 424.

Chargé d'Affaires on the subject of the control of radio in time of war and the regulation of aerial warfare.

I have, &c.,
(for the Secretary of State),
W. ORMSBY-GORE.

Enclosure in No. 425.

Sir, Foreign Office, S.W.1, 6th April, 1925.

His Majesty's Government have given careful consideration to the proposals of the United States Government to my predecessor contained in Mr. Kellogg's Note of the 13th February, 1924, inquiring whether His Majesty's Government would be disposed to conclude with the United States of America and certain other Powers two conventions, such as were proposed by the United States delegation at The Hague on 12th February, 1923, relative to the rules for the control of radio in time of war and for aerial warfare, drawn up at The Hague in 1922-23. I regret that, owing to the necessity of an exhaustive examination of the many important questions involved, I have been obliged to delay replying to Mr. Kellogg's above-mentioned and subsequent notes.

2. I now request you to inform your Government that His Majesty's Government, while warmly appreciating the friendly and humanitarian motives which have prompted these proposals, have decided to await further international discussion on this question before formulating their considered views on the Report of The Hague Commission.

I have, &c.,
Austen Chamberlain.

F. A. Sterling, Esq.,
&c., &c., &c.

LEAGUE OF NATIONS.

(1) Amendment of Article XVI of Covenant.

(Treaty Series 1924, No. 32.)

1877

No. 426.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1.5 p.m., 13th January, 1925.)

Telegram.

13th January. Your telegram 3rd December* proposed amendment to Article XVI Covenant of League of Nations. Ministers have requested the High Commissioner in London to sign Protocol and agree to ratification by His Majesty the King on their behalf.—Athlone.

10873

No. 427.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9th March, 1925.)

(No. 14.)

Sir, Governor-General's Office, Melbourne, 29th January, 1925.

With reference to your telegram dated 3rd December, 1924, and my telegram dated 23rd December,† on the subject of the Protocol of the Amendment to Article 16, paragraph 1, of the Covenant of the League of Nations, which was adopted at

* No. 308 in Dominions No. 93. † Nos. 308 and 311 in Dominions No. 93.

the Fifth Session of the Assembly of the League held in September-October, 1924, I have the honour to inform you that by an Order of the Governor-General in Council dated 7th January, 1925, it was approved that His Majesty the King be moved to ratify this Protocol for the Commonwealth of Australia.

I should be glad, therefore, if the necessary steps could be taken with a view to ratification on behalf of the Commonwealth.

I have, &c.,
FORSTER,
Governor-General.

38861

No. 428.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 25th August, 1925.)

(Confidential.)

SIR, Vice Regal Lodge, Dublin, 24th August, 1925.

I HAVE the honour to refer to your telegram of the 15th August,* and to previous correspondence regarding the signature and ratification of the Protocol embodying an amendment to the first paragraph of Article 16 of the Covenant of the League of Nations which have received the careful consideration of my Ministers.

2. As this amendment will be examined at the next assembly of the League, my Ministers prefer not to take any action in reference to it until they have had an opportunity of considering the views of the delegates thereon.

I have, &c.,
T. M. HEALY.

40944

No. 429.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.15 p.m., 5th September, 1925.)

TELEGRAM.

5TH SEPTEMBER. Your telegram of 12th August† Honourable Raoul Dandurand, Senior Canadian Delegate to the Sixth Assembly of the League of Nations, has been authorized to sign Protocol amendment(s) to Article XVI.

Canadian Ministers request His Majesty to ratify the Protocol amendment(s) to Article XVI.

47946

No. 430.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

[*Answered by No.* 431.]

(Canada. No. 474.)
(Commonwealth of Australia. No. 316.)
(New Zealand. No. 201.)
(Union of South Africa. No. 269.)

[MY LORD,] [SIR,] Downing Street, 3rd November, 1925.

I HAVE the honour to invite reference to the letter from the Secretary-General of the League of Nations C.L. III. 1925. V of the 14th October enclosing a copy of a Protocol dated the 21st September, 1925, regarding an amendment to the second paragraph of the existing text of Article 16 of the Covenant of the League.

2. It is proposed that the amendment, which is merely formal and consequential on the second, third and fourth amendments to Article 16 adopted in 1921 which have already been ratified by His Majesty (see Secretary-General's letter C.L. 117.

* 54387/24: reminder; not printed. † 10611/25: reminder; not printed.

1924. V of the 29th August, 1924*), should be accepted; so far as His Majesty's Government are concerned, and that their acceptance of it should be signified by the signature on their behalf of the Protocol regarding the amendment and its subsequent ratification by His Majesty.

[*Not to New Zealand:* 3. I should be glad to learn whether Your Excellency's Ministers desire signature and ratification of the Protocol on their behalf and, if so, what arrangements they contemplate for signature.]

[*To New Zealand only:* 3. It is observed that the Protocol has already been signed in respect of New Zealand, and I should be glad to learn whether Your Excellency's Ministers desire ratification on their behalf.]

I have, &c.,
L. S. AMERY.

54688

No. 431.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.30 a.m., 5th December, 1925.)

TELEGRAM.

5TH DECEMBER. Your despatch of 3rd November, No. 269.† Signature and ratification on behalf of the Union of South Africa of the Protocol dated 21st September, 1925, regarding an amendment of the second paragraph of the existing text of Article XVI of the Covenant of the League of Nations. Ministers desire signature and ratification, and the High Commissioner for Union of South Africa in London has been authorized to sign. Ministers would be glad if His Majesty the King may be pleased to ratify Protocol on behalf of the Union of South Africa.—ATHLONE

---

(2) Geneva Protocol for Pacific Settlement of International Disputes.

(*Cmd.* 2273, *Cmd.* 2368, *Cmd.* 2458 *and Cmd.* 2492.)

495

No. 432.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5.13 p.m., 3rd January, 1925.)

TELEGRAM.

3RD JANUARY. Secret. Your Confidential and Secret telegrams of 19th December,‡ holding of special meeting of the Imperial Conference to consider Geneva Protocol for the Pacific Settlement of International Disputes. Following for Prime Minister from my Prime Minister:—

Begins: I have no views to offer as yet as I feel that the matter ought to be more fully considered after seeing what Committee of Imperial Defence have to say on the matter. In any case it is not possible for me or any of my colleagues to attend a Conference before the middle of August next. *Ends.*

—ATHLONE.

1370

No. 433.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1.44 p.m., 9th January, 1925.)

TELEGRAM.

[*Answered by No.* 440.]

9TH JANUARY. Confidential. Following for Prime Minister from my Prime Minister:—

Begins: Geneva Protocol. Further to your telegram dated 19th December and my reply of 23rd December.§ Firstly, my communications

* Enclosure in No. 305 in Dominions No. 93. † No. 430. ‡ Nos. 341 and 342 in Dominions No. 93. § Nos. 341 and 348 in Dominions No. 93.

from the Prime Ministers of Canada, Australia and South Africa indicate that each has grave difficulty in personally attending the proposed Conference and that each considers consultation by cable preferable. Secondly, I presume that Conference will therefore not take place. Though medical advice precludes certainty of my personal attendance this Government would attend by a Minister if Conference is still desired and can take place. Thirdly, I have sent by mail due London early in February (see Governor-General's despatch of 6th January* to the Secretary of State for the Colonies) concise statement of New Zealand's objection to Protocol in present form. Fourthly, one principal objection is to the provisions in Protocol accepting The Hague Council as conclusive authority to determine any questions of International Law and also to determine what is a matter of domestic jurisdiction. The reference to reservation(s) in Article 3 of Protocol is so drafted as to be without effect. Another principal objection is that, though defence against aggression is permitted to nation attacked, Protocol prevents a friendly nation coming to the aid of the nation attacked without the authority of the Council after tedious procedure. Article 8 Covenant of League thus reduced in practical effect. Fifthly, I should be glad to be informed whether France, Italy and Japan have actually given formal adhesion to Protocol. If not, whether it is probable that all or any of them will give adhesion. *Ends.*

—FERGUSSON.

2897

No. 434.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNOR.

(Sent 5.0 p.m., 15th January, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

15TH JANUARY. Confidential. Following from Prime Minister for your Prime Minister:—

Begins: I am sorry to say that replies from Dominion Prime Ministers to my message of 19th December† indicate that there are great difficulties in arranging for special meeting of Imperial Conference at beginning of March to discuss problems arising out of Geneva Protocol.

Following is summary of replies received. Mackenzie King telegraphed 29th December‡ that Canadian Government agree that it is highly desirable that similar attitude should be adopted towards Protocol by countries of British Empire which are members of League of Nations. Suggestion, however, to hold Imperial Conference in London to be attended by Prime Ministers of Dominions as well as of Great Britain in March does not appear practicable. Canadian Parliament has been called for first week in February. It would be quite impossible for him to be absent from Canada for any length of time during the session, and pressure of legislative duties would also make it difficult for any of the Ministers particularly concerned to be similarly absent. Canadian Government suggest change of opinions by cable and post with understanding that, if these means found inadequate and other Dominions consider it practicable to attend Conference in London, Canadian Government will be prepared to consider proposal again.

Bruce telegraphed 23rd December§ that Commonwealth Government agree that it is of utmost importance that on this difficult and delicate matter Empire should have single policy and speak with single voice. Before expressing opinion with regard to suggestion that Conference should be held in March, Commonwealth Government feel that they must await return of Sir Littleton Groom, first Commonwealth delegate at 1924 Assembly.

* No. 445. † No. 341 in Dominions No. 93. ‡ No. 351 in Dominions No. 93. § No. 347 in Dominions No. 93.

expected back 10th January. Whole position will be closely examined immediately on his return, and Commonwealth Government will then be in a position to communicate with British Government as to their views upon Protocol and also as to necessity for personal consultation in order to arrive at single Empire policy. As they see position at present they believe that consultation by cable should enable such a policy to be evolved. In the event of its being demonstrated that it is impossible to deal adequately with matter by cable it will be necessary for personal consultation to take place, but Bruce feels that it is practically impossible for him personally to attend, and grave difficulties are in the way of another Minister being sent in his place. In view of this fact Commonwealth Government urge very strongly that every effort should be made to deal with matter by cable communications.

Massey telegraphed 23rd December* that he was in communication with other Prime Ministers and would endeavour to arrange to attend in March if they were able to do so. He has now telegraphed that communications from Prime Ministers of Canada, Commonwealth of Australia and Union of South Africa indicate that each has grave difficulty in personally attending proposed Conference, and that each considers consultation by cable preferable. He presumes that Conference will therefore not take place. Though his personal attendance not a certainty New Zealand Government would attend by a Minister if Conference still desired and can take place.

General Hertzog telegraphed 3rd January† that it was not possible for him or any of his colleagues in Union Government to attend Conference before middle of August next.

Monroe telegraphed 24th December‡ that he was unlikely to be able to attend himself owing to sitting of Parliament, but would try to arrange to send representatives from Newfoundland.

No reply received from Irish Free State. In the circumstances it is clear that we must endeavour by correspondence to arrive at some common conclusion with regard to the Protocol itself, and the large issues of policy which arise out of its consideration.

Similar message sent to other Prime Ministers. Baldwin. *Ends.*

—AMERY.

2897

No. 435.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNOR.

(Sent 6.20 p.m., 15th January, 1925.)

TELEGRAM.

[*Answered by No.* 442.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

15TH JANUARY. Secret. Following from Prime Minister for your Prime Minister:—

Begins: My message of to-day.§ Following is summary of views so far expressed by Dominion Prime Ministers with regard to provisions of Geneva Protocol.

Prime Minister of Canada states that Canadian Government has given question some preliminary consideration; it is now being examined by Departmental Committee, and will in immediate future be gone into in detail by Cabinet.

Prime Minister of Commonwealth of Australia entirely concurs in view that it would be most unwise to reject Protocol except for some cogent reasons or without endeavouring to formulate some positive alternative policy, but

* No. 348 in Dominions No. 93. † No. 432. ‡ No. 350 in Dominions No. 93. § No. 434.

Australia will not allow any abrogation of her rights with regard to immigration and is anxious that policy pursued shall if possible be acceptable to United States. He regards as most essential preliminary to any discussion as to British Empire's policy ascertaining of United States Government's real opinion on subject.

Prime Minister of New Zealand stated in his message of 23rd December* that he considered whole proposal mischievous and only possible of effect in minor issues between small nations, but recognized difficulty in the way of Great Britain's refusal to concur in some form of general international obligation to refer to arbitration. He stated that New Zealand Government must be largely guided by British Government in final decision, but it was then his opinion that whatever is done now will be rendered nugatory under Article 21 of Protocol by inevitable failure of agreement concerning details of disarmament.

In his further message† now received he states that one principal objection is to provisions in Protocol accepting Hague Council as a conclusive authority to determine any questions of international law and also to determine what is a matter of domestic jurisdiction. Reference to reservations in Article 3 Protocol is so drafted as to be without effect. Another principal objection is that, though defence against aggression is permitted to nation attacked, Protocol prevents friendly nation coming to the aid of nation attacked without the authority of Council after tedious procedure. Article 8 Covenant of League thus reduced in practical effect. He asks to be informed as to attitude of France, Italy and Japan.

Prime Minister of Union of South Africa has no views to offer as yet as he feels that matter ought to be more fully considered after seeing what Committee of Imperial Defence have to say.

I have included in above summary and summary contained in my Confidential message of to-day‡ all replies so far received including your own in order that each Prime Minister may see form in which his views have been communicated to other Prime Ministers.

As regards conclusion of my Confidential message of to-day Report of Sub-Committee mentioned in my Secret message of 19th December§ not yet ready, but Committee of Imperial Defence will consider it as soon as possible after its completion, and I shall hope to be able to send you then the considered views of His Majesty's Government.

Similar message sent to other Prime Ministers. Baldwin. *Ends.*
—AMERY.

2897

No. 436.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Confidential.)

SIR, Downing Street, 16th January, 1925.

WITH reference to my Confidential despatch of the 20th December,‖ I have the honour, at the instance of the Prime Minister, to transmit to Your Excellency, for communication to the President of the Executive Council, a copy of a telegram‡ to the Governors-General of Canada, the Commonwealth of Australia, New Zealand and the Union of South Africa, and to the Governor of Newfoundland summarizing the replies so far received to Mr. Baldwin's Confidential message of the 19th of December¶ suggesting that a special meeting of the Imperial Conference should be arranged to discuss the problems arising out of the Protocol for the Pacific Settlement of International Disputes.

I have, &c.,
L. S. AMERY.

---

* No. 348 in Dominions No. 93. † No. 433. ‡ No. 434. § No. 342 in Dominions No. 93.
‖ No. 343 in Dominions No. 93. ¶ No. 341 in Dominions No. 93.

2897

No. 437.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Secret.)

SIR, Downing Street, 16th January, 1925.

WITH reference to my Confidential despatch of even date,* I have the honour, at the instance of the Prime Minister, to transmit to Your Excellency, for communication to the President of the Executive Council, a copy of a Secret telegram† to the Governors-General of Canada, the Commonwealth of Australia, New Zealand, the Union of South Africa, and the Governor of Newfoundland regarding the Protocol for the Pacific Settlement of International Disputes.

I have, &c.,
L. S. AMERY.

2897

No. 438.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 5.50 p.m., 19th January, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)

19TH JANUARY. Please inform your Prime Minister that following statement will be issued to Press here to-morrow for publication on morning of 21st January.

Begins: The correspondence with the Governments of the Dominions and India as to the possibility of arranging for a special meeting of the Imperial Conference in March to discuss the questions arising out of the Protocol for the Pacific Settlement of International Disputes indicates that the exigencies of Parliamentary and other business render it impossible for a representative meeting to be held in London at the time suggested. In the circumstances the only possible course seems to be to endeavour by correspondence to arrive at a common conclusion on the issues involved, and His Majesty's Government have informed the Governments of the Dominions and India accordingly.
—AMERY.

3219

No. 439.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5.30 a.m., 22nd January, 1925.)

TELEGRAM.

[*Answered by No.* 440.]

22ND JANUARY. Confidential. Last paragraph of my telegram of 9th January.‡ Geneva Protocol. Prime Minister would be glad of reply to the question whether France, Italy and Japan had actually given or were likely to give adhesion to the Protocol. He is anxious to know because the probability or otherwise of a disarmament conference in June, at which New Zealand would be invited to attend, is involved. Please telegraph reply as soon as possible.—FERGUSSON.

---

* No. 436. † No. 435. ‡ No. 433.

3275

No. 440.

NEW ZEALAND.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 7.20 p.m., 26th January, 1925.)

TELEGRAM.

CONFIDENTIAL. Your telegram 22nd January.* Following from Prime Minister for your Prime Minister:—

Begins: Your message 9th January,† last sentence. French Government have signed Geneva Protocol and ratification has been proposed to French Parliament. Attitude of Italy and Japan not yet defined, but we have reason to believe that neither will sign unless we decide to do so. *Ends.*

—AMERY.

3275

No. 441.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 7.20 p.m., 26th January, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(Union of South Africa.)
(Newfoundland.)

26TH JANUARY. Secret. My telegram 15th January.‡ Geneva Protocol. Please inform your Prime Minister that Prime Minister has sent following message to Prime Minister of New Zealand in reply to his inquiry as to attitude of France, Italy and Japan:—

Begins: French Government have signed Geneva Protocol and ratification has been proposed to French Parliament. Attitude of Italy and Japan not yet defined, but we have reason to believe that neither will sign unless we decide to do so. *Ends.*

—AMERY.

4390

No. 442.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.40 p.m., 26th January, 1925.)

TELEGRAM.

[*Answered by No.* 444.]

26TH JANUARY. Secret. Your telegram of 15th January, Secret.‡ Geneva Protocol. Following for Prime Minister from my Prime Minister:—

Begins: Ministers after careful consideration of the proposed Protocol regret to have to inform British Government that they feel themselves unable to accept the same or to recommend its acceptance by Parliament. The reasons which have led Ministers to arrive at this conclusion may without going into details be stated as follows:—

1. It seems generally admitted, and Ministers share that feeling, that the League of Nations as at present existing with America, Germany and Russia standing aloof cannot over any length of time achieve its great and primary object of ensuring peaceable world, and must, unless these great nations become members, necessarily as time goes on assume more and more the character of political alliance. To accept Protocol, Ministers feel, would be only to make it more difficult for countries at present outside the League, notably America, to become members, and would consequently contribute very

* No. 439. † No. 433. ‡ No. 435.

materially to making it impossible for League to attain its real object(s) and so give an additional impulse to the diversion of its activity(ies) in the direction of an alliance, having as its object the maintenance of a balance of power.

2. It is quite impossible even approximately to calculate or tell in advance what are going to be the obligations and consequences direct and indirect which may accrue from an acceptance of the Protocol or what may be the many and various international complications to which it may give rise.

3. By accepting the Protocol the character of the League will be so modified that no nation being a member of it, subject to the provisions of the Protocol, can rightly be said any longer to retain its full measure of sovereign rights. This, Ministers deem a matter of very grave concern, in view more particularly of indefinite character of the obligations which are sought to be imposed and of the practical consequences it may have for the weaker nations not possessing influence derived from power to add prestige and weight to their interpretation of the obligations thus assumed.

4. Ministers feel convinced that, while public feeling in the Union may be taken as sincerely in favour of a real and genuine League of Nations, it is generally felt that the League, as it is at present, has not yet arrived at that stage, and that to have obligations of the Union under Covenant extended any further is not in the interests of this country.

5. In matters of such a grave nature as the relationship and obligation(s) of nation(s) (over against the) League professedly instituted with a view to the guardianship of the peace of the world, but under present conditions more especially the protector of the circumstances and requirements of particular nations and countries, Ministers feel they are called upon to exercise particular vigilance and to bestow particular attention upon the peculiar position and interests of South Africa, and are of the opinion that these interests demand that no international obligations should be entered into which may entail a participation and interference by the Union in matters which do not, or only remotely, concern her and whereby her real and proper interests may eventually be jeopardized.

Ministers have considered question as to making suggestions which may serve as amending proposals to the provisions of the Protocol. They find, however, that, from the very nature of the circumstances which have necessitated the drafting of the Protocol, no amendment or substitute to its provisions can (?be) expected to prove acceptable unless it carries with it an extension of obligations and responsibilities under the Covenant. As already stated, Ministers are convinced that that would be against the interests of this country and contrary to the wishes of the people.

Under these circumstances Ministers must advise that they have no suggestion(s) to offer. *Ends.*

—ATHLONE.

Note.—Copy sent to Canada, Commonwealth of Australia, New Zealand, Irish Free State and Newfoundland by despatch, 17th February (see No. 452).

3275

No. 443.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Secret.)

Downing Street, 27th January, 1925.

SIR,

WITH reference to my Secret despatch of the 16th January,* regarding the Protocol for the Pacific Settlement of International Disputes, I have the honour to transmit to Your Excellency, for communication to the President of the Executive Council, a copy of a telegram† to the Governors-General of Canada, the Common-

* No. 437. † No. 441.

wealth of Australia and the Union of South Africa, and the Governor of Newfoundland, embodying the reply sent by the Prime Minister to the inquiry of the Prime Minister of New Zealand as to the attitude of France, Italy and Japan towards the Protocol.

I have, &c.,
L. S. AMERY.

4390

No. 444.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 3.45 p.m., 2nd February, 1925.)

TELEGRAM.

[*Answered by No.* 447.]

2ND FEBRUARY. Secret. Your telegram 26th January.* Geneva Protocol. Following from Prime Minister for your Prime Minister:—

Begins: I am much obliged for your message and propose, if you see no objection and have not already taken action to this effect, to communicate copies by mail to other Dominions and India. *Ends.*

—AMERY.

5457

No. 445.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4th February, 1925.)

[*Answered by No.* 449.]

(Confidential.)

SIR, Government House, Wellington, 6th January, 1925.

I HAVE the honour to transmit to you, at the instance of my Prime Minister, the accompanying memorandum dealing with the proposed Protocol for the Pacific Settlement of International Disputes.

I have, &c.,
CHARLES FERGUSSON,
Governor-General.

Enclosure in No. 445.

MEMORANDUM ON THE PROTOCOL FOR PACIFIC SETTLEMENT OF INTERNATIONAL DISPUTES.

IT is desired by this memorandum to define as briefly as possible the principal objections which the New Zealand Government has to the Protocol, omitting all minor precise criticisms of the language used by the draftsmen of that document.

But it is desired first to record an emphatic protest against a process under which the British Empire is hurriedly called upon to give its adhesion to momentous novel conditions expressed in a document hastily prepared and vague in expression both as regards its effect and detail.

The League of Nations in 1923 propounded a Treaty of Mutual Assistance and recommended the Nations, members of the League, to agree to that Treaty. We have on record in the Document A.35 1924 IX of the League of Nations, the printed replies of the principal Nations rejecting that Treaty, and expressing their varying grounds for the refusal.

No outline of the present novel alternative scheme had been before the Council or the Assembly of the League until Mr. Ramsay MacDonald and M. Herriot addressed the Assembly at Geneva, Mr. MacDonald speaking on the 4th and M. Herriot on the 5th September, 1924, and it appears from page 42 of that record

* No. 442.

that the Assembly on the 6th September passed resolutions directing consideration by the First and Third Committees of the questions there submitted. The First and Third Committees presented a joint report on the 1st October covering this draft Protocol, which the Assembly later adopted.

It is to a document so initiated and so prepared within that space of three weeks, involving wide expansions and grave alterations of the Covenant of the League of Nations, that Great Britain, after a general election and a complete change in its Administration, is asked to give a speedy adhesion and to invite the self-governing Dominions to join it in that act.

In the case of New Zealand, the document itself did not reach the Government until the month of December, though this Government had some knowledge of its general effect in November.

If, as has been contended by Lord Parmoor and others, the Protocol really defined no greater obligations than are already undertaken by the Nations in the Covenant itself, it might well be the case, that even in the short space of time allowed, Great Britain and the Dominions might have assented. But it is not true that the Protocol creates no new obligations. It is no mere form that we are asked to assent to, but matters of substantive, singular and almost unexampled importance.

On what ground can it be contended that there is such urgency in the proposals as to require adhesion by Great Britain in March, 1925? Is it because the League insists on holding a conference on Disarmament this year and requires the Protocol as a condition precedent to the Disarmament Conference? If so, the answer is that the Disarmament Conference may well be postponed till next year, and that the British Empire is not to be driven into a decision which its Prime Ministers cannot unitedly consider merely on the grounds that the League of Nations is in a hurry to call a conference at Geneva. And a further answer is that it is absurd to ask the signatory nations to agree now to become bound by such conditions as are expressed in the Protocol on the mere chance that Germany and Russia, for instance, will agree in a scheme of disarmament to be later propounded.

His Majesty's Government has recognized that a Conference of the Prime Ministers of the Empire is essential to ensure due consideration of the course that the Empire should take. It appears to be impossible to hold such a Conference before or during March, 1925. It would seem, therefore, that the only possible course open to His Majesty's Government is to refuse adhesion in March, and it would seem that such a refusal could not be construed as a refusal to concur in any scheme of general compulsory arbitration. The refusal would obviously be limited at present to the ground that His Majesty's Government cannot commit the Empire without due consultation, and that the date fixed allows no time for such consultation. It is earnestly hoped that His Majesty's Government will adopt that course, for New Zealand will never consent to be bound by the Protocol in its present form, and believes that the whole Empire would be endangered if the signature of Great Britain were appended to such a document, dangerous in its effect, crudely and hurriedly drafted, and capable of various interpretations.

Great Britain will always keep faith in letter and spirit with any obligations it signs. If other nations are to be similarly bound to conform to the letter and the spirit, both must be defined with far greater accuracy than has been attempted in the terms of the Protocol. But apart from the form of expression, the intention and effect of the document itself is not in accord with common sense, however much it may accord with visionary doctrines, such, for example, as may be found at the end of Lord Parmoor's speech in the verbatim record of the Debate in the Geneva Assembly.

The principal objections from the point of view of New Zealand are:—

1. The reference of matters to the Court of International Justice. So far Great Britain has never made a declaration under Article 36 of the Statute of the Court authorizing that Court to determine, without special submission, the matters defined in paragraphs A. B. C. and D. of that Article, and New Zealand never will consent to such a declaration.

But Article 3 of the Protocol binds the signatory States to accept that jurisdiction in all matters. The reference in that Article to reservations is idle and useless, as the Protocol is drafted. A reservation would have absolutely no effect in limiting the jurisdiction in matters referred under the Protocol, though it might limit the jurisdiction in matters of peaceful negotiations. Where a question of international law arises in the course of arbitrations under the Protocol, that is to say, in cases

where war is threatened, the permanent Court of International Justice at the Hague is given express jurisdiction firstly, to decide whether a claim by a nation is a claim in respect of matters within its domestic jurisdiction, and, secondly, to determine all other questions of international law, and signatories are to be bound by such decision.

New Zealand's immigration laws are framed to preserve, as far as possible, British nationality in New Zealand. No foreigner may come to New Zealand to reside without having first made written application from his country of origin. Whatever the jurists at Geneva may think, the law advisers of the Crown in New Zealand believe that there is grave danger that the International Court of Justice at the Hague, consisting mainly of foreigners, might hold that the New Zealand law is contrary to the comity of Nations, and that the New Zealand system is not a question of merely domestic jurisdiction. And our law advisers believe that, if a question arose for determination under the Protocol, the Permanent Court might decide, firstly, that the right of foreigners to reside in New Zealand was not a matter exclusively within the domestic jurisdiction of New Zealand, and, secondly, that as a matter of international law we must admit them or reduce the restrictions on their admission.

But consideration of the minor interests of New Zealand in this respect is negligible as compared with admission of the Permanent Court as the deciding factor in Great Britain's belligerent rights at sea. It seems to us idle to contend, as has been contended, that, inasmuch as such questions would only effectively arise during actual war, and as the assumption is that Great Britain will only wage war with the consent of the League, therefore the point may be waived. That seems to us idle because the question would be raised by neutrals whose vessels were stopped and searched for contrabands. It is with regard to the rights of His Majesty's ships against neutrals when Great Britain is at war that difference exists between the opinions of foreign jurists and the decisions of the English Courts. And it seems obvious that the effect of adhesion to the Protocol would be deliberately to accept a foregone conclusion against the exercise of privileges in war which are essential the defence of the Empire.

2. The Protocol, it is true, partly cuts down the rights and duties of signatory nations expressed in Article 8 of the Covenant, but that reduction of obligation is objectionable. Provision is made in the Protocol for suspension of operations by nations about to go to war, and for non-mobilization, etc., and it authorizes defence against acts of aggression by a nation attacked. The definition of aggression in Article 10 is not, and obviously is not intended to be, exclusive, and it may be assumed that any attack on territorial integrity or political independence as mentioned in Article 10 of the Covenant would still be aggression under the Protocol, but there is absolutely no provision in the Protocol enabling or entitling a nation which is not itself attacked by aggression to come at once to the assistance of a friendly nation which is so attacked. Indeed the effect of the Protocol is to prevent such nations from entering upon war to aid another nation against actual attack on its territories, until such time (probably far too late for effect) as the Council, after the tedious procedure directed, is at liberty to authorize assistance. This may be intentional, but if it is intentional Great Britain will surely not consent to such a limitation to its rights and duties to France and Belgium as is expressed in Article 10 of the Covenant and subjected to such ludicrous limitation by the Protocol.

3. The object and effect of Articles 11 and 13 of the Protocol is to create for the Council of the League an entirely new power and authority in warfare between Signatories to the League. It is not true to say that those Articles merely define the effect of Article 16 of the Covenant. It does not appear necessary to emphasize this by quotation, the intention and the effect is apparent, and those Articles require drastic amendment.

4. Reference has already been made to the Document A.35 1924 IX of the League of Nations, containing a reprint of the replies received from the various Governments to the proposal for the Treaty of Mutual Assistance. The reply of His Majesty's Government is to be found on pages 15, 16 and 17 of that Document, and it is no exaggeration to say that the whole of that criticism is equally applicable to the terms and effect of the Protocol. If His Majesty's present Government agrees with that criticism of the late Government, it will find in paragraph 12 on page 17

a concise statement of the point of objection last taken in this memorandum, and it is convenient to paraphrase the further language of the succeeding paragraph 13, as summarizing New Zealand's objection to the Protocol: "For the reasons which have been enumerated, the draft" Protocol "in the eyes of His Majesty's Government" of New Zealand "holds out no serious prospect of advantage sufficient to compensate the world for the immense complication of international relations which it would create, the uncertainty of the practical effect of its clauses, and the consequent difficulty of conducting national policy."

This memorandum may well conclude with a request to be informed whether the words just quoted do not apply with even greater force to the Protocol, and with a statement that the New Zealand Government is unable to understand any necessity for creating such obligations as the Protocol invents merely for the purpose of facilitating an International Conference on disarmament at Geneva.

W. F. Massey,
Prime Minister.

Wellington,
6th January, 1925.

Note.—Copy of enclosure sent to Canada, the Commonwealth of Australia, the Union of South Africa, the Irish Free State and Newfoundland by despatch, 17th February. (See No. 452.)

5896

No. 446.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 7.25 p.m., 5th February, 1925.)

TELEGRAM.

[*Answered by No.* 460.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

MOST SECRET. 5th February. Following from Prime Minister for your Prime Minister:—

Begins: As a result of confidential and unofficial inquiries referred to at end of my Secret message 19th December,* Secretary of State for Foreign Affairs has gained following impressions as to attitude of United States Government towards Geneva Protocol.

In eyes of present administration Protocol contains numerous sources of trouble, and they had hoped that it would die a natural death. United States have hitherto regarded League of Nations with no more than a certain mistrust; if Protocol went through as it stands, it is no exaggeration to say that they could hardly help considering League potential enemy. This feeling is inspired by compulsory arbitration and sanctions provisions. It is not difficult to imagine that League at instance of some Central or South American Member might be brought into conflict with Monroe Doctrine. If, for instance, United States Government were compelled at any time to take measures for protection of Panama Canal, and on that account were to be arraigned before League by one of Central American States, there would undoubtedly be explosion of public opinion throughout country. Similar difficulties would arise if neutral rights of United States in matters of trade and commerce were interfered with in event of economic or armed blockade of aggressor State by League, and it would be practically impossible to institute effective blockade without such interference. In short, there will be serious risk of grave trouble with United States in future if we ratify Protocol. Baldwin. *Ends.*

—AMERY.

---

* No. 342 in Dominions No. 93.

6029

No. 447.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.20 p.m., 6th February, 1925.)

TELEGRAM.

6TH FEBRUARY. Secret. Your telegram of 2nd February. Secret.* My Prime Minister has no objection to communication of message† regarding Geneva Protocol to Dominions and India.—ATHLONE.

5896

No. 448.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Secret.)

SIR, Downing Street, 6th February, 1925.

WITH reference to my Secret despatch of the 20th December, 1924,‡ I have the honour, at the instance of the Prime Minister, to transmit to Your Excellency, for communication to the President of the Executive Council, a copy of a telegram§ to the Governors-General of Canada, the Commonwealth of Australia, New Zealand and the Union of South Africa and the Governor of Newfoundland, regarding the attitude of the United States Government towards the Protocol for the Pacific Settlement of International Disputes. It will be seen that the telegram is marked "Most Secret."

I have, &c.,
L. S. AMERY.

5457

No. 449.

NEW ZEALAND.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 4.40 p.m., 9th February, 1925.)

TELEGRAM.

[*Answered by No.* 450.]

YOUR despatch 6th January. Confidential.‖ Geneva Protocol. Proposed, if your Prime Minister sees no objection and has not already taken action to this effect, to communicate copies of his memorandum by mail to other Dominions and India. Please telegraph reply.—AMERY.

6652

No. 450.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 11.28 a.m., 11th February, 1925.)

TELEGRAM.

11TH FEBRUARY. Confidential. Your telegram 9th February.¶ Geneva Protocol. Prime Minister has no objection to the communication to other Dominions and India of copies of his memorandum.—FERGUSSON.

---

* No. 444. † No. 442. ‡ No. 344 in Dominions No. 93. § No. 446. ‖ No. 445. ¶ No. 449.

7626

No. 451.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 17th February, 1925.)

(Secret.)

SIR, Governor-General's Office, Pretoria, 28th January, 1925.

IN confirmation of my Secret telegram of the 26th January,* I have the honour to transmit, herewith, a copy of a Minute conveying the views of the Union Government on the Draft Protocol for the Pacific Settlement of International Disputes.

I have, &c.,
ATHLONE,
Governor-General.

Enclosure in No. 451.

Prime Minister's Office, Pretoria,
24th January, 1925.

(Secret.)
(Minute.)

MINISTERS, after careful consideration of the proposed Protocol, regret to have to inform the British Government that they feel themselves unable to accept the same or to recommend its acceptance by Parliament. The reasons which have led Ministers to arrive at this conclusion may, without going into details, be stated as follows:—

1. It seems generally admitted, and Ministers share that feeling, that the League of Nations as at present existing, with America, Germany and Russia standing aloof, cannot over any length of time achieve its great and primary object of ensuring the peace of the world, and must, unless these great Nations become members, necessarily as time goes on assume more and more the character of political alliance. To accept the Protocol, Ministers feel, would be only to make it more difficult for the countries at present outside the League—notably America—to become members, and would consequently contribute very materially to making it impossible for the League to attain its real object, and so give an additional impulse to the diversion of its activities in the direction of an alliance having as its object the maintenance of a balance of power.

2. It is quite impossible, even approximately, to calculate or tell in advance what are going to be the obligations and consequences, direct and indirect, which may accrue from an acceptance of the Protocol, or what may be the many and various international complications to which it may give rise.

3. By accepting the Protocol the character of the League will be so modified that no nation, being a member of it subject to the provisions of the Protocol, can rightly be said any longer to retain its full measure of sovereign rights. This, Ministers deem a matter of very grave concern, in view, more particularly, of the indefinite character of the obligations which are sought to be imposed, and of the practical consequences it may have for weaker nations not possessing the influence derived from power to add prestige and weight to their interpretation of obligations thus assumed.

4. Ministers feel convinced that, while public feeling in the Union may be taken as sincerely in favour of a real and genuine League of Nations, it is generally felt that the League, as it is at present, has not yet arrived at that stage, and that to have the obligations of the Union under the Covenant extended any further is not in the interest of this country.

5. In a matter of such a grave nature as the relationship and obligations of nations over against the League professedly instituted with a view to the guardianship of the peace of the world, but under present conditions more especially the

---

* No. 442.

protector of circumstances and requirements of particular nations and countries, Ministers feel that they are called upon to exercise particular vigilance and to bestow particular attention upon the peculiar position and interests of South Africa, and are of opinion that these interests demand that no international obligations should be entered into which may entail a participation and interference by the Union in matters which do not, or only remotely, concern her, and whereby her real and proper interests may eventually be jeopardised.

Ministers have considered the question as to making suggestions which may serve as amending proposals to the provisions of the Protocol. They find, however, that from the very nature of the circumstances which have necessitated the drafting of the Protocol, no amendment or substitute to its provisions can be expected to prove acceptable unless it carries with it an extension of the obligations and responsibilities under the Covenant. As already stated, Ministers are convinced that that would be against the interests of this country and contrary to the wishes of the people.

Under these circumstances Ministers must advise that they have no suggestions to offer.

J. B. M. HERTZOG.

4390

No. 452.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
} Dominions No. 66. Secret.)

[MY LORD,] [SIR,] Downing Street, 17th February, 1925.

WITH reference to my Secret [*Not to Irish Free State:* telegram of the 15th January,*] [*To Irish Free State:* despatch of the 16th January,†] I have the honour, at the instance of the Prime Minister, to transmit to [Your Excellency,] [you,] for communication to [*Not to Irish Free State:* your Prime Minister] [*To Irish Free State:* the President of the Executive Council] [*Not to New Zealand:* a copy of a memorandum‡ by the Prime Minister of New Zealand] [*Not to New Zealand and Union of South Africa:* and a] [*Not to Union of South Africa:* copy of a telegram§ from the Governor-General of the Union of South Africa embodying a message from the Prime Minister of the Union] on the subject of the Protocol for the Pacific Settlement of International Disputes.

I have, &c.,
L. S. AMERY.

10174

No. 453.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 9.30 p.m. 3rd March, 1925.)

TELEGRAM.

[*Answered by Nos.* 461 *and* 462.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)

SECRET. 3rd March. Following from Prime Minister for [*Not to Irish Free State:* your Prime Minister] [*To Irish Free State:* President of Executive Council]

---

* No. 435. † No. 437. ‡ Enclosure in No. 445. § No. 442.

Begins: Since my Secret message of 15th January* [*To Irish Free State:* See Secret despatch from Secretary of State to Governor-General 16th January†] Report of Sub-Committee of Committee of Imperial Defence on Geneva Protocol has been submitted. Report has been under examination by Committee of Imperial Defence and Cabinet, and the latter, after most careful and exhaustive inquiry, have come to the conclusion that they cannot accept the Geneva Protocol or recommend its acceptance to the other Governments of the Empire. In this conclusion they have been confirmed by the general agreement revealed in the communications so far received from the Dominion Governments and from the Government of India. We feel that in view of the forthcoming session of the Council of the League of Nations, which begins on 9th March, a definite statement can no longer be withheld, and the Foreign Secretary has been authorized by the Cabinet to make a statement, text of which will, I hope, be ready for transmission to you in a separate telegram as soon as its terms have been finally approved at meeting of Cabinet which is to be held to-morrow.

I trust that this course and the tenor of the statement will meet with your general approval. I am very sorry not to have been able to communicate with you earlier, particularly in view of impending meeting of Council, but I am sure that you will appreciate that the important questions of policy involved rendered full consideration inevitable. Similar message sent to other Prime Ministers, Baldwin. *Ends.*
—AMERY.

10174

No. 454.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 9.35 p.m., 3rd March, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

3RD MARCH. In addition to text of proposed statement on Geneva Protocol, which is likely to be of considerable length, there may be also further telegram to-morrow regarding subsequent policy. Both will need immediate attention. Please make arrangements to expedite decoding.—AMERY.

10423

No. 455.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent Part I, 6.0 p.m., Part II, 6.15 p.m., Part III, 6.30 p.m., Part IV, 6.35 p.m., Part V, 11.40 p.m., 4th March, 1925.)

TELEGRAM.

[*Answered by Nos.* 461, 462 *and* 474.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

4TH MARCH. Secret. Referring to message from Prime Minister 3rd March.‡ Geneva Protocol. Following is text of communication referred to:—

Begins: (Here follows text as printed in Cmd. 2368, see No. 482.) *Ends.*

Cabinet has approved above statement and authorized Foreign Secretary to use it in such manner as he may find most desirable either as a statement or as a communication to the Secretary-General, League of Nations. In meantime please ask your Prime Minister to treat it as strictly confidential.—AMERY.

---

* No. 435. † No. 437. ‡ No. 453.

10423

No. 456.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 11.45 p.m., 4th March, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

4TH MARCH. Secret. Referring to my telegram of 3rd March.* No further telegram regarding policy subsequent to rejection of Geneva Protocol will be sent to-day. If you showed my telegram of yesterday to your Prime Minister, please let him know that discussions at Cabinet have not yet reached stage at which we can put forward definite suggestions.—AMERY.

10423

No. 457.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Secret.)

SIR, Downing Street, 4th March, 1925.

WITH reference to my telegram of the 3rd March,* I have the honour to transmit to Your Excellency, for communication to the President of the Executive Council, a copy of the draft communication† to the League of Nations on the subject of the Protocol for the Pacific Settlement of International Disputes.

2. The text of this statement is being communicated to the other Dominions by telegram.

I have, &c.,
L. S. AMERY.

10423

No. 458.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 11.40 p.m., 4th March, 1925.)

TELEGRAM.

4TH MARCH. Secret. Please make following addition to draft communication enclosed in my despatch 4th March, Secret.‡ Geneva Protocol.

Begins: (Here follows text of Part V as printed in Cmd. 2368, see No. 482.) *Ends.*

Please also inform President of Executive Council that Cabinet has approved above statement, and authorized Foreign Secretary to use it in such manner as he may find most desirable either as a statement or as a communication to the Secretary-General, League of Nations. In the meantime it is desired that statement should be treated as strictly confidential. AMERY.

10490

No. 459.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.50 a.m., 5th March, 1925.)

TELEGRAM.

[*Answered by No.* 470.]

4TH MARCH. Following from my Prime Minister for your Prime Minister:

Begins: After careful examination of the Geneva Protocol by members

* No. 453. † Parts I-IV as printed in Cmd. 2368. ‡ No. 457.

of the Cabinet and by Inter-departmental Committee our Government has come to conclusions which may be summarized as follows:

First, that we should continue to give whole-hearted support to the League of Nations and particularly to its work of conciliation, co-operation and publicity. Second, that we do not consider it in the interests of Canada, of the British Empire, or of the League itself to recommend to Parliament adherence to the Protocol and particularly to its rigid provisions for application of Economic and Military sanctions in every future war. Among the grounds for this conclusion is the consideration of the effect of non-participation of the United States upon attempt to enforce sanctions and particularly so in case of contiguous countries like Canada. Third, that as Canada believes firmly in submission of International disputes to joint inquiry or arbitration and has shared in certain number of undertakings in this field we would be prepared to consider acceptance of compulsory jurisdiction of Permanent Court in justiciable disputes with certain reservations and co-operation in further consideration of method of supplementing the provisions of the Covenant for settlement of non-justifiable [?justiciable] issues including method of joint investigation reserving ultimate decision in domestic issues and without undertaking further obligations to enforce decisions in case of other States. Fourth, that we would be prepared to take part at any time in any general Conference on reduction of armaments which did not involve prior acceptance of the Protocol. *Ends.*

—BYNG.

Note.—Copy sent to Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State and Newfoundland by despatch, 19th March. (See No. 431).

10439

No. 460.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received Part I, 6.0 a.m., Part II, 7.50 a.m., 5th March, 1925.)

TELEGRAM.

[*Answered by No.* 471.]

PART I. 5th March. Secret. Your telegram of 5th February.* Following from my Prime Minister:—

Begins: The Commonwealth Government, after having given full and most careful consideration to the Protocol for the Pacific Settlement of International Disputes, has reached the following conclusions regarding the important and far-reaching provisions that are therein contained. In the first place, my Government desires to reaffirm its adherence to the principle(s) which governed its adoption of the League of Nations Covenant and loyal observance of the League's recommendations. It believes that the League came into existence because all nations who were signatories to the Covenant realized from their experience during the War that the time had come to substitute arbitrament of reason for that of force. It cannot overlook the fact, however, that there are some very definite defects in the Covenant which arose, not because their ideals fell short, but because there still existed some mistrust and uncertainty as to the method by which the force of the League should be applied. The League as it stands is a great moral force which gives to the world some concrete expression of the ideals for which its members stand. The Protocol represents a praiseworthy attempt to go further than was found possible when the League was first established. The particular problem with which my Government has exercised itself has been whether the time is opportune to do what was not possible in 1919, and whether advantages to be derived by strengthening the machinery are not

* No. 446.

altogether disproportionate to the risk of weakening the already established moral influence of the League by serious disagreements among its members.

The aim of the Protocol, which is to further the settlement of international disputes without having recourse to war, thus ensuring to the nations of the world that measure of external security which would permit them to obtain relief from the heavy burden of armaments, is one which, in principle, must commend itself to any State anxious to see strengthened the ties that bind together the members of international communities. It is also indisputable that members of the League recognizing as they do the relationship between military armaments and the danger of war, are bound to reduce national armament(s) to the lowest point consistent with national safety. The Protocol has been framed from the point of view that machinery other than that existing in the Covenant destined to provide safeguards against aggression must precede any scheme for disarmament. Relief from the burden of armaments is regarded ultimately as being dependent on the adoption of compulsory arbitration.

It is obvious that the adoption of the principle of compulsory arbitration, which is generalized so as to comprise all disputes between all countries whether members of the League or not, would completely transform the present constitution of the League. The Covenant obliges the member States to refer disputes that are not settled by diplomatic means either to arbitration, judicial settlement, or to inquiry by the Council. A limited class of disputes is regarded as being generally suitable for submission to arbitration or judicial settlement. Should the Protocol become law between member States compulsory arbitration would become the rule for the settlement of all disputes. Inquiry by the Council would tend to disappear. It is not proposed to enter into discussion on the principle of compulsory arbitration, nor to review the difficulties that may be encountered by a Government in giving effect to an award pronounced by an arbitral body on a matter which public sentiment considers to be of paramount and vital importance. The present system as laid down in the Covenant, which furnishes an alternative procedure, does appear, however, to have very evident advantages in elasticity and adaptation to the existing state of public opinion over the proposed machinery of compulsory arbitration.

There exist at the present time other very serious practical objections to the adoption of compulsory arbitration as a general system. To be effective compulsory arbitration must secure the consent of all countries between which disputes may conceivably arise. To establish a general system of compulsory arbitration to which any powerful States are not parties cannot fail to be a source of danger both for (? to) the successful carrying out of the system itself and for (? to) the international organization under which it operates. It has been a matter of grave concern always to the Commonwealth Government that certain of the foremost nations of the world have not yet become members of the League of Nations, thus accepting the international obligations which are contained in the Covenant and lending their authority for the preservation of peace, this position throwing heavier obligations on the member States that (? than) were originally contemplated when the Covenant of the League was agreed to. It is, therefore, considered that the progressive incorporation of those nations in the League should precede and not follow the assumption of greater obligation(s) that the Protocol will impose upon member States. This reason alone is considered by the Commonwealth Government as amply sufficient to render premature any endeavour at the present time to generalize the principle of compulsory arbitration.

Articles 10 and 11 of the Protocol, which are regarded as complementary to the provisions respecting compulsory arbitration, while possessing some features that could with advantage be incorporated into the Covenant, would also introduce novel, and in some respects, it is believed, undesirable, elements into the constitution of the League. These Articles accentuate very considerably the coercive provisions of the League's Charter. It is felt further that these provisions, while not actually converting the League into a super State, would tend to deflect that organization from being a powerful moral agency for the moulding of the world's opinion in the direction of peaceful and healthy international relations to being an organization for the imposition of pains and penalties.

As the foregoing observations touch the main principle(s) on which the Protocol is based, little would appear to be gained by a detailed examination of the subsidiary provisions. Several of the latter, however, may be briefly referred to.

Article 10 of the Protocol defines the circumstances in which certain presumptions of aggression arise against a State, and provides that, "in the event of hostilities having broken out, any State shall be presumed to be an aggressor unless a decision of the Council, which must be taken unanimously, shall otherwise declare (1) if it has disregarded a unanimous report of the Council, a judicial sentence or an arbitral award recognizing the dispute between it and the other belligerent State arising out of a matter which by international law is solely within the domestic jurisdiction of the latter State, nevertheless if in the last case State shall only be presumed to be an aggressor if it has not previously submitted the question to the Council or Assembly in accordance with Article 11 of the Covenant."

Part II. It does not appear that any logical reason can be advanced to justify an award declaring that a dispute arising from a matter of domestic jurisdiction should be placed on a different footing from any other arbitral award or a unanimous decision of the Council. When a State commits an act of war against another State concerning a matter which International Law declares to be one of purely domestic jurisdiction, it is obviously not in the interests of good understanding between Nations that such an act of aggression, constituting, as it does, an International crime, should be covered by some special proviso. And this is particularly so as under Article 11 of the Covenant any dispute assuming the character of a war, or a threat of war, is a matter of concern to the whole League. The proviso of Article 10(1) is, therefore, unacceptable to the Commonwealth Government.

Article 10 also provides that if the Council does not at once succeed in determining the aggressor, it shall enjoin upon the belligerents an armistice fixing the terms thereof, and any belligerent which refuses to accept armistice, or which has violated terms, shall be deemed an aggressor. To give effect to this provision, which is one of capital importance, it would be indispensable for the League to possess organic control on the spot. This would present certain difficulties in a theatre relatively near to the centre of activity; in a remote theatre it is feared that to establish which party violated the terms of an armistice (fixed at the commencement of hostilities) would present in practice exceptional, if not insuperable, difficulties, and thus be impossible of carrying out.

From above considerations it will be seen that the Commonwealth Government is of opinion that the Protocol contains principles and provisions which do not at present appear to be applicable to the present situation of International life. It is also believed that any endeavours to amend the Protocol so as to give effect to objections that have been raised would present but little practical utility, as these objections cut through the essential principles on which the whole reposes. But this does not imply that the prolonged efforts of which the Protocol is the outcome have been spent in vain. No serious attempt to evolve methods of preserving International peace can be considered as fruitless. The gradual strengthening of the Covenant in these directions where it reveals weakness should be, and doubtless is, the aim of all member States. Such a method seems to be preferable to that of recasting the whole principle on which the present constitution of the League is based, and the Commonwealth Government will gladly and sincerely co-operate along such lines.

It would, perhaps, be out of place for the Commonwealth Government, removed as far as possible from that part of the world whose conditions may have so largely determined the principle on which the Protocol has been framed, to offer any observations on the manner in which the problem of disarmament has been envisaged in that instrument. Whilst recognizing the existence of very strong feeling which prevails in European countries that no reduction of armaments can be effected without some equivalent substitute being forthcoming from other sources, it is felt that to confine the question of disarmament within the four corners of compulsory arbitration and attendant sanctions is to impose limitations which may prejudice any general

agreement being arrived at and thus render the problem insoluble. The development of a spirit of mutual confidence amongst Nations will, it is believed, contribute more effectively to prepare public opinion to accept disarmament than the setting up of the most elaborate machinery for settlement of disputes. Whilst, therefore, sympathizing entirely with the spirit of the Protocol, which was designed with the object of strengthening the League, my Government sees very serious objection to the methods proposed. Apart from being distinctly unacceptable to Australia, for the reasons already given, it will have the effect of still further alienating Nations who are already hesitant about accepting the authority of the League, and will in the present state of International opinion defeat the object which the designers of the Protocol had in view. We are anxious that the authority of the League should grow, but as its authority depends mainly on the spirit which animates its members, we are opposed to what in the circumstances must be regarded as a dangerous attempt to accelerate its growth. The time may come when it will be possible to set up some machinery such as that proposed. We feel, however, that the attempt should not be made until there is no possibility of compromising the achievements that the League has already won. *Ends.*

—FORSTER.

Note.—Copy sent to Canada, New Zealand, Union of South Africa, Irish Free State and Newfoundland by despatch, 19th March. (See No. 481.)

10466

No. 461.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2.18 p.m., 5th March, 1925.)

TELEGRAM.

[*Answered by No.* 465.]

5TH MARCH. Private and Personal. Have informed my Prime Minister of the contents of your telegram of 3rd March,* and your telegram of 4th March, Secret.† It may interest you to learn that Press telegrams from London regarding the discussions which are proceeding on the Geneva Protocol have had rather unfortunate effect here. Yesterday, *Cape Times* published message from their London correspondent containing alleged extracts from memorandum stated to have been presented to the Cabinet by Chamberlain, and which has appeared in Paris edition of the *Chicago Tribune*. Rumour was current later in the day that the British Government had entered into some form of security pact, and there is danger of unsympathetic atmosphere being created through suspicion that the Dominions are to be presented with *fait accompli* which it will be difficult for them to reject. My Prime Minister states he attaches no importance to the newspaper report, but there is danger of unenlightened public opinion taking alarm and every care should be taken to avoid this.—ATHLONE.

10710

No. 462.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.25 a.m., 7th March, 1925.)

TELEGRAM.

7TH MARCH. Secret. Your telegram of 3rd March.* Your telegram of 4th March.† Geneva Protocol. Following for Prime Minister from my Prime Minister:—

* No. 453. † No. 455.

Begins: I agree fully both with course His Majesty's Government propose to take and with tenor of the statement which it is proposed that Foreign Secretary should make as set forth in your telegram of 4th March* to the Governor-General. I desire, however, that it should be noted that the proposed statement of reasons for rejecting the Protocol is no doubt properly confined to the reasons which would affect any great power considering the subject from a general and common-sense point of view and that therefore the reasons for the rejection which are founded upon considerations specially affecting the British Empire are excluded, such, for example, as absolute requirement that our Empire should not be brought into conflict with the United States of America, and such, for another example, as our special naval position and for a further example as the Dominion Immigration Law. As the New Zealand Government was concerned more especially with excluded reasons I wish it noted that my entire concurrence in the proposed statement does not indicate that the statement sets forth all the reasons which have induced the several Governments of the Empire to refuse concurrence in the plan of the Protocol. *Ends.*

—FERGUSSON.

10711

No. 463.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.25 a.m., 7th March, 1925.)

TELEGRAM.

SECRET. 7th March. Geneva Protocol. My telegram of to-day's date† communicating purport of reply from my Prime Minister to Mr. Baldwin. Mr. Massey asks me to say that he understands from your telegram of 4th March* that His Majesty's Government has not yet finally decided upon the alternative course to be recommended at Geneva as defined in the latter part of Part V of your telegram of 4th March.* If, however, that course has been decided upon, Massey expresses his concurrence.—FERGUSSON.

10826

No. 464.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 2.50 p.m., 7th March, 1925.)

TELEGRAM.

[*Answered by Nos.* 467, 469, 473 *and* 474.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)

7TH MARCH. Secretary of State for Foreign Affairs has telegraphed from Paris inquiring whether your Government intends to publish its views on Geneva Protocol as communicated to us.

Messages received from Canada, Commonwealth, New Zealand, Union of South Africa and India indicate that respective Governments are not prepared to accept Protocol, and it is presumed that there is no objection to Mr. Chamberlain, in course of proceedings at Council next week, making general statement to that effect.

If your Prime Minister should wish detailed views of your Government, or any special part of them, communicated to Council by Secretary of State for Foreign Affairs we should be grateful if he would telegraph not later than Monday exact terms of what is desired.

Similar message sent to other Dominions.—AMERY.

---

* No. 455. † No. 462.

10466

No. 465.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 6 p.m., 7th March, 1925.)

TELEGRAM.

7TH MARCH. Private and Personal. I am much obliged for your message of 5th March.* I hope that Foreign Secretary's speech of 5th March in House of Commons, of which relevant part was telegraphed to you 6th March† and of which full text is on its way to you, will serve to counteract rumour effectually. Foreign Office have been unable to ascertain on what document statement in *Chicago Tribune* was based. It is true, however, that memorandum outlining European situation and possible lines of policy was drawn up in Foreign Office and circulated to Cabinet here some days ago, but for their information only. Whole position has now been radically altered and suggestions embodied in Foreign Office memorandum altogether superseded by new situation created by German proposals of which full summary is being telegraphed to you.—AMERY.

10828

No. 466.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6.5 a.m., 8th March, 1925.)

TELEGRAM.

7TH MARCH. Following from Prime Minister for your Prime Minister:—

Begins: Statement on Geneva Protocol referred to in your telegram 3rd of March‡ was received shortly after despatch§ had been sent summarizing conclusions to which Canadian Government had come on same subject. We have read this statement with much interest and are pleased to note that our Government(s) have taken substantially the same view as to additional obligation(s) involved in sanction provision(s) of Protocol. *Ends.*

—BYNG.

10829

No. 467.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4.45 a.m., 9th March, 1925.)

TELEGRAM.

8TH MARCH. Your telegram 7th March.‖ My Ministers see no objection to Mr. Chamberlain making general statement to Council of League of Nations to the effect that Dominions mentioned and India are not prepared to accept Protocol. Statement of Secretary of State for Foreign Affairs at December meeting of Council to effect that he spoke there for all Governments of Empire has been commented on as indicating change from original understanding upon which Dominion(s) received distinct representation in Assembly, and if so interpreted is likely to prejudice position of Dominion(s) in League. My Ministers, of course, believe this not intention of Secretary of State for Foreign Affairs, but to avoid any misunderstanding in present instance suggest that Secretary of State for Foreign Affairs might state that he has been authorized by Dominions concerned to make this statement on their behalf.

Since fact of its decision not to recommend adherence will be made public during Council meeting my Government considers it desirable to publish its views on

---

* No. 461. † No. 460. ‡ No. 453. § No. 459. ‖ No. 464.

Geneva Protocol as communicated. In this connexion it is proposed to cable to Secretary-General of League statement identical with that communicated to you on 4th March* with substitution of phrase "prepared to consider acceptance (of)" for "prepared to recommend the acceptance (of)" under third heading. Intention is to send this to-morrow Monday night unless your Government suggest any considerations against this course.—BYNG.

10949

No. 468.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4.45 a.m., 9th March, 1925.)

TELEGRAM.

[*Answered by Nos.* 472 *and* 475.]

8TH MARCH. Please advise on what date it is anticipated that Secretary of State for Foreign Affairs will make his Protocol announcement to Council of the League of Nations.—BYNG.

10830

No. 469.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4.45 a.m., 9th March, 1925.)

TELEGRAM.

9TH MARCH. Secret. Your telegram 7th March.† First, New Zealand Government does not intend to publish in Dominion the terms of its communications to His Majesty's Government on subject of Geneva Protocol though it may wish later to state briefly that it objected. Secondly, this Government is quite willing that Mr. Chamberlain should state to Council either effect of New Zealand's comments on Protocol or consequent decision or both. Thirdly, this Government has no special desire that any detail of language of its views or comments should be communicated to Council but consents to any course in that respect which Mr. Chamberlain thinks advisable to adopt.—FERGUSSON.

10490

No. 470.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 12.20 p.m., 9th March, 1925.)

TELEGRAM.

[*Answered by No.* 476.]

9TH MARCH. Following from Prime Minister for your Prime Minister:—

Begins: I am much obliged for your message 4th March* as to Geneva Protocol. If you see no objection and have not already taken action to this effect I propose to communicate copies by mail to other Dominions and India. *Ends.*

—AMERY.

---

* No. 459. † No. 464.

10490

No. 471.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 12.20 p.m., 9th March, 1925.)

TELEGRAM.

[*Answered by No.* 478.]

SECRET. Your telegram 5th March.* Geneva Protocol. Please inform your Prime Minister that we are much obliged for his message and that it is proposed, if he sees no objection and has not already taken action to this effect, to communicate copies by mail to other Dominions and India.—AMERY.

10949

No. 472.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 12.45 p.m., 9th March, 1925.)

TELEGRAM.

9TH MARCH. Your telegram 8th March.† Not possible at present moment to say when Secretary of State for Foreign Affairs will make announcement on Geneva Protocol as order in which Council will deal with items on agenda not yet settled, but immediate inquiry is being made and further telegram will be sent as soon as reply received.—AMERY.

10994

No. 473.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2.53 p.m., 9th March, 1925.)

TELEGRAM.

9TH MARCH. Your telegram of 7th March.‡ Geneva Protocol. Following is Prime Minister's reply to Secretary of State for Foreign Affairs' inquiry:—

Begins: I. That Union Government has no intention of publishing its views on Geneva Protocol if the British Government deems such publication inadvisable.

II. That there is no objection to Mr. Chamberlain in the course of the proceedings at the Council next week, either making a general statement to the effect that the Union Government is not prepared to accept the Protocol or making known the detailed views of this Government or any of those views at his discretion. *Ends.*

—ATHLONE.

11179

No. 474.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6.25 a.m., 10th March, 1925.)

TELEGRAM.

10TH MARCH. Secret. Following from my Prime Minister:—

Begins: Your telegram 4th March, your telegram 7th March,§ my Government note that after careful and exhaustive inquiry British Cabinet

* No. 460. † No. 468. ‡ No. 464. § Nos. 455 and 464.

524

cannot accept Geneva Protocol or recommend its acceptance to Governments of the Empire. Text of statement proposed to be issued by Foreign Secretary meets with our general approval, and there is no objection to Mr. Chamberlain stating at Council that we concur. Do not see any necessity for our detailed views to be communicated to Council, and at this stage do not wish that our cables be made public. *Ends.*

—FORSTER.

10949

No. 475.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 12.10 p.m., 10th March, 1925.)

TELEGRAM.

10TH MARCH. My telegram 9th March.* Now ascertained that discussion of Protocol by Council of League of Nations will take place Thursday, 12th March. —AMERY.

11392

No. 476.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 12.30 a.m., 11th March, 1925.)

TELEGRAM.

10TH MARCH. Following from Prime Minister for your Prime Minister:—

Begins: Your telegram of 9th March,† I see no objection to communicating copies of our message of 4th March‡ to the other Dominions and India, and would be much obliged if you would have this done with the substitution of "Consider(s) acceptance" for "Recommend(s) acceptance" under the third heading. *Ends.*

—BYNG.

9549

No. 477.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
— Dominions No. 106. Secret.)

[MY LORD,] [SIR,] Downing Street, 12th March, 1925.

WITH reference to my Secret despatch Dominions No. 66 of the 17th of February,§ I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a telegram from the Government of India giving their views on the provisions of the Protocol for the Pacific Settlement of International Disputes.

I have, &c.,
L. S. AMERY.

---

* No. 472. † No. 470. ‡ No. 459. § No. 452.

Enclosure in No. 477.

TELEGRAM FROM GOVERNMENT OF INDIA, FOREIGN AND POLITICAL DEPARTMENT, DATED 18TH FEBRUARY, 1925.

P. PROTOCOL for Pacific Settlement of International Disputes. Although we sympathize fully with object of Protocol we consider it to be impracticable and dangerous in its present form at any rate, viewed from the standpoint of India particularly and of the Empire as a whole. The documents we have received show that the latter aspect has been adequately presented already. We, therefore, confine our comments strictly to the former.

It is conceivable that the proposals regarding arbitration, determination of the aggressor and armistice may be effective and workable as between highly organized countries. But India deals with nations which are loosely organized and without the capacity to appreciate or work the involved procedure for delaying or preventing war. India would clearly be handicapped seriously if she were obliged to adhere strictly to rigorous obligations under the Protocol which would not, and, perhaps, could not, be fulfilled by her less civilized antagonist. A tribal belt nominally ours, but responsive, particularly in periods of tension, to Afghan intrigue, lies on the crucial portion of our frontier. Thus it would be impossible to apply to our relations with Afghanistan any such arrangements as are contemplated in the Protocol. India's peculiar position is thrown into clear relief by the Afghan interpretation of an armistice in 1919, when she held back her own army but incited our tribes, which are potentially more formidable than any Afghan army. It would hardly be possible to produce proof, satisfactory to a distant Council unversed in our frontier problems, of insidious hostility in this form. Even if such proof could be produced, it is questionable what control could be exercised by a body of men in Geneva on forces somewhere near our borders when in actual contact. With Afghanistan disregarding the League's orders in such a conflict no one but India would be there to enforce them. Clearly India would have much to risk and nothing to gain under this part of the Protocol.

In examining the question of sanctions we draw the same conclusion. India, through her geographical position and her maintenance of a standing army, is indicated as the nation which would ordinarily, under the Protocol, be called on by the League to bring pressure immediately to bear on a State in the East showing recalcitrance. But the theoretical sympathy entertained for the League by Hindu India would change to strong resentment if an attempt were made by us to place the Army of India under the control of the League of Nations. Moslem opinion in India is already prone to regard the League as a combination of Christian Powers and a potential menace to Islam. We can easily conceive circumstances in which it might be politically imprudent, and even perhaps impossible, to use India's army against a Moslem state in compliance with a call from the League. Turning to the Far East, it is even more apparent how intolerable a burden of potential obligations the Protocol would impose on India. If, owing, say, to encroachments on China, Japan were declared the aggressor, Great Britain and India would be foremost among the signatory States, and perhaps in effect the only ones, on which the Council would call, owing to their "geographical position and particular situation as regards armaments," to apply the sanctions under Article 11. From this test case it appears finally to be demonstrated that a Protocol designed primarily to meet the requirements of the European continent is inapplicable to the East.

There are conceivable circumstances in which it would be possible to use the forces of India to settle a foreign quarrel. But we doubt the justification of meeting the cost out of Indian revenues, as is apparently contemplated in the Protocol, more particularly since, at any rate in the case of countries like Persia and Afghanistan, the anticipation of recovering the cost from the defeated aggressor would be altogether visionary.

India, being faced by a loosely organized Afghanistan, would clearly not be justified in subscribing to any disarmament proposals, Russia standing out.

11705

No. 478.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 11.30 a.m., 13th March, 1925.)

TELEGRAM.

SECRET. 13th March. Your telegram of 9th March.* Prime Minister offers no objection to communication of statement(s) contained in my telegram of 5th March† concerning Geneva Protocol to other Dominions and India.—FORSTER.

11942

No. 479.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1.46 p.m., 14th March, 1925.)

TELEGRAM.

[*Answered by No.* 480.]

14TH MARCH. Secret. Have been approached by my Prime Minister in regard to question to be asked in the House next Tuesday as follows:—

(1) Whether he was consulted by the British Government with regard to (*a*) the League of Nations Protocol (*b*) the pact suggested as a means of securing peace in Europe and if so (2) what was the nature of his replies and (3) whether he can lay upon the Table any papers dealing with these matters?

Prime Minister proposes to reply to (1) that answer to (*a*) is in the affirmative and to (*b*) that he is being kept informed of the trend of the negotiations but unfortunately is unable at this stage to make any declaration. As regards (2) and (3) he would like to lay correspondence on the Table but would like the advice of the British Government as to which documents would be most suitable for publication as he is most anxious to avoid any action which might prove embarrassing at the present juncture.—ATHLONE.

11942

No. 480.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 8.0 p.m., 16th March, 1925.)

TELEGRAM.

16TH MARCH. Secret. Your telegram of 14th March.‡ Please inform your Prime Minister that after examining telegrams we doubt whether it would be practicable at this stage to publish any of the messages from this side. Prime Minister's confidential messages of 19th December§ and 15th January‖ on Geneva Protocol were framed with a view to publication later if desired; but we think it would be necessary to consult other Prime Ministers before these were published in South Africa, since they might like to publish concurrently, as indeed should we. We should not have time, however, to consult other Dominions and obtain replies before to-morrow. Remaining messages on Protocol from this side since 19th December have been marked Secret, and do not seem suitable for publication. As regards messages on question of "security," we feel sure that it would not be in the public interest to publish anything at present. Discussions are of a most delicate and, as yet, of purely preliminary character, and on 5th March the Secretary of State for Foreign Affairs indicated in the House of Commons (see my telegram of 6th March¶) that exchange of views between the Allied Governments regarding the German tentative suggestions had been of the slightest, and a much fuller exchange of views was necessary before anything could safely be said; it was obviously undesirable, therefore, that he should enter into any detail in public at this stage.

---

* No. 471. † No. 460. ‡ No. 479. § No. 341 in Dominions No. 93. ‖ No. 428. ¶ No. 499.

Reply was, however, about to be sent to your Prime Minister's message 9th March,* that there was nothing in views of Union Government on Geneva Protocol, publication of which seemed to us inadvisable. In the circumstances would it be possible for your Prime Minister in his reply to questions (2) and (3) to limit promise of publication to your telegram of 26th January† containing statement of those views.

As regards question (1) we should be grateful if, in view of position as described above, your Prime Minister would, in his proposed reply, substitute word "discussions" for "negotiations."—AMERY.

11705

No. 481.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
Dominions No. 121. Secret.)

[MY LORD,] [SIR,] Downing Street, 19th March, 1925.

WITH reference to my Secret despatch Dominions No. 66 of the 17th February,‡ I have the honour, at the instance of the Prime Minister, to transmit to [Your Excellency,] [you,] for communication to [*Not to Irish Free State:* your Prime Minister,] [*To Irish Free State:* the President of the Executive Council.] [*Not to Canada:* a copy of a telegram§ from the Governor-General of Canada embodying a message from the Prime Minister of Canada] [*Not to Canada and Australia:* and] [*Not to Australia:* a copy of a telegram‖ from the Governor-General of the Commonwealth of Australia embodying a message from the Prime Minister of the Commonwealth] on the subject of the Protocol for the Pacific Settlement of International Disputes.

I have, &c.,
L. S. AMERY.

12023

No. 482.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 101.)
Dominions No. 127.)

[MY LORD,] [SIR,] Downing Street, 23rd March, 1925.

WITH reference to my despatch [Dominions No. 534] [No. 473] of the 17th of November, 1924,¶ I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copies of a Parliamentary Paper, Cmd. 2368, containing a statement made by the Secretary of State for Foreign Affairs, on behalf of His Majesty's Government, to the Council of the League of Nations, on the 12th March, 1925, respecting the Protocol for the Pacific Settlement of International Disputes, together with an Addendum thereto.

[*Not to New Zealand or Irish Free State:* 2. Further copies are being sent in Library despatch.]

I have, &c.,
(for the Secretary of State),
W. ORMSBY-GORE.

---

* No. 479. † No. 442. ‡ No. 452. § No. 459. ‖ No. 460. ¶ No. 336 in Dominions No. 93.

Note.—A statement was made by the Minister for External Affairs of the Irish Free State in the Dail on the 13th May explaining the reasons why the Free State Government were unable to accept the Protocol. This statement, together with part of the correspondence printed here, was published in a Parliamentary Paper (Cmd. 2458.) Correspondence was also published in Canada, the Commonwealth of Australia and New Zealand. A statement of the views of the Government of India on the Protocol was published in Cmd. 2492.

---

(3) Registration of Treaties under Article 18.

17908

No. 483.

COMMONWEALTH OF AUSTRALIA.

SIR R. GARRAN to MR. E. J. HARDING.

(Received 20th April, 1925.)

[*Answered by No.* 484.]

DEAR HARDING, Melbourne, 11th March, 1925.

I AM sorry for the delay in answering your letter of 22nd May, 1924,* relating to the registration with the League of Nations of a Convention between the Commonwealth of Australia and the Federated Malay States for the exchange of Money Orders. I have had some difficulty in ascertaining the full history of the matter.

It seems that the action was set in motion by the receipt in Australia of Colonial Office despatch of 21st August, 1923, Dominions No. 319.† This despatch enclosed a copy of a Circular despatch to the Officers Administering the Governments of the Colonies and Protectorates, the gist of which was that the Foreign Secretary had consulted the Colonial Secretary as to the necessity of the registration with the League of Nations of agreements between Colonial or Protectorate Governments and the Governments of other States for the regulation of postal and money order business; and that it was considered advisable, pending decision as to the amendment of Article 18 of the Covenant, to continue the existing practice of registering all such agreements with the League.

A copy of this despatch was forwarded by the Prime Minister's Department to the Postmaster-General, who observed that the intimation related to Colonies and Protectorates, which were presumably represented on the League by the British Government, and that Australia, being a party to the League, would not come within that category, but asked for advice whether the Commonwealth should register such agreements with the League.

The Prime Minister's Department replied that it was considered advisable that the agreements entered into subsequent to 10th January, 1921, should be registered with the League. The Postmaster-General's Department then forwarded to the Prime Minister's Department, for transmission to the Secretary of State for the Colonies, all the agreements which came within that category, namely, Money Order Agreements with Nauru, Federated Malay States and Dutch East Indies, and a Parcel Post Agreement with the Dutch East Indies.

These documents, for some reason which is not apparent, were then forwarded, not to the Secretary of State for the Colonies, but direct to the Secretary-General of the League. This method of transmission does not seem to have been the outcome of any considered decision as to the proper mode of communication, and need not, I think, be considered as a precedent.

Your letter states that the question had been raised by one of the Colonies whether Postal Conventions between parts of the Empire were to be regarded as falling within the scope of Article 18, and that the Colonial Secretary, after consultation with the Foreign Office, had replied that such agreements were not to be regarded as within Article 18.

---

* No. 352 in Dominions No. 93. † 40010/23: not printed; it enclosed a copy of a Circular despatch to the Colonies, the purport of which was as stated.

I am unable to find that that decision has been communicated to the Commonwealth, the only despatch on the point being that already referred to, namely, Dominions No. 319, 21st August, 1923,* which recommended provisionally the continuance of the practice of registering such documents.

Yours sincerely,
R. R. GARRAN.

17908

No. 484.

MR. H. F. BATTERBEE to SIR R. GARRAN.

DEAR GARRAN, Downing Street, 27th May, 1925.

I AM very much obliged for your letter of the 11th of March† as to registration of certain Conventions by the Commonwealth Government with the League of Nations.

I am sorry that the Colonial Office despatch of 21st August, 1923,* to which you refer, did not draw special attention to the fact that the Circular to the Colonies which it enclosed related (as indicated in paragraph 4) to agreements with *foreign* States only. The limitation is, however, one to which great importance is attached here, as you will see from the correspondence with the Irish Free State (regarding registration with the League of Nations of the "Articles of Agreement" of 1921) enclosed in the Secretary of State's despatches No. 396 of the 6th of November, 1924,‡ and No. 83 of the 9th of March, 1925.§ Despatches in similar terms went also to Canada, New Zealand, the Union of South Africa, Newfoundland and India, but no remarks have been received; consequently we conclude that the general feeling in the Dominions is in accord with the view of His Majesty's Government that agreements between the various parts of the Empire should *not* be registered with the League under Article 18 of the Covenant.

If the Commonwealth Government should decide to issue directions that, in future, no arrangements with other parts of the Empire are to be registered with the League, would it be possible to arrange for an official despatch in this sense to be sent by the Governor-General to the Secretary of State.

Perhaps I might add that the view here would be that inter-Imperial, as distinct from international arrangements affecting Nauru (and indeed "C" Mandated Territories generally) fall within the same category, i.e., that it would be preferable not to register them with the League in future.

As to the machinery by which agreements with foreign States should henceforward be registered on behalf of the Commonwealth Government, since my letter of 22nd May, 1924,‖ was written the Canadian Government have appointed an advisory officer at Geneva and have let us know that, in future, they would prefer to have any agreements which they may make with foreign countries (such as the "Halibut" Treaty with the United States) registered by him. In these circumstances we are hardly in a position to send an official despatch to the Commonwealth on this subject. But perhaps you would let the Prime Minister's Department know if, and so long as, the Commonwealth Government should wish to fall in with the procedure set out in paragraph 5 of my letter of 22nd May, 1924, the Foreign Office will be happy to carry it out.

Yours sincerely,
H. F. BATTERBEE.

(I am signing this for Harding, who is away.)

D. 339

No. 485.

EXTRACT FROM LETTER TO MR. CASEY FROM DR. W. HENDERSON OF THE PRIME MINISTER'S DEPARTMENT, MELBOURNE, UNDER DATE, 11TH NOVEMBER, 1925.

* * * * * * *

. . . . I have read the correspondence exchanged between Harding and Sir Robert Garran about the registration of Treaties, and I saw Sir Robert a few weeks

* 20010/23: not printed: it enclosed a copy of a Circular despatch to the Colonies, the purport of which was as stated. † No. 483. ‡ No. 358 in Dominions No. 93. § No. 487. ‖ No. 352 in Dominions No. 93.

ago. You can let the Dominions Office know that they need anticipate no difficulties in the future in regard to the registration of any agreements we may make with any of the other parts of the Empire. I am quite agreeable to doing what they want, although my own personal opinion is that the Covenant of the League covers every agreement or treaty irrespective of between whom it is made. However, I shall see that in the future inter-Imperial agreements shall not be communicated to the League. The two cases in which treaties of this nature were communicated to the League were due, I believe, to a pure oversight and can be regarded as an accident. As to the Dominions Office request that we send an official despatch in this sense to the Secretary of State, I am averse to doing this. I think that the best thing to do will be to discuss the question at the next Imperial Conference, and I have put it down on my list in order that it may not be overlooked.

* * * * * * *

---

(4) Registration by Irish Free State of Articles of Agreement of 6th December, 1921.

58941

No. 486.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 81.)

SIR, Downing Street, 9th March, 1925.

I HAVE the honour to acknowledge the receipt of Your Excellency's despatch No. 462 of the 16th of December* regarding the registration of the Articles of Agreement of 6th December, 1921, under Article 18 of the Covenant of the League of Nations.

2. The terms of that Article prescribe that no treaty or international engagement "entered into hereafter by any Member of the League" shall be binding until registered. It would accordingly have been the duty of His Majesty's Government, had the Articles of Agreement been a Treaty or international engagement within the meaning of Article 18 of the Covenant, themselves to have registered the Articles of Agreement prior to the date at which the Articles were to come into operation. The fact that this action was not taken indicates that it was the view of His Majesty's Government then, as it is now, that this instrument did not fall within the terms of Article 18. A similar view has been taken by successive British Governments with regard to all instruments intended to regulate their relations with other Governments in the Empire. Both this attitude and the views expressed in Mr. Thomas's despatch of the 4th November,† and the notification to the Secretary-General of the League of Nations of the 27th November‡ are based on the fundamental principle that the relations of the British Members of the League of Nations *inter se* are essentially different in character from those subsisting between other States Members of the League of Nations.

3. His Majesty's Government doubt whether any advantage is to be gained by prolonging the present correspondence, and they gather from the letter addressed to the League of Nations on behalf of the Government of the Irish Free State on the 18th of December, 1924,§ that your Ministers share this feeling. They have, however, felt bound to make the observations contained in the preceding paragraph in order to remove, as far as possible, any misapprehension as to their attitude, and that of previous Governments, in regard to the scope of Article 18 of the Covenant.

4. His Majesty's Government are communicating a copy of this despatch, and of your despatch of the 16th December, to the Governments of Canada, the Commonwealth of Australia, New Zealand, the Union of South Africa and India.

I have, &c.,
L. S. AMERY.

* No. 360 in Dominions No. 93. † No. 356 in Dominions No. 93. ‡ Enclosure in No. 359 in Dominions No. 93. § Enclosure in No. 362 in Dominions No. 93.

58941

No. 487.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Canada. No. 109.)
(Commonwealth of Australia. No. 83.)
(New Zealand. No. 41.)
(Union of South Africa. No. 44.)

Downing Street, 9th March, 1925.

MY LORD,

WITH reference to my predecessor's despatch No. [480] [396] [208] [351] of the 6th of November,* I have the honour to transmit to Your Excellency, to be laid before your Ministers, a copy of further despatches† exchanged with the Governor-General of the Irish Free State in regard to the registration with the Secretariat of the League of Nations of the Articles of Agreement for a Treaty between Great Britain and Ireland signed on the 6th of December, 1921.

I have, &c.,
L. S. AMERY.

58941

No. 488.

COLONIAL OFFICE to FOREIGN OFFICE.

Downing Street, 9th March, 1925.

SIR,

WITH reference to the letter from this Department of the 4th of November,‡ I am directed by Mr. Secretary Amery to transmit to you, to be laid before the Secretary of State for Foreign Affairs, copy of further despatches† exchanged with the Governor-General of the Irish Free State in regard to the registration with the Secretariat of the League of Nations of the Articles of Agreement between Great Britain and Ireland signed on the 6th December, 1921.

2. The concurrence of the Secretary of State for Foreign Affairs was obtained in the terms of Mr. Amery's despatch of the 9th March§ to the Governor-General of the Irish Free State.

I am, &c.,
E. J. HARDING.

---

(5) Inter-Imperial Applicability of Conventions negotiated under the Auspices of the League and Procedure for Signature of such Conventions.

54397

No. 489.

ARMS TRAFFIC CONVENTION.

MEMORANDUM BY MR. W. E. BECKETT (FOREIGN OFFICE).

SIR C. HURST,

THE preamble of the Arms Traffic Convention contains the following list of signatory States: "Brazil, the British Empire, Canada, the Irish Free State and India, Bulgaria. . . ." It will be seen that the component parts of the Empire have been taken out of their alphabetical order and grouped together after the British Empire. This fact and the word "and" between the Irish Free State and India, which conclndes the phrase beginning with the British Empire, maintains the form of Imperial unity. Nevertheless a slight change has been made from the precedents of former conventions in that the brackets which have formerly enclosed the component parts of the British Empire and the word "with" before Canada have been omitted. The change was made in response to the urgent representations of Mr. MacWhite, the Free State delegate. His attention was called to the old formula because it appeared in the draft preamble which was presented for the approval of the General Committee of the Conference at its last meeting. In conversation with me he said that he objected to the old formula because it suggested that Canada, the Irish Free State and India did not exercise equal rights

* No. 358 in Dominions No. 93. † No. 360 in Dominions No. 93 and No. 486. ‡ No. 357 in Dominions No. 93. § No. 486.

with the British Empire (Great Britain) in deciding to conclude a convention and in appointing their plenipotentiaries. He did not at all object to the form of Imperial unity being kept, but stated that nothing must be inserted which suggested that the Irish Free State and Canada were not on an equal footing with Great Britain in these matters. As the preamble was before the committee for approval that morning, he said that he would feel it his duty to make a public protest unless he received a private assurance from the British Empire Delegation that a change would be made. The change, for which he asked, was in fact that which has been made.

The Obscene Publications Convention was produced to Mr. MacWhite and his attention drawn to the fact that the old formula had been employed in that Convention to which the Irish Free State was a party and which Mr. MacWhite had himself signed. His reply to this was that neither Ireland nor Canada had been represented separately at the negotiation of the Convention but had merely signed subsequently when the Convention had been drawn up in its final form. His point was that, when Dominions took part in the negotiation of a convention, nothing should be inserted which suggested that, in negotiating, their status was inferior to that of Great Britain.

I then spoke to Dr. Riddell, the Canadian representative, about this point. Dr. Riddell has great influence over Mr. MacWhite, and the conciliatory and helpful attitude which Mr. MacWhite had consistently shown at this conference up to this moment had, I think, been partially due to the influence of Dr. Riddell. With regard, however, to the "old formula" Dr. Riddell said that, although Canada had accepted this formula in several previous conventions, and he was not instructed to object to it now, nevertheless he very much desired that the formula should be changed in the way that Mr. MacWhite desired, which he considered effectually to maintain the form of Imperial unity while not suggesting, as he thought the old formula did, an inequality between the various parts of the Empire.

After these conversations I saw Lord Onslow for a few minutes and told him that I thought that the best course would be to comply with the request of Mr. MacWhite, as I thought that the (new) formula did effectually maintain the form of Imperial unity, and Lord Onslow then instructed me to tell Mr. MacWhite and Dr. Riddell that the alteration which they desired would be made, and they both agreed that the alteration could be made by private arrangement with the Secretariat and that it was not necessary to say anything about it in the General Committee.

2. The order, namely, "Canada, the Irish Free State and India," was adopted in accordance with the verbal instructions of the Treaty Department to myself before I left for Geneva. It had nothing to do with the protest of Mr. MacWhite, nor was his protest in any way connected with the respective places of Ireland and India.

3. After the incident which is described in paragraph 1, the preamble came before the Drafting Committee, and I stated that I wished the brackets and the word "with" to be omitted from the old formula. I was asked by the French and United States representatives whether this change of form represented any change of substance and, if so, what? I replied that it did not represent any change of substance whatever. A question was then asked with reference to Article 41 of the Convention which requires the ratification of fourteen powers in order to bring the Convention into force; namely, whether the ratifications of the British Empire, Canada, Ireland and India would constitute four powers within the meaning of that article or only one, or how many? I replied that there was only one power in the British Empire, namely, His Majesty King George V, and that if he ratified the Convention first of all in respect of Canada, such ratification would constitute one power under Article 41. If he were then subsequently to ratify in respect of the Irish Free State and of India, he would still remain only one power under Article 41 and not three. The Committee stated that they would take note of what I had said.

W. E. BECKETT.

19th June, 1925.

54397

No. 490.

MEMORANDUM BY SIR C. J. B. HURST (FOREIGN OFFICE).

SIR W. TYRRELL,

THE position at Geneva as regards the relationship between the Mother Country and the Dominions in all League of Nations matters has for some time been very precarious, and the changes now made in the Arms Traffic Convention render it positively dangerous for the future of Imperial unity.

If any League organ were entitled to intervene in matters between one part of the Empire and another part, the unity of the Empire would be at an end: relations between those two parts would have ceased to be internal questions of the Empire. The fact that any outside body such as the League was entitled to intervene could only be due to the fact that the two parts of the Empire were separate political units.

Consciously or unconsciously (I have never known which) the framers of the Covenant avoided this consequence by making the whole British Empire a Member of the League and making the self-governing Dominions and India separate Members. Great Britain is not a Member at all, except so far as she is a part of the Empire. The Dominions and India secure double representation in that they are Members in their own right as well as parts of the Empire. The Membership is expressed as follows in the Covenant:—

"*Article* I.—The original Members of the League of Nations shall be those of the Signatories which are named in the Annex to this Covenant. . ."

Annex.

Belgium.
. . . . . .
British Empire.
Canada.
Australia.
South Africa.
New Zealand.
India.

It is upon the slender basis of the arrangement of the names in the Annex to the Covenant that our case rests for maintaining that no organ of the League shall intervene in any dispute between two parts of the Empire, because any question between two parts of the Empire must necessarily be a question between two parts of one and the same Member of the League, namely, the British Empire, and, therefore, covered by the phrase in paragraph 8 of Article 15 of the Covenant which deprives the Council of any power to make recommendations as to the settlement of disputes arising out of a matter which by international law is solely within its domestic jurisdiction. The internal affairs of a sovereign state, not affecting other sovereign states, must necessarily be matters solely within its domestic jurisdiction.

The difficulty of applying this principle in the case of a convention negotiated under the auspices of the League and in which one or more of the Dominions participates, as well as a delegation from London acting in the name of the Empire, has always been considerable, but hitherto the difficulty has been overcome by the use of appropriate phraseology in the head and tail of the convention, more particularly as regards the way in which the parties to the convention were enumerated. The formula adopted ought not merely to be capable of bearing the correct interpretation, but ought to bear it obviously when examined critically by any person who considers it. The formula adopted hitherto has, I think, complied with this latter requirement, i.e., it was impossible for anybody who examined the wording intelligently to say that it did not cover the special position which the British Empire and its Dominions must enjoy under the League Covenant. I do not think that the formula now substituted for that previously employed complies with this condition. I do not say it is not capable of bearing the correct interpretation, but our position is now reduced to depending on what appears to be a superfluous "and" and in a break in the alphabetical order of the parties. To make matters worse, in the Final Act of this Conference which enumerates the Governments participating in the Conference, the British Empire has been separated from the Dominions and the latter appear in their correct alphabetical order.

It may be that I am mistaken in thinking that the new formula is more dangerous than the old, but our position is peculiar in this respect. Never since the Covenant was framed in 1919 has any explanation been afforded to the Dominion Governments as to our interpretation of the Covenant and the deductions which we drew from the arrangement of the names in the Annex, and it is clear on reading Mr. Beckett's memorandum that the reason why the Irish objected to the formula hitherto employed was because they thought that it implied some subordination of the Irish Government to that of Great Britain and have never understood that Great Britain is not a Member of the League of Nations at all and stands in precisely the same relation to the British Empire that the Irish Free State does itself (see the passages which I have marked on pages 1 and 2). It is more than probable that the Dominions would accept with some reluctance the deductions which we hold to be the necessary consequences of the arrangement of the Powers in the Covenant, and the longer that time drifts on the more will that reluctance increase and the more justification there will be for complaints by the Dominions at the absence of any clearing up of the situation as between the Mother Country and the Dominions. It would have been far easier to secure it before the Irish Free State came in than it is now, but the new formula introduced at Geneva, coupled with the reasons which the Irish representative gave for objecting to the old formula, render it more than ever urgent that the situation should be cleared up with the Dominions.

It may be, of course, that there are compelling reasons of Imperial policy which render it necessary that the question should be allowed to drift, but I feel bound to put on record my anxieties as to the present situation in case it may not be realized by the responsible Ministers how very slender a basis our claims rest upon and how unaware of the legal basis of our claims the Dominions Governments appear to be.

I should not in the least despair of the future of the Empire even if the matter were thrashed out with the Dominion representatives and we were unable to induce them to take the same view as we do of the correct interpretation of the Covenant of the League, because I do not believe that they would object to an amendment of the Annex, introducing the words "Great Britain" at the head of the list of Dominions under the word "British Empire." The cause of the Dominion touchiness on the subject is the fact that they regard the unit which goes to Geneva in the name of the British Empire as really being Great Britain, and if it could be so arranged that the unit was in theory Great Britain as well as in fact and that it claimed no ostensible superiority over the Dominions and admitted that it stood in the same relation to the Empire as they do, I believe the Dominions would accept the situation cheerfully.

This solution would not be wholly satisfactory, because Great Britain is a very inaccurate name by which to describe the whole of the Empire minus the Dominions and India. What we should want would be some name which would accurately describe it. It might be necessary to coin a phrase.

However, my immediate purpose in writing as I have written is to place on record the dangers of the present situation so as to make sure that if no action is taken it is because there are thought to be over-riding reasons in favour of inaction.

C. J. B. HURST.

4th July, 1925.

Note.—By direction of the Secretary of State for Foreign Affairs, the papers were sent to the Secretary of State for Dominion Affairs for his observations.

54397

No. 491.

SIR C. T. DAVIS (DOMINIONS OFFICE) to SIR C. J. B. HURST (FOREIGN OFFICE).

MY DEAR HURST, Downing Street, 3rd December, 1925.

I RETURN the Foreign Office file containing your memorandum of the 4th of July* with regard to the position of the British Empire under Conventions negotiated under League of Nations auspices, which was referred by Mr. Chamberlain to Mr. Amery for his views.

---

* No. 490.

Mr. Amery has carefully considered the questions raised and I enclose a memorandum which he has asked me to send to you as embodying his views.

You will notice that at the beginning of our memorandum there is a reference to the memorandum circulated by Sir Robert Borden to the British Empire Delegation at the Paris Peace Conference with reference to the position of the Dominions in relation to the Peace Treaties. The minutes of the British Empire Delegation do not disclose why Sir Robert Borden's suggestion as to the wording of the preamble to the Treaty of Versailles was not followed in its entirety. Have you any recollection of what happened on this point?

As regards the suggestion at the end of our memorandum that steps should be taken with a view to altering the present method of setting out in the preambles of League Conventions, etc., the various parts of the Empire which are parties to the Conventions, I do not know whether you have seen a letter from the Secretary-General of the League of the 21st August (a copy of which was sent to us in Foreign Office letter of the 4th September*) stating that "the Secretariat would be very glad to consider and give effect as far as possible to any modifications which the British Government might wish to suggest in the manner in which the participation of the British Empire and its various parts in Conventions concluded under the auspices of the League of Nations is stated in the Treaty Series." If the suggestion at the end of our memorandum proves acceptable, the Secretary-General's letter might afford an opportunity for taking up the point with the League Secretariat.

By the way, the Foreign Office recently raised no objection to a proposal by the Customs that, when circulating to the representatives of Foreign countries the documents referred to in Articles 4 and 5 of the Customs Formalities Convention in accordance with Article 6 of the Convention, they should also send the same documents to the High Commissioners for the participating Dominions with a covering note "Application of the International Convention relating to the simplification of Customs formalities." (See Foreign Office letter to Customs of the 12th October.†) We have taken up this point with the Customs, and have sent a copy of the correspondence to the Foreign Office.

The Report of the Sixth Committee of the Fourth Assembly of the League of Nations (The application of the Irish Free State for membership of the League) is of some interest in connexion with the general question raised in your memorandum, and you might like to look at it again. We included it in the documents about the boundary between the Irish Free State and Northern Ireland laid before Parliament last year. Cmd. 2264 (pp. 51-3).

Yours sincerely,
C. T. DAVIS.

Enclosure in No. 491.

MEMORANDUM.

THE grouping adopted in the annex to the Covenant was probably intended to follow that adopted in the list of plenipotentiaries in the preamble to the Treaty of Peace. A copy of the memorandum circulated by Sir Robert Borden to the British Empire Delegation on the 12th March, 1919, with reference to the position of the Dominions in relation to the Peace Treaties is appended. It will be observed that it was proposed in the memorandum that, while "the usual recital of Heads of States in the preamble needs no alteration whatever, since the Dominions are adequately included in the present formal description of the King," there should be a general heading "The British Empire" with sub-headings "United Kingdom," "the Dominion of Canada," etc. The proposal to have a sub-heading "United Kingdom" was not adopted and the representatives of His Majesty's Government (whose full powers were general) signed without any such territorial limitation as was attached to the signatures of the Plenipotentiaries of the Dominions and India (whose full powers were limited to the particular territories for which they signed). Except on this point the procedure advocated in Sir Robert Borden's memorandum was followed. It will be seen from the memorandum that the objects which it was desired to secure were (1) to "give

* 40521/25: not printed; it enclosed a copy of a letter from the Secretary-General of the League of Nations on the subject of the Conventions relating to Freedom of Transit. † 47545/25: not printed; its purport was as stated in the text.

suitable recognition to the part played at the Peace Table by the British Commonwealth as a whole and at the same time record the status attained there by the Dominions" and (2) in order that "the settlements reached should be presented at once to the world in the character of universally accepted agreements so far as this is consistent with the constitution of each State represented."

The procedure was thus intended to secure the international recognition of the status of the Dominions, without any idea of impairing the essential unity of the Empire. But on the signature of the Peace Treaty and for some time afterwards there was a tendency to emphasize the international aspect at the expense of the domestic. This tendency was not confined to the Dominions. Thus, in connexion with the International Air Convention, which provided that the British Dominions were to be deemed to be States for the purposes of the Convention, questions arose whether, if Canada stood out of the Convention, as at one time seemed possible, Canadian aircraft would be debarred, as being the aircraft of a non-contracting state, from flying over parts of the British Empire which were bound by the Convention and also whether nationals of Canada would be debarred from owning aircraft registered in such other parts of the Empire. Both semi-officially and officially, the Foreign Office gave indications of a view that both questions should be answered in the affirmative. Thus in reply to a letter from the Colonial Office of the 12th May, 1921,* in which it was pointed out that the Canadian Nationals Bill might "have some bearing, in view of the position of the Dominions as 'States' under the Air Convention, on the question whether 'nationals' of one of the British 'States' can own aircraft registered in another British 'State,'" the Foreign Office replied, in a letter of the 6th June, 1921†: "As regards the position of Canada under the Air Convention, His Lordship does not see what bearing the Bill can have other than to provide an absolute definition of those persons who are exclusively entitled to own aircraft in Canada and not entitled to own them in the territory of any of the other States signatories of the Convention." The reply of the Colonial Office of the 15th September, 1921,‡ was as follows: "The last paragraph of your letter would appear to be based on the view that the British States under the Air Convention are contracting States *inter se*. This view is not being adopted in this country. For example, all British subjects will be entitled to own aircraft registered in the United Kingdom, and it is not proposed, in the event (which has now again become possible) of Canada having to stand out of the Convention, to regard Canadian aircraft as being debarred from flying over the British Islands under Article V." In the end Canada accepted the Convention, in common with the rest of the Empire, so that the contingency contemplated by the first question did not eventuate. As regards the second question, the Canadian legislation proceeded on the same basis as our own by regarding all British subjects as qualified to own aircraft registered in Canada.

Again the Statute establishing the Permanent Court of International Justice contained provisions (Article 4) for the drawing up of lists of candidates for election as judges of the Court "in the case of members of the League of Nations not represented in the Permanent Court of Arbitration." These provisions were adopted with the object *inter alia* of enabling the Dominions to set up their own national groups for the purpose of nominating their own candidates. It was thus assumed that the Dominions were Members of the League not represented in the Permanent Court of Arbitration, though in actual fact Sir Charles Fitzpatrick, while Chief Justice of Canada, was for a number of years a member of the British Section of the Court and actually sat in that capacity as a Member of the North American Fisheries Tribunal.

When the draft Conventions on Freedom of Transit were under discussion early in 1921 the question was raised, with particular reference to their possible effect on certain preferential railway arrangements in force between the Union of South Africa and Rhodesia, whether, in view of the fact that the Conventions would be agreements between the Members of the League, their provisions could be regarded as applying as between the various parts of the Empire *inter se*. The view was then expressed on behalf of the Colonial Office that it was vital in the interests of Imperial unity that international instruments defining the relations of the members of the League *inter se* should not be regarded as applying between the British members of the League, but that the ordinary and established rule that all

* No. 48 in Dominions No. 66. † No. 50 in Dominions No. 66. ‡ No. 53 in Dominions No. 66.

arrangements between one part of the Empire and another are matters of domestic interest should be maintained. The Foreign Office replied in a letter of the 19th February, 1921,* that while they were ready to support this view "it is becoming increasingly difficult to persuade Foreign Governments that such a view is consistent with the separate status claimed on other occasions by the Dominions as members of the League of Nations."

Effect was given in the Transit Conventions to the view referred to in the preceding paragraph in two ways (1) by dividing each of the draft Conventions into two parts (*a*) a covering Convention of the ordinary type between "High Contracting Parties" containing the usual statements as to ratification, denunciation, etc. (as to the importance of this, reference may be made to the memorandum circulated by Sir Robert Borden which drew attention to the fact that "the Crown is the supreme executive in the United Kingdom and in all the Dominions"); and (*b*) a Statute annexed thereto containing the whole of the operative provisions with regard to the special subject matter, expressed as an agreement between "Contracting States," i.e., between the various members of the League of Nations. (2) By the insertion in the Statutes of the following provision: "It is understood that this Statute must not be interpreted as regulating in any way rights and obligations *inter se* of territories forming part, or placed under the protection of, the same sovereign State, whether or not these territories are individually members of the League of Nations." At the same time, in the list of contracting States which forms the heading of the Convention, the British Empire was described by the formula "the British Empire (with New Zealand and India)."

The first of the two methods mentioned in the preceding paragraph has been followed subsequently in one or two cases of Conventions negotiated under the auspices of the League, but not in others. In all cases, however, such Conventions have taken the form of Conventions between Heads of States, and the Plenipotentiaries signing on behalf of His Majesty have been set out in the preamble to the Convention in the manner adopted in the preamble to the Treaty of Versailles.

The second method also has been adopted in a number of cases, but not invariably. In the case of the Dangerous Drugs Convention negotiated in 1924 at Geneva, the clause was deliberately omitted, because the only provisions in the Convention to which it could have had any application were those describing the *régime* for shipments of drugs from one country to another and the insertion of the clause would have suggested that it was not the intention of His Majesty's Government to apply the system to shipments to other parts of the Empire, whereas the whole object of the system under consideration was the universal control of passage of the substances from one country to another, the political relationship between the countries not being in point at all.

The Irish Free State Government, by their action in registering with the League, under Article 18 of the Covenant the Articles of Agreement of the 6th December, 1921, raised the general question of the applicability of the Covenant and of Conventions negotiated under the auspices of the League as between the various parts of the Empire, and it became necessary then to enunciate definitely the view of His Majesty's Government that the relations of the British members of the League of Nations *inter se* are essentially different in character from those subsisting between other States members of the League and that neither the Covenant nor Treaties negotiated under its auspices could be regarded as regulating the relations *inter se* of the various parts of the Empire.

The correspondence with the Irish Free State was communicated to the other Dominion Governments and none of them has questioned the views expressed by His Majesty's Government. There is indeed a special reason why they should not do so.

In the course of the discussion of the Geneva Protocol, the Dominion Governments showed themselves most determined to maintain the principle of the exclusion from the purview of the League, of matters of domestic jurisdiction and in particular of the question of oriental immigration. It is accordingly unlikely that they would wish to adopt the view that the relations between different parts of the Empire are a proper subject for consideration by organs of the League, seeing that this renders it possible for the question of Indian immigration into, or Indian disabilities in, the Dominions to be brought before the League.

*8450/21: not printed; its substance was as described above.

When the draft Arms Traffic Convention was under discussion it was at first thought unnecessary to raise the question of inter-Imperial trade except by proposing the insertion of a clause designed to exclude from the provisions of the Convention shipments for the armed forces of the High Contracting Parties wherever situate. The question of inter-Imperial trade was, however, directly raised at the Arms Traffic Conference by an amendment proposed by the Netherlands Delegate to the effect that the provisions of the Convention should not apply to the despatch of arms from and to territories forming part of or placed under the protection of one and the same sovereign State. After considerable discussion at the Legal Committee of the Conference, it was decided not to incorporate this amendment in the text of the Convention, but to record in the proceedings of the Conference a definite statement that the general principle underlying it "forms the basis of all international Conventions." Various alterations were also made in the text of the Convention with a view to differentiating inter-Empire trade from trade between foreign countries, e.g., the use of the expression "consignments" rather than "exports" to describe shipments from one part of the Empire to another. From this point of view the Convention marks a distinct advance and leaves the main question in a most satisfactory position. Nothing in fact could have been more welcome than to have the principle for which His Majesty's Government contended in the correspondence with the Irish Free State about the registration of the Articles of Agreement asserted in this fashion in the proceedings of an International Conference. We have the principle now laid down in terms which supply a decisive answer to all doubts that may be raised in the future. Incidentally the pronouncement of the Conference frees us from the only embarrassment which we felt in the correspondence with the Irish Free State. In that correspondence we had to bear in mind, not only that the "Barcelona" inter-Imperial Clause had not been inserted in League Conventions in every case, but also the possibility that it might be argued that the insertion of such a clause was evidence that in its absence international Conventions would apply between the various British Members of the League *inter se*.

Sir Cecil Hurst finds difficulty with regard to the fact (*a*) that in the Preamble to the Arms Traffic Convention the wording adopted is . . . "British Empire, Canada, the Irish Free State and India," whereas according to the plan adopted for Barcelona and subsequently the wording would have been "British Empire with Canada, etc."; (*b*) that in the preamble to the Final Act and in the list of signatories the names of the Dominions and India appear alphabetically with those of foreign countries, and the signatures are arranged accordingly.

As regards the first point, the advantage of the formula "British Empire with" has not been altogether understood, especially as, in signing Conventions where the formula has been used, the representatives of His Majesty's Government have had to declare on every occasion either that their signatures do not bind the Dominions or bind only Great Britain and Northern Ireland.

As to the second point, it is agreed that the procedure adopted for the Final Act of the Arms Traffic Conference is not desirable. But the usual grouping was observed in the Convention itself, both in the Preamble and in the list of signatures, and also in the Preamble of the Industrial Property Convention, 1925, though in the case of the latter the Dominion representatives were insistent on an alphabetical order of signatures, and the chief British delegate was unable to persuade them to agree to the usual practice.

As regards the question of an amendment to the Annex to the Covenant such as Sir C. Hurst suggests, it is necessary first to consider what would be its effect on the position of the British Empire generally in relation to the League. When the draft of the Covenant of the League of Nations was being discussed by the British Empire Delegation in Paris (26th Minutes) it was pointed out that the wording of the draft "the Council shall consist of representatives of the United States of America, of the British Empire, of France, of Italy, and of Japan, together with representatives of four other States which are members of the League" would render the Dominions ineligible for election to the Council since the Dominions could not be regarded as States "other" than the British Empire, and it was, therefore, agreed that the words "States which are" should be omitted and that the words "Member of the League" should be used throughout the Covenant instead of the word "State." (The actual wording of Article 4 of the Covenant in its final form was "the Council shall consist of representatives of the principal allied

and associated powers together with representatives of four other members of the League.") But even this alteration of the wording was not considered sufficient to safeguard the position of the Dominions and an assurance, dated the 6th May, 1919, was obtained from M. Clemenceau, Mr. Wilson and Mr. Lloyd George in the following terms: "The question having been raised as to the meaning of Article 4 of the League of Nations Covenant we have been requested by Sir Robert Borden to state whether we concur in his view that, upon the true construction of the first and second paragraphs of that Article, representatives of the self-governing Dominions of the British Empire may be selected or named as members of the Council. We have no hesitation in expressing our entire concurrence in this view. If there were any doubt it would be entirely removed by the fact that the Articles of the Covenant are not subject to a narrow or technical construction."

It follows from the wording of Article 4 of the Covenant and the preamble to the Treaty of Versailles that at present the British representative on the Council is the representative of "the British Empire." Two interpretations of this position have been expressed. In 1920 on the occasion of the first meeting of the Council of the League, the Canadian Government* drew attention to the fact that they had not been consulted as to the selection of the representative of the British Empire on the Council and expressed the opinion that this appointment should not be made until the various Governments of the Empire had been consulted. On the other hand, Mr. Hughes and General Smuts† had expressed the view that the "British Empire" in this connexion meant only the United Kingdom and a somewhat similar view was expressed later on behalf of the Canadian Government in the Canadian Parliament on the occasion of the debate on the Canadian Nationals Bill.‡ Lord Milner regarded this question as an insoluble problem and accordingly no reply was returned to the Canadian Government.

In actual fact the British representative is at present appointed by His Majesty's Government and this carries with it the corollary that it is sufficient if he takes his instructions from His Majesty's Government and speaks only in their name. As the questions coming before the Council for the most part relate only to European affairs, this arrangement has obvious advantages. At the same time, if occasion demands a pronouncement of the views of the other Governments of the Empire as well as those of His Majesty's Government, the fact that the British representative is the representative of the British Empire and not merely of Great Britain, renders it possible for him to speak on behalf of those Governments also, though he cannot, of course, do this (still less commit them) without their express authority. His position in this respect is in fact somewhat analogous to that occupied in the ordinary conduct of foreign relations by the Secretary of State for Foreign Affairs, who similarly cannot speak on behalf of the Dominions without their consent.

As regards the position at the *Assembly* where the Dominions are separately represented it should be noted that at a Meeting of the British Empire Delegations at the recent Assembly on the 23rd September, Mr. Amery stated that the representatives at *Assemblies* at Geneva who appeared in the name "British Empire" were representatives of Great Britain and the Dependencies, and laid no claim to represent the Dominions and India which were represented separately.

Lastly, it should be observed that in connexion with the Nauru mandate, which is entrusted to the "British Empire," the Sixth Committee of the Third Assembly in 1922 put on record that "The British Empire (the unit responsible for the Nauru mandate) consists of Great Britain together with a number of territories all owing a common allegiance but distinct in their respective powers of government, and the mandatory authority of the British Empire can therefore only be exercised by some one or more of the several governments of the territories composing the Empire. If, for the statement in the Report (i.e., the Report of the Permanent Mandates Commission at its Session of August, 1922) that the British Empire "had transferred the responsibility for the administration of the Island of Nauru to Great Britain, Australia and New Zealand," there were substituted a statement that "The British Empire had provided for the administration of the Island of Nauru by Great Britain, Australia and New Zealand" the position would be defined with greater precision and exactitude."

* See Enclosure in No. 25 in Dominions No. 76. † See Nos. 5 and 3 in Dominions No. 76.
‡ See page 109 of Dominions No. 60.

If the Covenant were amended so that the British Empire would no longer be a single Member of the League but could only be regarded as the sum of seven distinct Members, it would seem to follow that the representative of the British Empire on the Council would, on every occasion, have to be appointed as a result of consultation between the Governments of all those Members and receive his instructions on all matters coming before the Council from all of them. Such a procedure, however desirable in theory, would involve considerable complication, and is not likely under present conditions to meet with support from the Dominion Governments.

It may be added that:—

(1) The suggested amendment could presumably only be effected by the adoption of the usual procedure followed in the case of amendments to the Covenant. This would involve discussion in the Assembly of the League of questions of the relations of the various parts of the Empire, which it is our object to avoid.

(2) The adoption of the suggestion would still leave unsolved the question which arose with the United States whether, in the event of a dispute between a foreign Power and one part of the Empire being brought before the Assembly under Article 15 of the Covenant, the votes of the other parts of the Empire could be given in support of the part of the Empire immediately affected.

In all the circumstances, it would seem preferable, instead of raising with the Dominions the question of amending the Annex to the Covenant referred to in Sir Cecil Hurst's minute, to consider what would be the most satisfactory method of setting out in the preambles to League Conventions, in the lists of signatures, and in any other documents where the question arises, the various parts of the Empire which are parties to the Conventions. It is suggested that the best course would be to retain the general title "British Empire" with sub-titles "Great Britain" (or Great Britain and Northern Ireland) "Canada . . .," which would appear to be consistent with the description of the "British Empire" in the Report of the Sixth Committee of the 1922 Assembly above quoted and at the same time not inconsistent with the actual facts as to the representation of the British Empire at the Council and Assembly as explained above. It is true that the wording suggested would leave out not only the Colonies not possessing responsible Government, Protectorates and Territories mandated to this country, but also Newfoundland and Southern Rhodesia, which are self-governing, but it is not thought that any difficulty would arise in practice as it is the invariable procedure to insert in Conventions of the kind now in question an Article dealing with the position in relation to the Convention of Colonies, oversea possessions, protectorates, etc., and the position of the territories referred to will always be made clear in this connexion. Moreover, it may be observed that according to the present wording the sub-titles "Australia," "South Africa," and "New Zealand" cover the territories respectively mandated to these Dominions and, in the case of Australia, Papua and Norfolk Island also. The same, of course, is true with regard to foreign countries having oversea possessions.

Dominions Office,
December, 1925.

APPENDIX.

BRITISH EMPIRE DELEGATION. THE DOMINIONS AS PARTIES AND SIGNATORIES TO THE VARIOUS PEACE TREATIES.

Memorandum circulated by Sir Robert Borden on behalf of the Dominion Prime Ministers.

(1) THE Dominion Prime Ministers, after careful consideration, have reached the conclusion that all the treaties and conventions resulting from the Peace Conference should be so drafted as to enable the Dominions to become Parties and Signatories thereto. This procedure will give suitable recognition to the part played at the Peace Table by the British Commonwealth as a whole and will at the same time record the status attained there by the Dominions.

(2) The procedure is in consonance with the principles of constitutional government that obtain throughout the Empire. The Crown is the supreme executive in the United Kingdom and in all the Dominions, but it acts on the advice

of different Ministries within different constitutional units; and under Resolution IX of the Imperial War Conference, 1917, the organization of the Empire is to be based upon equality of nationhood.

(3) Having regard to the high objects of the Peace Conference, it is also desirable that the settlements reached should be presented at once to the world in the character of universally accepted agreements, so far as this is consistent with the constitution of each State represented. This object would not be achieved if the practice heretofore followed of merely inserting in the body of the convention an express reservation providing for the adhesion of the Dominions were adopted in these treaties; and the Dominions would not wish to give even the appearance of weakening this character of the peace.

(4) On the constitutional point, it is assumed that each treaty or convention will include clauses providing for ratification similar to those in the Hague Convention of 1907. Such clauses will, under the procedure proposed, have the effect of reserving to the Dominion Governments and legislatures the same power of review as is provided in the case of other contracting parties.

(5) It is conceived that this proposal can be carried out with but slight alterations of previous treaty forms. Thus:—

(*a*) The usual recital of Heads of States in the Preamble needs no alteration whatever, since the Dominions are adequately included in the present formal description of the King, namely, "His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India."

(*b*) The recital in the Preamble of the names of the Plenipotentiaries appointed by the High Contracting Parties for the purpose of concluding the treaty would include the names of the Dominion Plenipotentiaries immediately after the names of the Plenipotentiaries appointed by the United Kingdom. Under the general heading "The British Empire" the subheadings "the United Kingdom," the "Dominion of Canada," "The Commonwealth of Australia," "the Union of South Africa," etc., would be used as headings to distinguish the various plenipotentiaries.

(*c*) It would then follow that the Dominion Plenipotentiaries would sign according to the same scheme.

(6) The Dominion Prime Ministers consider, therefore, that it should be made an instruction to the British member of the Drafting Commission of the Peace Conference that all treaties should be drawn according to the above proposal.

Hotel la Perouse,
Paris.

12th March, 1919.

Note.—It was arranged that the questions raised should be discussed between representatives of the Departments concerned and these discussions began in the early part of 1926.

---

(6) Customs Formalities Convention.

(*Treaty Series* 1925, *No.* 16.)

688

No. 492.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 2.10 p.m., 4th February, 1925.)

TELEGRAM.

YOUR despatch 24th November, No. 332.* Certified copy of Customs Formalities Convention now received from Geneva shows that Convention with Protocol already signed by Campion on behalf of Commonwealth of Australia. In the circumstances steps are being taken with a view to ratification by His Majesty on

* No. 388 in Dominions No. 93.

behalf of Commonwealth of Australia, declaration being made under Article 29 in this instrument of ratification, excluding Papua, Norfolk Island, and Mandated Territory of New Guinea. As regards Nauru, excluding declaration already made in instrument of His Majesty's ratification on behalf of this country and other parts of Empire, see letter from Secretary-General, League of Nations, C.L. 125.—AMERY.

14047

No. 493.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 116.)

MY LORD, Downing Street, 14th April, 1925.

WITH reference to my telegram of the 4th February,* I have the honour to request Your Excellency to inform your Ministers that the Instrument of His Majesty's Ratification on behalf of the Commonwealth of Australia (excluding Papua, Norfolk Island and the Mandated Territory of New Guinea) of the Convention relating to the Simplification of Customs Formalities and the Protocol thereto, was forwarded to the Secretary-General of the League of Nations on the 11th March.

2. A reply has been received from the League Secretariat to the effect that the Instrument was deposited with the Secretariat on the 13th March, and that the Members of the League and other States signatory to the Convention are being informed of the deposit.

I have, &c.,
(for the Secretary of State),
W. ORMSBY-GORE.

---

(7) Protocol concerning Arbitration Clauses in Commercial Matters.

(*Treaty Series* 1925, *No.* 4.)

2241

No. 494.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

(No. 44.)

SIR, Downing Street, 11th February, 1925.

WITH reference to your despatch No. 341 of the 7th of November,† I have the honour to transmit to you, for the information of your Ministers, the accompanying copy of a circular letter from the Secretary-General of the League of Nations notifying the accession of Southern Rhodesia to the Protocol on Arbitration Clauses in Commercial Matters, signed at Geneva on the 24th of September, 1923.

I have, &c.,
L. S. AMERY.

Enclosure in No. 494.

(C.L. 187. 1924. V.)

LEAGUE OF NATIONS.

Accession of Southern Rhodesia to the Protocol on Arbitration Clauses in Commercial Matters, signed at Geneva, 24th September, 1923.

Geneva, 5th January, 1925.

I HAVE the honour to inform you that His Britannic Majesty's Secretary of State for Foreign Affairs has informed me by a letter dated 16th December, 1924,

* No. 492. † No. 367 in Dominions No. 93.

that Southern Rhodesia accedes to the Protocol on Arbitration Clauses in Commercial Matters, signed at Geneva on 24th September, 1923.

The accession of Southern Rhodesia to the above-mentioned Protocol was registered with the Secretariat on 18th December, 1924.

I have, &c.,
For the Secretary-General,
VAN HAMEL,
Director of the Legal Section.

26655

No. 495.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 12th June, 1925.)

[*Answered by No.* 496.]

(No. 64.)

SIR, Government House, St. John's, 28th May, 1925.

I HAVE the honour to acknowledge the receipt of your despatch Dominions No. 459 of the 16th September, 1924,* on the subject of the Protocol concerning Arbitration Clauses in Commercial Agreements, signed at Geneva on the 24th of September, 1923, and to inform you in reply that my Ministers desire that notification of adhesion under Article 8 of the Protocol be made on behalf of Newfoundland.

I have, &c.,
W. L. ALLARDYCE.

29712

No. 496.

NEWFOUNDLAND.

THE SECRETARY OF STATE to THE GOVERNOR.

(No. 76.)

SIR, Downing Street, 24th July, 1925.

I HAVE the honour to acknowledge the receipt of your despatch No. 64 of the 28th of May,† and to transmit to you, for the information of your Ministers, the accompanying copy of correspondence with the Secretary-General of the League of Nations, relating to the accession of the Government of Newfoundland to the Protocol on Arbitration Clauses in Commercial Agreements, signed at Geneva on the 24th of September, 1923.

I have, &c.,
L. S. AMERY.

[28118]

Enclosure 1 in No. 496.

Foreign Office, S.W.1.
18th June, 1925.

SIR,

WITH reference to your letter of 5th January last, I am directed by Mr. Secretary Chamberlain to inform you that a request has been received from the Government of Newfoundland that notification of their accession to the Protocol on Arbitration Clauses in Commercial Agreements, signed at Geneva on 24th September, 1923, may be made under Article 8 of that Protocol.

2. I am accordingly to notify this accession and to request that the necessary steps may be taken to inform the signatory States.

I am, &c.,
ALEXANDER CADOGAN.

The Secretary-General,
League of Nations,
Geneva.

---

* No. 365 in Dominions No. 93. † No. 495.

Enclosure 2 in No. 496.

League of Nations, Geneva.
23rd June, 1925.

SIR,

I HAVE the honour to acknowledge receipt of your letter of the 18th instant, by which you have been good enough to inform me of the accession of the Government of Newfoundland to the Protocol on Arbitration Clauses in Commercial matters, signed at Geneva on 24th September, 1923, in accordance with Article 8 of that Protocol.

This accession was entered into the registers of the League of Nations on 22nd June, 1925, and will be notified to the States concerned and published in the League of Nations' Treaty Series in due course.

I am, &c.,
For the Secretary-General,
VAN HAMEL,
Director of the Legal Section.

The Under Secretary of State,
Foreign Office,
London, S.W.1.

LOCARNO, TREATIES OF, 1925.

[Cmd. 2435, Cmd. 2468, and Cmd. 2525].

Note.—The telegrams to the Dominions printed here represent only a portion of those sent during 1925 on the subject of the negotiations leading up to the Treaties of Locarno. Those not printed here dealt, for the most part, with conversations between the Secretary of State for Foreign Affairs and the diplomatic representatives of foreign countries or between His Majesty's representatives abroad and Ministers or officials of the foreign Governments concerned as to the attitude of the various Governments.

359

No. 497.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 12.10 p.m., 4th February, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

(Extract.)

* * * * * * *

FROM a conversation between Mr. Chamberlain and the German Ambassador 30th January, it appears unlikely that anything will come in the near future of the German proposal for a Security Pact recently put forward in very vague terms in the Press and elsewhere. It was agreed that it was of little practical use to discuss a pact between Germany and France until the attitude of His Majesty's Government towards French security had been defined and the fate of the Geneva Protocol settled. Mr. Chamberlain, however, assured the German Ambassador that he welcomed the evidence which the German suggestion had afforded that the German Government appreciated the reality of French fears and were spontaneously considering means of allaying them. Mr. Chamberlain also suggested that Germany, by joining the League, would give a significant indication of her desire for this and of her readiness to accept the existing constitution of Europe. He could not understand Germany's refusal of the offer of a seat on the Council of the League of Nations merely on the ground that she could not accept the obligations of Article 16 of the Covenant. Please inform your Prime Minister.—AMERY.

10546/S

No. 498.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 5.10 p.m., 5th March, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

5TH MARCH. Secret. My telegram of 4th February* stated that it appeared unlikely that anything would come in the near future of the German proposal for a Security Pact recently put forward in very vague terms in the Press and elsewhere. That proposal has, however, in the last few days been repeated to Paris, Brussels and Rome, as well as to ourselves, in the form of a definite declaration of Germany's willingness to enter into a Pact to guarantee the existing boundary line between Germany on the one side and France and Belgium on the other. It is reported in the French Press that M. Herriot dealt with the question at length in the Senate Foreign Affairs Committee on the 27th February, and stated that the moment did not seem far distant when Germany would make proposals which the French Government could only accept within the strict limits of the Treaty of Versailles. French Press comment is suspicious and the attitude of the French and Belgium Governments is not as yet clearly defined, but there are some indications that responsible men begin to realize how materially the general peace of Europe could be fortified, and their own security enhanced, if they could enter into a formal and mutual pact with Germany for maintaining their common frontier inviolable against aggression from any quarter. Italy is, of course, less directly interested but the German overture seems to be thought worthy of serious consideration in Rome. Mr. Chamberlain will be seeing M. Herriot in Paris on his way to Geneva and will then endeavour to ascertain more precisely how far the French Government are prepared to take the matter up seriously.

The possibility of a solution of the problem of security in Europe being found on the lines of such a mutual pact is hinted at in the concluding section of the proposed statement to be made to the League of Nations with reference to the Geneva Protocol.

Please inform your Prime Minister.—AMERY.

10592

No. 499.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 3.15 p.m., 6th March, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

6TH MARCH. My telegram of 5th March, Secret.† Copies of debate in House of Commons last night will be sent by mail as soon as possible. In connexion with German proposals for Security Pact Foreign Secretary said that exchange of views between Allied Governments had so far been of the slightest, and that it was necessary for a much more complete exchange of views and a much closer examination of the purport and the possibility of the German proposals to take place before he could usefully or safely add anything more on the subject. Foreign Secretary intimated, however, that His Majesty's Government attach the highest importance

* No. 497. † No. 498.

to German proposals and mean to give them their most serious consideration in hope that in this voluntary movement of the German Government there may be found a passage which will lead us away from the unhappy past to a better and more friendly future. If such a consummation could be reached by and with our help, and if our help were required to bring it into being, he was sure that that help as well as good will of this country would not be lacking. Foreign Secretary quoted recent speech by Lord Grey emphasizing importance of British co-operation in the work of pacifying Europe and saying that it was for British public opinion to recognize that the one thing it could do to help European situation was to make some firm offer to promote European security in which British Empire could join. Foreign Secretary said that whilst it was far too early for him to have formed in his own mind, much less to express, any idea of the shape which our co-operation should take it was in spirit of Lord Grey's words that His Majesty's Government would approach whole consideration of subject.

Later on in this speech Foreign Secretary said that it was not in a spirit of indifference to Europe and its misfortunates that we had exercised, when it rested with us alone in the United Kingdom, our mission and our influence in the world, nor was it in that spirit of selfish and, at the same time, short-sighted isolation that we should exercise them now when we speak in consultation with the free self-governing Dominions of a great Empire.

Foreign Secretary added that his object when at Paris to-day and at Geneva next week would be, not to open negotiations for any particular agreement nor to propound any plan, but to exchange views and gather information.

Please inform your Prime Minister.—AMERY.

10831/S

No. 500.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 11.30 a.m., 8th March, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

8TH MARCH. Secret. My telegram 5th March, Secret.* Following summary of facts connected with recent German overtures has been prepared in explanation of statements on subject in Foreign Secretary's speech House of Commons 5th March. Please communicate to your Prime Minister explaining that it is for most part extracted from Foreign Office prints, included amongst papers sent by mail to Dominions from 4th February onwards.

Begins: On the 20th January, 1925, the Permanent Head of the German Foreign Office handed to Lord D'Abernon a memorandum on the question of security. It was strictly confidential and had not even been discussed by the new German Cabinet.

The memorandum began by saying that, as the questions of disarmament and the evacuation of the Cologne zone, then under discussion, were frequently considered in France from the standpoint of security, it would probably be easier, and the German Government were prepared, to find a solution for them by combining them with an agreement of a general nature, the object of which would be to secure peace between Germany and France.

The memorandum then suggested as examples of arrangements that might be come to:—

1. *A mutual undertaking not to go to war*, e.g., the Powers interested in the Rhine, above all England, France, Italy and Germany, would enter into a solemn obligation for a lengthy period (to be eventually defined more specifically) *vis-à-vis* the United States of America, as trustee, not to wage war against a contracting State.

* No. 498.

2. *A comprehensive Arbitration Treaty* between the same States providing for the peaceful settlement of juridical and political conflicts. Analogous arbitration treaties to be concluded by Germany with all other States as well.

3. *A Rhineland Pact.*—(*a*) Guaranteeing the existing territorial status of the Rhine, e.g., the interested States would bind themselves reciprocally to observe the inviolability of the existing territorial status on the Rhine, to guarantee both jointly and individually the fulfilment of this obligation and to regard any action running counter to the obligation as affecting them jointly and individually.

(*b*) Guaranteeing the fulfilment of the obligation to demilitarize the Rhineland, which Germany had undertaken in Articles 42 and 43 of the Treaty of Versailles.

The above examples were not held to exhaust the possibilities, but were given by way of illustration.

Schubert emphasized this in handing the memorandum to Lord D'Abernon. The German Government, he said, were prepared to discuss and negotiate any combination of proposals which would bring about a real feeling of security and pacification, and were anxious to move rapidly in the matter.

A few days later Schubert explained to Lord D'Abernon that the arbitration treaties which Germany had in mind as models were the German-Swiss Treaty of 3rd December, 1921, and the German-Swedish Treaty of 29th August, 1924. Under these treaties all disputes of whatsoever nature which are impossible of settlement within a reasonable time through diplomatic channels are submitted either to tribunals of arbitration or of conciliation. Legal questions are submitted to an arbitral tribunal which makes an award definitely binding upon the parties. Political questions are submitted to a conciliation board which does not make a definitive binding award, but the parties are pledged to declare within a limited period of time whether they accept the conciliation proposals. Schubert emphasized the fact that Germany's readiness to sign arbitration treaties extended to all Powers. It would include notably those Powers whose frontiers touched Germany on the east.

On 30th January Mr. Chamberlain discussed the German memorandum of 20th January with the German Ambassador. He first explained that he could not receive confidential proposals from the German Government unless he was at liberty to mention them to the French Government. While refusing to commit himself to the principle of the proposal, Mr. Chamberlain said that he did not exclude the idea at the proper time of an agreement between Germany and France or Germany and the Allies giving a mutual guarantee of the situation established by the peace treaties on their common frontiers. Finally, he indicated that the best evidence of a desire for peace and of a readiness to accept the existing constitution of Europe would be for Germany to join the League of Nations.

On the same day Mr. Chamberlain informed the French Ambassador of the German overtures and his reply to them. He pointed out particularly that the German Government appeared to be willing to consider some sort of arrangement on the east as well as on the west of Germany.

The next move by the German Government was to communicate secretly to Herriot 9th February a memorandum which only differed from that submitted to His Majesty's Government in that there was no suggestion that an agreement on the security question should be combined with the solution of the questions of disarmament and the evacuation of Cologne, and a sentence was added to the effect that the proposed Security Pact might be so drafted that it could prepare the way for, or be absorbed by, a world convention to include all States on the lines of the Geneva Protocol.

In subsequent verbal discussions the German Ambassador intimated that Germany was prepared to consider the conclusion of arbitration treaties not only with the Powers interested in the Rhine, but with Poland and Czechoslovakia also; and while the eastern frontier could not be guaranteed in the same manner as that of the west, a way out might be found by reference to Article 19 of the Covenant of the League of Nations, thus obviating all idea of a solution by force.

Herriot's reply to the German memorandum was not unsympathetic, but was non-committal.

The German proposals were discussed by Mr. Chamberlain with the French and Belgian Ambassadors on 24th and 26th of February respectively. To both Ambassadors he laid stress on the significance of Germany's apparent willingness to come to a settlement in the east as well as in the west, and on the importance of taking whatever steps were possible to link up Germany with the Western European Powers and preventing her from forming an anti-Western bloc with Russia.

The French Ambassador, while indicating that Herriot attached great importance to the German proposals, expressed the view that he would have to proceed cautiously since French public opinion in general was not yet prepared for any sort of pact with Germany. De Fleuriau thought it of great consequence that an arrangement should first be made between France, Belgium and Great Britain.

Germany's attitude towards the eastern frontier was reported about this time to have been defined by Stresemann to the French Ambassador at Berlin as follows:—Germany recognizes the utility of Poland as a buffer state and is not in principle hostile to Polish autonomy. She cannot regard the Polish frontier as satisfactory or as a permanent solution. She is, however, ready to undertake a solemn engagement not to endeavour to alter the present frontier by force of arms. *Ends.*

—AMEPY.

10831/S

No. 501.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 11 p.m., 12th March, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

SECRET. With reference to my telegram of 8th March,* the following is brief summary of the conversations on 6th and 7th March between Secretary of State for Foreign Affairs and M. Herriot in Paris.

Mr. Chamberlain informed M. Herriot that in accordance with decisions of British Cabinet there could be no question of a limited Anglo-French or Anglo-Franco-Belgian pact for which general support of British public opinion could not possibly be secured. On the other hand Secretary of State for Foreign Affairs suggested that German proposals seemed to offer hope of a solution in which His Majesty's Government might eventually co-operate, and he begged Herriot seriously to study these proposals.

M. Herriot was very upset at hearing this, and he spoke at some length about the uneasiness which had been created in France by Germany's bad faith and emphasized several points which were in the way of an agreement with Germany. Most important of these points were:—

(*a*) there could be no question respecting, and Germany should not question, occupation of the Rhineland for full period of fifteen years laid down in the Treaty of Versailles;

(*b*) the insecurity of Poland on her eastern frontier;

(*c*) absence of any provision respecting southern frontier of Germany;

(*d*) determination of Italy and France to prevent uniting of Austria to Germany.

M. Herriot also mentioned desirability of inclusion of Holland in any arrangement made, and commented on the omission in the German proposals of any mention of the Belgian frontier.

---

* No. 500.

Additional evidence of the intention of France to link together the questions of security and evacuation of Cologne was afforded by this conversation of M. Herriot's. Secretary of State for Foreign Affairs therefore took the opportunity again to point out the dangers in this course to which His Majesty's Government were strongly opposed.

M. Herriot threw out a hint that it might be possible to negotiate two separate pacts :—

(*a*) With British, French and Belgians,
(*b*) the other to include Germany as well,

but he was informed that such an arrangement did not commend itself to His Majesty's Government.

The general feeling in Paris is to distrust German proposals as being too indefinite. The best way to remove this distrust will be for Germany at once to join the League of Nations unconditionally. Germany will also have to dispel the French anxiety in regard to southern frontier and to make her pledge not to attempt to alter her Eastern frontiers by resort to war as definite and as binding as her pledge regarding frontiers of the Rhine.

His Majesty's Ambassador at Berlin has been instructed to convey to German Government a hint in this sense, and to make it clear to them that there is a risk that the opportunity of achieving a settlement of the utmost importance for Europe and the world will be lost unless they are sincerely willing to seize the opportunity which we have helped to create for them.

Please inform your Prime Minister.—AMERY.

10831/S

No. 502.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 9.30 p.m., 17th March, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

SECRET. My telegram 12th March.* British Ambassador, Berlin, telegraphed 13th March that in discussions with members of the German Government he found readiness to co-operate in measures of general pacification and full recognition of British Government's services to that end.

The essential basis of German proposals was twofold :—

(1) Final acceptance of the French and Belgian frontiers as laid down in the Versailles Treaty.

(2) Arbitration in all cases of conflict on the lines of Arbitration Treaties already negotiated; e.g., German-Swiss German-Swedish, with the possibility of extending the scope of such Treaties to embrace all possible causes of conflict.

As regards Rhineland occupation, Germany would not demand a modification of Articles 428 to 432 of the Treaty but would not abandon any right conferred by these Articles.

As regards Austria, British Ambassador thought discussion would be difficult. There was no present idea of any political agreement with Austria, but it would be difficult to obtain assurances from Germany going beyond the Treaty.

As regards Holland, Germany would not object to Dutch participation in a pact.

As regards the Polish frontier, German Chancellor in private conversation said he was anxious not to impair the settlement of the German-French frontier danger

* No. 501.

by linking up with it another less essential settlement, regarding which a similar permanence could not now be reached. He argued that to adopt exactly identical conditions for the Polish as for the French frontier would diminish the authority of the French agreement; but Germany did propose that disputes with Poland should be submitted to arbitration.

The Ambassador telegraphed 15th March that he gathered from unofficial information that the answer from the Council of the League to the German note of December, regarding the question of Germany's admission to the League (which has been published in Press) had made a favourable impression. Even official German circles considered that the German points had in the main been met. A careful legal examination would be made before any reply was sent, especially on the question of the transport of foreign troops through Germany. He thought that, provided the development of discussions regarding a pact proceeded satisfactorily, the entry of Germany into the League of Nations might be regarded as assured.

Please inform your Prime Minister.—AMERY.

13362/S

No. 503.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 3.30 p.m., 20th March, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

20TH MARCH. Secret. My telegram 17th March.* On 15th March Mr. Chamberlain telegraphed to the British Ambassador in Berlin from Geneva pointing out that he should not push his conversations with the German Government too hard until the Paris conversations could take effect. For his guidance Mr. Chamberlain said that he clearly recognized that Germany could not give up all desire to alter her eastern frontiers. She must realize, however, that no French Government could make a Western pact without a simultaneous, though not necessarily identical, provision for the East. Germany should be careful to avoid spoiling her case by pressing it unduly. She should proceed gradually by giving Poland the necessary guarantees, by entering and establishing her position in the League, and by showing a willingness to co-operate in its work in a friendly and conciliatory spirit. If she could abstain from provocative acts over Danzig, etc., the obviously unsatisfactory nature of the existing arrangement would in time take its effect upon the minds of members of the League. She could always fall back upon Article 19 of the Covenant, and second paragraph of Part VIII of Clemenceau's explanatory letter of 16th June, 1919 (Cmd. 258). All this must take some years, but precipitate action would be fatal to Germany's hopes.

In conversation with Lord D'Abernon, the German Secretary of State, referring to the Polish frontier, made it clear that the only kind of arbitration that Germany had in mind was that envisaged in the Arbitration Treaties she had already negotiated with Switzerland, Finland and Sweden. These Treaties provided for two kinds of arbitration :—

(1) on legal questions with binding force;
(2) political questions by conciliatory awards without binding force.

The frontier question obviously came in the latter category, but Germany would, if desired, be willing to exclude it altogether from any Arbitration Treaty with Poland although not regarding this as advisable.

Lord D'Abernon urged strongly the necessity for Germany taking steps to mollify Polish opinion. The German Secretary of State replied that Germany had no desire to precipitate the Polish question and would be willing to let it rest until events provided a more favourable opportunity.

* No. 502

The impression on the Belgian Press of a pact to include Germany appears to be that they would, if necessary, accept this somewhat distasteful notion in order to obtain the signature of Great Britain which they regard as essential.

The Italians on the whole appear to be ready to support the British view. They regard the German proposals as a useful basis of discussion.

As regards the French, Herriot told Mr. Chamberlain on 16th March in Paris that the simultaneous rejection of the Protocol and of any idea of a separate pact with France and Belgium had greatly disturbed his colleagues and the French public. He indicated, however, that he was prepared seriously to examine the German proposals in the light of the British suggestions. The conversation further revealed agreement on the point that the entry of Germany into the League of Nations was an essential though not a preliminary condition of any negotiations with Germany in regard to a pact.

Mr. Chamberlain's impression of the statement on the Geneva Protocol made by him to the League of Nations Council was that, because of its decisive character and its ruthless exposition of the British objections to the Protocol without the tempering effect of any loosely expressed sentimentalism, it undoubtedly had considerable effect upon those present. The 5th section, however, did much to restore confidence, and the hope of the threatened nations would now appear to be centred upon the fulfilment of the policy foreshadowed therein. Generally their feeling is that the participation of Great Britain is essential to any agreement designed to maintain peace.

Please inform your Prime Minister.—AMERY.

13362/S

No. 504.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 12.45 p.m., 21st March, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)

21ST MARCH. Secret. Following from Prime Minister for [your Prime Minister] [President of Executive Council]:—

Begins: Cabinet have now fully considered the situation arising out of the Foreign Secretary's visits to Paris and Geneva and have discussed the line which he is to take in the debate in Parliament on 24th March. So far as the Geneva Protocol is concerned, Mr. Chamberlain will supplement the statement he made at Geneva transmitted in Colonial Secretary's telegram of 4th March.* In particular he will indicate that the adoption of the Protocol would not have satisfied Continental States in regard to security.

Nothing was made clearer to Mr. Chamberlain than that there can be no prospect of permanent peace in Europe until some acceptable solution of security problem has been found.

On a full review of the whole situation we are now convinced that the recent proposals of the German Government offer the most hopeful basis for a lasting settlement, and, as you will have gathered from the most recent telegrams, indications so far as we can judge are, that, given time, M. Herriot may be able to induce his Government and public opinion in France to accept this plan. It is, however, certain that a settlement cannot be reached without our co-operation to the extent of entering into some arrangement providing for a mutual guarantee of security of the frontiers between Germany on the one hand and Belgium and France on the other, to which Great Britain, France, Belgium and Germany would all be parties. We cannot avoid belief that, if

* No. 455.

we refused to enter into such an arrangement and reverted to a policy of isolation, inevitable result would be an aggravation of the existing unrest on the Continent of Europe which might eventually culminate in a fresh war.

We do not contemplate any extension or diminution of the existing provisions of the Peace settlement affecting Germany's eastern and southern frontiers.

Cabinet have authorized the Foreign Secretary to make a statement on the above lines in Parliament on Tuesday next, when he will emphasize that in our view the peace of the world depends on the part which Great Britain is prepared to play in this matter.

We will telegraph to you summary of Foreign Secretary's speech, but we wished you to know in advance outline of what he will say. He and I propose to explain position to High Commissioners personally on Monday.

Similar messages sent to other Prime Ministers [*Not to Irish Free State:* and President of Executive Council Irish Free State.] Baldwin. *Ends.*

—AMERY.

14021

No. 505.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 7.25 p.m., 25th March, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)

FOLLOWING from Prime Minister for [your Prime Minister] [President of the Executive Council]:—

Begins: As promised in my message of 21st March* a summary of Foreign Secretary's speech on security question in House of Commons last night is being telegraphed. In winding up debate I said that we should throughout keep in the closest possible touch with the Dominions and that I hoped myself—though I did not know whether my hopes would be justified—that when we got into closer touch the issues might be comparatively so simple that it might be possible to conduct negotiations by cable as there were great difficulties in having a Conference in the immediate future.

I added that I hoped that the Dominion representatives who were appointed to attend the League of Nations Assembly next September would be able to come over to this country at a sufficient length of time before the Assembly opens to enable us to communicate together and try to arrange that we shall go together united to Geneva when the time comes.

I trust that the suggestion for a discussion before the Assembly will prove convenient so far as representatives of your Government are concerned. We can of course arrange details later.

Similar message sent to other Prime Ministers [*Not to Irish Free State:* and to President of Executive Council Irish Free State]. Baldwin. *Ends.*

—AMERY.

* No. 504.

23749

No. 506.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 5.30 p.m., 23rd May, 1925.)

TELEGRAM.

[*Answered by No.* 507.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

SECRET. My telegram 6th May.* Conversations regarding Security Pact entered new phase 14th May with the communication to His Majesty's Government by the French Government of the French draft reply to the German proposals of 9th February. The draft note, of which copies have been sent by mail, may be briefly summarized as follows:—It begins in a conciliatory fashion by stating that the French Government have carefully examined the German proposals which they regard as an indication of pacific intentions. It then stipulates (*a*) that the entry of Germany into the League of Nations under the conditions specified by the letter of the Council of the League of Nations dated 13th March, 1925, is an essential condition to any pact; (*b*) in effect, that no agreements regarding security must be made which could weaken or lead to revision of the Peace Treaties, more particularly of the occupation clauses of the Treaty of Versailles and the Rhineland Agreement; (*c*) that Belgium should be a party to any pact proposed.

Note then summarizes German proposals and recognizes value of a solemn repudiation of all idea of war, side by side with a renewed affirmation of the principles inscribed in the Treaty of Versailles.

Referring to the German suggestion of their willingness to conclude arbitration treaties guaranteeing a peaceful settlement of legal and political disputes, French Government state that they regard such treaties as the natural complement to a Rhineland pact. This they appear to modify, however, by a somewhat obscure phrase which seems to suggest that such arbitration should not be applicable in the case of non-observance of the "treaties and agreements contemplated in the present note."

The remainder of the draft note is mainly devoted to the development of the theory of arbitration treaties in such a way as to include, under the same joint and several guarantees as the Western pact, similar treaties between Germany and her eastern neighbours; all these agreements to be brought into a single general convention registered with, and placed under the auspices of the League of Nations. A suggestion is made that France would welcome participation of the United States in these arrangements. Draft note ends with a request that Germany should define her views on the points raised.

It would seem that the latter part of this draft note envisages a wider application of the principle of compulsory arbitration than His Majesty's Government have hitherto been prepared to admit, besides tending to involve His Majesty's Government in additional commitments on the eastern frontiers of Germany which they have declared their inability to undertake. But the meaning of this and other passages in the draft is far from clear. It is for instance not clear whether the French intend draft note to be an expression of their views alone, or whether they intend it to be a communication from them acting in concert with or on behalf of the other Allies.

Conversations are now proceeding between the Secretary of State for Foreign Affairs and the French Ambassador to clear up the many obscurities in the draft note.

Cabinet have deferred consideration of the question until the necessary explanations have been obtained. Lord D'Abernon takes favourable view of effect which terms of the draft would have in Germany.

Please inform your Prime Minister.—AMERY.

---

* 20660/25: not printed; it summarized conversations between the Secretary of State for Foreign Affairs and the French and German Ambassadors.

24102/S

No. 507.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 11.35 a.m., 26th May, 1925.)

TELEGRAM.

26TH MAY. Secret. I communicated to my Prime Minister (Sir Francis Bell) contents of your telegram of 23rd May* relative to the conversation concerning the proposed Security Pact. In his reply Prime Minister advises me that the New Zealand Government realizes that the discussion with France as to the form of reply to the German proposal(s) must necessarily be conducted by His Majesty's Government on behalf of the Empire and that the New Zealand Government is content to leave the decision of any point to the discretion of His Majesty's Government; except that it maintains its protest, defined in its comments on the Protocol, against any form of submission to arbitration which includes determination by a Foreign Court, such as The Hague Court, of matters of International Law (such, for example, as belligerent rights at sea) in respect of which jurists of Great Britain differ entirely from Continental jurists.

24861/S

No. 508.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent, in 4 Parts, 1.45 p.m., 3.50 p.m., 6.5 p.m., 7.35 p.m., 29th May, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

29TH MAY. Secret. My telegram 23rd May.* Security Pact. Explanations of draft reply have been received from French Government and Cabinet has approved following despatch to His Majesty's Ambassador, Paris. Please inform your Prime Minister.

Despatch begins: [See No. 6 in Cmd. 2435.] *Despatch ends.*

—AMERY.

24861/S

No. 509.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent, in 3 Parts, 7.50 p.m., 8.40 p.m., 9.0 p.m., 29th May, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

29TH MAY. Secret. My telegram of to-day.† Security Pact. Following is translation of original French draft:—

Begins: [Enclosure in No. 3 in Cmd. 2435.]

Modifications proposed by His Majesty's Government are as follows:—

[Here followed a full statement of the modifications.]

—AMERY.

---

* No. 506. † No. 508.

24861/S

No. 510.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 6.40 p.m., 6th June, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

SECRET. 6th June. My telegram of 29th May.* Security. The French reply to the despatch addressed to Paris on 28th May was communicated to His Majesty's Government by the French Ambassador on 5th June. It is in the form of a despatch from Briand to French Ambassador, London. It welcomes the tone of our despatch and accepts the idea that the proposed reply to Germany shall be an expression of the views common to the Allies. It recognizes that the widespread character of the Empire makes it necessary for His Majesty's Government to limit their undertakings in Europe. On the other hand the position of France does not allow the French Government to concern themselves solely with their own security. They consider that any attempt to alter by force the situation created by the Treaties of Peace would constitute a danger to peace to which France could not remain indifferent. It is, therefore, essential that the proposed Rhineland pact shall not take away their own liberty themselves to go to the assistance of States to whom they judge it necessary to grant their guarantee. They understand His Majesty's Government to be in agreement with this view and they think it necessary to have it clearly stated in the reply to Germany in order to avoid misunderstanding. With this object they propose the following amendments in the British draft:—

Paragraph 2 of Section IV is amended so as to make it clear that the arbitration treaty contemplated would leave room for coercive action, not only where such action is undertaken in conformity with treaties in force between parties, but also in the case of failure to observe a treaty guaranteed by the parties or by any one of them. (Apparent danger of this amendment is in effect removed by end of paragraph 3 of same section and its mention of League machinery.)

In Section V the old paragraph 4 of the original French draft (which was omitted in our draft) is restored in an amended form which leaves it open to the signatories of the proposed Rhineland pacts to guarantee or not as they please the proposed arbitration treaties between Germany and her neighbours who are not signatories of the Rhineland pact.

The only other alterations of substance proposed by the French Government are the following:—

(1) To paragraph 3 of Section V is added the phrase "nothing in the treaties contemplated in the present note can affect these rights and obligations." In consequence of this addition to paragraph 3 of Section V the French Government consider that Section VI of our draft becomes unnecessary and propose its omission. Section VII of our draft would thus become Section VI.

(2) They propose the addition to paragraph 2 of Section VII of our draft of the following phrase:—"These agreements, in conformity with the Covenant, ought to be registered with the League of Nations and placed under its auspices."

Certain other amendments are proposed, but these are purely textual. Full text of amendments now proposed is being telegraphed separately.

In conclusion, French note dwells on the advantage of the early despatch of the reply to the German Government, whose difficulties arising from German public opinion and Russian influences the French Government do not fail to appreciate.

His Majesty's Government are in favour of accepting all the amendments proposed provided that French agree to retain Section VI in our draft to which great importance is attached owing to its very specific invocation of the League. It is proposed in the letter by which our acceptance is conveyed to make it quite clear to French Government that His Majesty's Government consider that right of France to cross Rhineland would only be recognized in event of violation by Germany of her treaty engagements.

* No. 508.

In other words French right in such circumstances to cross Rhineland would merely be specific application of general rule applicable to all signatories that this Pact must not be used as a screen behind which to violate other international obligations.

Please inform your Prime Minister.—AMERY.

24861/S

No. 511.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 7.40 p.m., 10th June, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

10TH JUNE. Secret. My telegram of 6th June.* Security. Foreign Secretary handed to Briand at Geneva, 8th June, note stating that His Majesty's Government accepted further French amendments to draft note to Germany with exception that they desired that Section VI of their Counterdraft (see my telegram of 29th May†) should be retained on ground that latter is widely drawn so as to safeguard all rights and obligations under the Covenant whereas words which French Government desired to insert in Section V (see my telegram of 7th June‡) are restricted to rights and obligations of Allied States.

Point referred to in concluding sentence of my telegram of 6th June* is dealt with in note to Briand as follows:—

Begins: "French Government are right in assuming that His Majesty's Government recognize that the proposed Rhineland pact cannot operate as a barrier to prevent France from taking action in conformity with such guarantees as she may have given to arbitration treaties between Germany and Germany's neighbours, and they therefore concur in Section IV of the proposed reply as at present drafted. His Majesty's Government, in fact, regard this proposition as self-evident and as applicable equally to all States signatory of the proposed pact. It is one to which, if rightly understood, there should be no difficulty in obtaining the ready assent of any of the parties concerned, for it is the particular application of the general theory which, in the interests of all the parties, must be at the base of the mutual settlement now in contemplation. It would clearly be inequitable that the proposed Rhineland Pact should in any circumstances operate in favour of any signatory Power which subsequently broke the treaty obligations into which it had entered. The Pact and its cognate agreements must necessarily be so drafted that, on the one hand, they will give the fullest possible security to all the Powers concerned so long as they abide by their treaty undertakings, and that, on the other hand, they cannot be invoked by a guilty Power to protect it from the consequences of a wilful breach of its treaty obligations. *Ends.*

Please inform your Prime Minister.—AMERY.

24861/S

No. 512.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 9.30 p.m., 10th June, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

10TH JUNE. Secret. My telegram of to-day.§ Security. Secretary of State for Foreign Affairs and Briand agreed without difficulty at Geneva, 8th June,

* No. 510. † No. 509. ‡ 24861/25: not printed; it contained the text of the amendments which are summarized in No. 510. § No. 511.

on the final terms of the French reply to the German Pact proposals. Expected that the French Government will send the reply to Berlin in a few days.

A one-sided statement of the proposals was sent out from Geneva by the French Havas Agency 8th June, and caused some misapprehension here. Following reply to a private notice question was therefore made by the Prime Minister in the House of Commons this afternoon :—

Begins: "I can fully understand the desire of the House to have the earliest opportunity of discussing this question and I have already undertaken to make a statement on the return of the Secretary of State for Foreign Affairs. Meantime I would ask the House to exercise patience in the full assurance that no Security Pact has yet been signed or will be concluded without the House being given an opportunity for full discussion.

Meantime, in view of certain misapprehensions which have arisen in the public mind, I think it well to say that the position up to date is that the British and French Governments, after careful examination of the German proposals to the French Government of the 9th February, have reached complete agreement on certain basic principles to which any such settlement must conform, and to which there is every reason to anticipate the adhesion of Belgium and Italy.

It is understood that these views will be communicated by the French Government to the German Government, and if the German Government see their way to share them the way will then be open for the actual negotiation of a pact to be negotiated between the Allied Powers interested in the Rhineland and Germany on a footing of equality. The settlement contemplated is of strictly bi-lateral character and is not one-sided as may possibly have been inferred from certain reports that have appeared. The view of both the British and French Governments is that the settlement must be such that it will give the fullest possible security to all the signatory Powers so long as they abide by their treaty obligations, and that on the other hand it cannot be invoked by any guilty Power to protect it from the consequences of a wilful breach of its treaty obligations.

I would only add that, as soon as the French Government's reply has been despatched to Berlin, I propose, subject to the concurrence of the French Government, to communicate its text to Parliament." *Ends.*

A further mis-statement in the Havas report was to the effect that the Allies have agreed that the admission of Germany to the League of Nations cannot take place before the proposed Security Pact shall have been signed by her. This is exactly the opposite of what has been agreed, namely, that the proposed settlement cannot enter into force until Germany has entered the League. It is, in fact, essential for the completely effective operation of the settlement that it should be under the auspices of the League of Nations, and that all the parties should be bound by the general obligations and should enjoy the general rights attaching to membership of the League.

Please inform your Prime Minister.—AMERY.

27438/S

No. 513.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6.10 a.m., 16th June, 1925.)

TELEGRAM.

16TH JUNE. Secret. Your telegram of 10th June.* Security. My Prime Minister asks me to inform you that, in respect of negotiations of His Majesty's Government with foreign Governments relating to security of frontiers defined by the Treaty of Versailles, the New Zealand Government recognizes that such matters must necessarily be determined by His Majesty's Government and will be content to accept and abide by decisions of His Majesty's Government.

---

* No. 511.

24861/S

No. 514.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 5.25 p.m., 17th June, 1925.)

TELEGRAM.

[*Answered by No.* 516.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

17TH JUNE. Secret. My telegram of 16th June.* Security. French reply to the German Security offer was handed to German Government 16th June. These two documents together with the intermediate correspondence between the French and British Governments will be issued to Press here and in Paris to-morrow evening.

The chief points on which the final version of the French reply differs from that communicated by French Ambassador on 5th June (see my telegram of 7th June†) are :—

1. The second sentence of second paragraph of Section IV has been redrafted in a clearer manner.
2. In paragraph 3 of Section V the phrase "nothing in the treaties contemplated in the present note can affect these rights and obligations" has at our suggestion been omitted.
3. Section VI of the British counter-draft has been restored at our request (see my telegram of 10th June‡).
4. Section VI of the French draft communicated on 5th June therefore becomes Section VII.

Please inform your Prime Minister.—AMERY.

27756

No. 515.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 12.47 p.m., 18th June, 1925.)

TELEGRAM.

18TH JUNE. In one of his first public references to Imperial matters since he became Prime Minister, Mr. Coates in a speech at Auckland yesterday said that, with regard to the Pact, while New Zealand reserved the right to be consulted in matters of negotiation with European Powers, when New Zealand had expressed its opinion it left it to the Imperial authorities to make what arrangements they thought best. New Zealand had already cabled to the Home Government to say that whatever arrangements Great Britain might make for the purpose of securing peace we were behind her to a man. The Homeland was our guard and protection and it was essential that the Dominion(s) should render her every assistance. The Homeland purchased nearly all our exports and it was to her that our prosperity was largely due.

---

* 24861/25: not printed; it described the views held in Italy and Germany on the progress of negotiations. † 24861/25: not printed; it contained the text of the amendments which are summarized in No. 510. ‡ No. 511.

28783

No. 516.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.15 a.m., 21st June, 1925.)

TELEGRAM.

[*Answered by No.* 517.]

20TH JUNE. In view of publication in London of certain correspondence on Security Pact, question of publication here has been raised in Parliament and Leader of Opposition has asked Government to lay correspondence on table on Monday if possible. Should be obliged if we could be advised immediately what communications on this subject can now be brought down.—BYNG.

28783

No. 517.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 5.30 p.m., 22nd June, 1925.)

TELEGRAM.

[*Answered by No.* 518.]

22ND JUNE. Your telegram 20th June.* Following for your Prime Minister:—

Begins: White Paper containing the correspondence as to Security Pact published here last week is being sent by mail and should reach you about middle of next week. We think it would be of advantage if you could arrange to have whole of this White Paper republished in Canada on its arrival. In the meantime it seems to us that it might be better to publish the leading documents verbatim in Canada rather than the various telegrams sent during the last few weeks from which persons unfamiliar with subject might find it rather difficult to gather present position.

If you agree, I would suggest that you should publish at once (*a*) the original memorandum communicated by German Ambassador in Paris to President of Council on 9th February, and (*b*) Note from French Government to German Government of 16th June.

I am having texts of both these documents coded for transmission immediately in event of this procedure meeting your views. Documents in question are respectively the first and last in the White Paper, intervening documents being concerned with communications between French and British Governments regarding terms of French reply gist of which you have had by telegraph.

—AMERY.

28784

No. 518.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6.30 a.m., 23rd June, 1925.)

TELEGRAM.

[*Answered by No.* 519.]

22ND JUNE. Your telegram dated 22nd June.† Security Pact correspondence. My Ministers concur in suggestion to republish White Paper upon its arrival in Canada, and in meantime to publish as soon as text is cabled original German memorandum of 9th February and French note of 16th June.—BYNG.

---

* No. 516. † No. 517.

28784

No. 519.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent, in 3 Parts, 11.30 a.m., 12.15 p.m., and 12.45 p.m., 23rd June, 1925.)

TELEGRAM.

23RD JUNE. Your telegram 22nd June.* Security. Following is text of German Memorandum:—

Begins: [No. 1 in Cmd. 2435 (Translation).] *Ends.*

Following is text of French reply:—

Begins: [No. 9 in Cmd. 2435 (Translation).] *Ends.*

—AMERY.

28784

No. 520.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 2.0 p.m., 24th June, 1925.)

TELEGRAM.

[*Answered by Nos.* 523, 524 *and* 525.]

(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)

24TH JUNE. Canadian Government have telegraphed that question of immediate publication in Canada of correspondence relating to Security Pact has been raised in Dominion Parliament. Reply has been sent suggesting that it would be of advantage to arrange for White Paper containing diplomatic correspondence published here last week (see my telegram 17th June†), of which copies are being sent to Dominions by mail, to be republished in Canada on its arrival, and that meanwhile best course would be to lay before Canadian Parliament verbatim two leading documents, viz:—

(*a*) Original Memorandum communicated by German Ambassador in Paris to President of Council on 9th February, and (*b*) Note from French Government to German Government 16th June. These are respectively first and last documents in White Paper issued here.

Canadian Government are adopting this procedure and I have telegraphed text of documents accordingly.

Position of Canda is, of course, different from that of Australia, New Zealand and Union of South Africa, since White Paper issued here cannot reach them for some weeks.

In view of importance of subject, would your Ministers wish me to telegraph to you full text of two documents mentioned with a view to laying them before Parliament forthwith.

Publication of certain of recent telegrams (subject to minor omissions and alterations) might also be practicable if desired with a view to showing, in conjunction with two leading documents, full import of correspondence included in White Book issued here.

I will telegraph necessary details on this aspect of question if your Ministers think that as complete publication as circumstances permit is advisable.—AMERY.

---

* No. 518. † No. 514.

27942

No. 521.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
Dominions No. 264.)

[MY LORD,] [SIR,] Downing Street, 24th June, 1925.

WITH reference to previous correspondence I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copies of a Parliamentary Paper, Cmd. 2435, containing Papers respecting the Proposals for a Pact of Security made by the German Government on 9th February, 1925.

[*Not to New Zealand and Irish Free State:* 2. Further copies are being sent in Library despatch.]

I have, &c.,
L. S. AMERY.

32314

No. 522.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 6.0 p.m., 25th June, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)

25TH JUNE. Debate in House of Commons last night on Security Pact being sent by mail. It seems hardly necessary in view of full Press report to telegraph summary from here. In course of his opening speech and reply to points raised in debate Foreign Secretary made it clear:—

(1) That what the House had to discuss was not a Treaty, since there is no Treaty or draft of Treaty in existence, but merely preliminary statement of principles and of what the countries concerned feel it would be possible for them to undertake and in what direction they think they can make an advance.

(2) That no obligations will be undertaken on behalf of this country except subject to the approval and ratification of Parliament.

(3) That Dominions have been kept fully informed of policy of His Majesty's Government, but that, with exception of New Zealand which has expressed its complete confidence in policy of His Majesty's Government and its readiness to leave decision in their hands, they have not yet declared themselves.

(4) That no Dominion can be committed except by its own Government acting with consent of its own Parliament.

Foreign Secretary referred to question of Disarmament in passage which I am telegraphing separately.—AMERY.

29988

No. 523.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2.18 p.m., 26th June, 1925.)

TELEGRAM.

[*Answered by No.* 529.]

26TH JUNE. Your telegram of 24th June.* Security Pact. My Prime Minister would be glad if the text of the two leading documents you mention could be telegraphed in full as you suggest. He thinks that the publication of all revelant documents on this subject here should be as complete as possible, and he would be glad to know the parts of your other recent communications you agree to being laid before the Commonwealth Parliament.—FORSTER.

29989

No. 524.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2.53 p.m., 27th June, 1925.)

TELEGRAM.

27TH JUNE. Your telegram of 24th June.* Publication of correspondence regarding Security Pact. Ministers consider it desirable to have the two leading documents referred to under (*a*) and (*b*) in your telegram under reference laid before Parliament at the earliest possible moment, and would therefore be glad if a full text could be telegraphed as you suggest. They also wish for details of whichever recent telegrams His Majesty's Government deem advisable should be published in conjunction with the two documents referred to in order to show the full import of the correspondence.—ATHLONE.

29786

No. 525.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.55 a.m., 30th June, 1925.)

TELEGRAM.

[*Answered by No.* 527.]

30TH JUNE. Your telegram of 24th June.* Security Pact. My Ministers do not desire the text by telegram of the two documents mentioned. They will await the White Paper by post and understand that this Paper when received may be laid on the Table of the New Zealand Parliament.—FERGUSSON.

29988

No. 526.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 1.45 p.m., 30th June, 1925.)

TELEGRAM.

[*Answered by Nos.* 534 *and* 535.]

(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)

30TH JUNE. Security Pact. On further consideration we think that it would be preferable if in addition to two documents mentioned in my telegram of 24th

---

* No. 520.

June,* text of communications exchanged between British and French Governments could be published rather than telegrams summarizing them and we hope that your Ministers will be prepared to adopt this course. Documents published in White Paper were following :—

(1) German Memorandum 9th February.
(2) French Interim Reply 20th February.
(3) Despatch from His Majesty's Ambassador, Paris, 13th May.
(4) Memorandum from Secretary of State for Foreign Affairs to French Ambassador 19th May.
(5) French reply to (4).
(6) Despatch to His Majesty's Ambassador, Paris, 28th May.
(7) Despatch from Briand to French Ambassador, London, 4th June.
(8) Note from Secretary of State for Foreign Affairs to Briand 8th June.
(9) French reply to German Government 16th June.

Text of documents (1), (2), (3), (4), (5), (7), (8) and (9) with headings being telegraphed separately. Text of enclosure (dated 12th May) in document (3) was quoted in full in my second telegram 29th May† (i.e., that beginning "My telegram of to-day, Security Pact") and consists of passage from "as they have informed" to end of Part II.

Text of document (6) was quoted in full in my first telegram 29th May‡ (i.e., that beginning "My telegram 23rd May, Security Pact"). Despatch is headed "Foreign Office, 28th May, 1925." begins "My Lord," and concludes "I am, etc., Austen Chamberlain." Its enclosure comprises two parallel columns headed respectively "Draft reply to the German Memorandum" and "Suggested Alternative Draft." First column contains original French draft (enclosure to document (3)), second column contains original French draft with amendments described in Part III of my second telegram 29th May,† i.e., those amendments set out after words "Modifications proposed by His Majesty's Government are as follows." Document (7), as will be seen from postcript to it, contained two enclosures. Of these it would seem necessary only to publish the French modifications to the British amendments. These were set out in full in my telegram of 7th June.§—AMERY.

29786

No. 527.

NEW ZEALAND.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 4.40 p.m., 30th June, 1925.)

TELEGRAM.

30TH JUNE. Security Pact. See my two telegrams of to-day.‖ I received your telegram of 30th June¶ before these telegrams were ready for despatch, but Secretary of State for Foreign Affairs is most anxious that all important contents of White Paper should be available in Dominions as soon as possible, and in the circumstances I felt justified in sending telegrams in question to you. They were going in any case to Commonwealth of Australia and Union and could be repeated to New Zealand at very slight additional expense. Answers received from Commonwealth and Union Governments to my telegram of 24th June* indicate that they contemplate laying before their Parliaments forthwith papers approximating as closely as possible to White Paper.—AMERY.

---

* No. 520. † No. 509. ‡ No. 508. § 24861/25; not printed; it contained the amendments which are summarized in No. 510. ‖ Nos. 526 and 528. ¶ No. 525.

29988

No. 528.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent, in 6 Parts, 3.55 p.m., 5.10 p.m., 8.40 p.m., 30th June; 12.40 p.m., 2.10 p.m., 3.15 p.m., 1st July, 1925.)

TELEGRAM.

(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)

30TH JUNE. My telegram of to-day.* Security Pact. Following is text of documents referred to :—

Document one. *Begins:* [No. 1 on page 4 of Cmd. 2435.] *Ends.*
Document two. *Begins:* [No. 2 on page 5 of Cmd. 2435.] *Ends.*
Document three. *Begins:* [No. 3 on page 5 of Cmd. 2435.] *Ends.*
Document four. *Begins:* [No. 4 on pages 11-13 of Cmd. 2435.] *Ends.*
Document five. *Begins:* [No. 5 on pages 16-18 of Cmd. 2435.] *Ends.*
Document seven. *Begins:* [No. 7 on pages 36-38 of Cmd. 2435.] *Ends.*
Document eight. *Begins:* [No. 8 on pages 44 and 45 of Cmd. 2435.] *Ends.*
Document nine. *Begins:* [No. 9 on pages 48-51 of Cmd. 2435.] *Ends.*
—AMERY.

29988

No. 529.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 3.40 p.m., 1st July, 1925.)

TELEGRAM.

YOUR telegram 26th June.† Security Pact. His Majesty's Government quite agree with view of your Prime Minister that publication in Australia should be as complete as possible, and my telegram of to-day [30th June]* has been framed in light of what he says.—AMERY.

29988

No. 530.

NEWFOUNDLAND.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 3.40 p.m., 1st July, 1925.)

TELEGRAM.

1ST JULY. My despatch of 24th June, Dominions No. 264.‡ Security Pact. His Majesty's Government would be grateful if your Ministers would give enclosed White Paper fullest publicity possible.—AMERY.

---

* No. 526. † No. 523. ‡ No. 521.

30378/S

No. 531.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 5.45 p.m., 3rd July, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)

3RD JULY. Secret. Security Question. Secretary of State for Foreign Affairs recently gave instructions for preparation of a document designed to show how, in the view of His Majesty's Government, principles set out in the White Paper might be embodied in a formal instrument.

Tentative draft has now been completed and was considered by Cabinet to-day. It was decided that it would be advisable that Secretary of State for Foreign Affairs should communicate text to French Ambassador to-morrow, not as a text to which His Majesty's Government are necessarily committed, but as a concrete suggestion to facilitate negotiations.

As His Majesty's Government are most anxious that your Ministers should be in possession of text at once, I am telegraphing the draft separately to-day.*

Explanatory comments on draft will follow in case they may be of assistance to your Ministers.—AMERY.

30378/S

No. 532.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 7.40 p.m., 3rd July, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)

3RD JULY. Secret. My telegram of to-day.† Security Question. Draft takes form of agreement between His Majesty the King, His Majesty the King of the Belgians and Presidents of French and German Republics. Preamble and numbered clauses read as follows:—

Begins: A. [As in Foreign Office Print C.8861/459/18.] *Ends.*

Concluding clause reads as follows:—

Begins: B. [As in Foreign Office Print C.8861/459/18.] *Ends.*

—AMERY.

---

* No. 532. † No. 531.

30548/S

No. 533.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 3.30 p.m., 4th July, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)

4TH JULY. Secret. My telegram 3rd July.* Security. Following are explanatory comments referred to in last sentence:—

Begins: Article 1 is in effect a general declaration of the purpose of the whole treaty.

Article 2. The solemn obligation not to resort to war is restricted to France, Germany and Belgium. Our rôle will be solely that of guarantor.

Article 3. One of the objects of this Article is to make it clear that the Council of the League has a *locus standi* to intervene if a violation of Articles 42 and 43 of the Treaty of Versailles is alleged. The French Government have been disposed to maintain that Article 44 means that any violation by Germany of Articles 42 and 43 results automatically in the creation of a state of belligerency. It is therefore useful to make it clear that the League of Nations would be entitled to intervene.

Article 5. This Article gives France all she would have been entitled to claim if the Guarantee Treaty of 1919 between herself and Great Britain (Cmd. 221) had come into force, but it recognizes the part to be played by the Council of the League in that the Council's notification is a condition precedent to the guarantee becoming operative.

Article 6. The treaties of arbitration to be guaranteed by us should constitute separate instruments, but they are an integral part of the scheme, and it is therefore contemplated in Article 11 that they must be concluded before the ratification of the Treaty of Mutual Guarantee.

Article 8 is based on the principle laid down in Secretary of State for Foreign Affairs' note to Briand 8th June (No. 8 in White Book), that, though the proposed agreement must give the fullest possible security to all the Powers concerned so long as they abide by the treaty undertakings, they must not on the other hand be such that they can be invoked by a guilty Power to protect it from the consequences of a wilful breach of its treaty obligations. The first sentence of the Article is intended to cover the case of a German-Polish arbitration treaty, guaranteed by France. The second sentence is particularly intended to cover the rights of the Allies under the reparation clauses of the Treaty of Versailles and the Dawes Plan and under the occupation clauses in Part XIV, Section 1, of the Treaty of Versailles and the Rhineland Agreement (Cmd. 222). It does not of course affect the position under paragraph 18 of Annex II to Part VIII of the Treaty of Versailles. His Majesty's Government have never admitted and still do not admit that the Allies enjoy any right under that paragraph to occupy German territory in excess of that specified in Part XIV, Section 1, of the Treaty.

Article 10 is a reproduction of Article 3 of the Guarantee Treaty of 1919 between Great Britain and France. It is put forward as an alternative to a time-limit.

Article 12 has been inserted in accordance with statement by Secretary of State for Foreign Affairs in House of Commons, 24th June (see (4) in my telegram 25th June†). Wording is based on that of Article 5 Guarantee Treaty of 1919. *Ends.*

Above comments are for confidential information of your Ministers, and text would need revision should question of publication arise at later stage. Similar telegram sent to other Dominions.—AMERY.

---

* No. 531. † No. 522.

30751

No. 534.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4.15 p.m., 6th July, 1925.)

TELEGRAM.

6TH JULY. Your telegram of 30th June.* Publication of certain correspondence relating to the proposed Security Pact.

Ministers express their thanks for your telegram, but state that since there has not been evinced by public in this country any strong desire for the publication of these documents and the Union Government is not a party to the negotiations they have no suggestions to offer as to the method of publication. They are, however, laying the documents as telegraphed on the table of the House in case such public demand should arise.

30752

No. 535.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4.15 p.m., 6th July, 1925.)

TELEGRAM.

CONFIDENTIAL. 6th July. My telegram of to-day.† Security Pact. I understand confidentially that the wording of Ministers' reply is intended to indicate that they are unlikely to assume any responsibility in connexion with the Pact.—ATHLONE.

33527

No. 536.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 7.55 p.m., 21st July, 1925.)

TELEGRAM.

21ST JULY. Security Pact. Note from German Government received by Secretary of State for Foreign Affairs yesterday and will be published to-morrow. Text will be sent by mail to-morrow.—AMERY.

33527

No. 537.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent (in 2 Parts) 10.45 p.m., 21st July, 11.55 a.m., 22nd July, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

21ST JULY. Security Pact. Following is translation of Note from the German Government handed to the Secretary of State for Foreign Affairs by the German Ambassador 20th July. It will be published to-morrow.

Begins: [As on pages 6-9 of Cmd. 2468.] *Ends.*

Please inform your Prime Minister.—AMERY.

---

* No. 526. † No. 534.

34814/S

No. 538.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 2.10 p.m., 30th July, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

30TH JULY. My telegram 25th March.* Please inform your Prime Minister with reference to latter part of Prime Minister's message contained therein that in view of subsequent developments regarding Security Pact and message from Secretary of State for Foreign Affairs to Briand as summarized in my telegram of 8th July† it hardly appears necessary to carry any further suggestion of preliminary meeting in London with representatives of Dominions before the League of Nations Assembly. Secretary of State for Foreign Affairs expects to be at Geneva for five days before opening of Assembly so that on arrival of Dominion delegations there would be convenient opportunity for preliminary consultation there.

Similar telegram sent to other Dominions.—AMERY.

Note.—Copy sent to Irish Free State by despatch, 30th July.

34910/S

No. 539.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 3.55 p.m., 31st July, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

31ST JULY. Secret. Secretary of State for Foreign Affairs sent a despatch to the British representative in Paris 27th July for communication to Briand containing his considered observations on the German note. The despatch may be summarized as follows:—

The outstanding feature of the German Note is its studied caution due no doubt to the political circumstances in which it was prepared. Careful examination of it shows on the whole a closer approximation of views than might have been expected. Thus, Germany accepts in principle the Allied stipulation that the entry of Germany into the League of Nations is an essential condition to the Pact. She also accepts the view that the new settlement must not modify existing Treaties and she states in particular that its conclusion is not dependent on the modification of the provisions in force concerning the military occupation of German territory.

As regards arbitration treaties, though the German Government do not accept the French proposals, they do not reject them, but put forward criticisms and ask for further elucidations.

It is true that in some cases the observations of the German Government call for express reservations on the part of the Allies, but it should not be difficult to formulate these without impairing the progress of the negotiations.

As regards the next step, it is considered that the sooner the discussions can be transferred from vague general principles to personal conversations over a concrete text the better.

As regards the reply to the German Note, it is considered that the circumstances of special difficulty in which it was written should be taken into account.

---

* No. 505. † 31212/25; not printed; it dealt with the attitude to be adopted at the Assembly of the League on the questions of Arbitration, Security and Disarmament.

Attention should be concentrated, not upon details of the Note, but upon its opening and closing passages which display a spirit which the Allies might welcome and reciprocate. A brief reference will then be necessary to the German remarks on—

(1) relation of the new settlement to the Peace Treaties;
(2) the occupation of the Rhineland;
(3) the entry of Germany into the League.

As regards (1) it would seem best to state the position frankly—that is, the new settlement cannot impair the authority of the Peace Treaties or the rights which either Germany or the Allies possess under these Treaties. If Germany joins the League she will be entitled to the benefits of Article 19 of the Covenant.

As regards (2) it might be repeated that the new settlement cannot in itself "affect the provisions of the Treaty relative to the occupation of the Rhineland nor the execution of the conditions laid down in relation thereto in the Rhineland Agreement." The assurance already given by the Allies of their determination scrupulously to observe on their part their obligations in this matter might also be repeated.

As regards (3) it should be repeated that Germany's entry into the League is an essential condition of the new settlement and that the conditions of entry are determined by the Covenant and have already been stated by the Council of the League.

As regards the scope and character of the Arbitration Treaties, it is more difficult to suggest a reply, but it is felt that this question might well be left until the drafting stage is reached.

As regards coercive action, His Majesty's Government consider that rights arising out of the Treaties cannot themselves be subject to arbitration. The question of fact, however, whether or not circumstances exist which would bring these rights into play appears to be one which might properly be submitted for impartial decision. It is suggested that the reply should end with an expression of hope that it will close the formal correspondence and with a proposal that an attempt be made to draft the actual terms of the proposed treaties.

Summary of despatch ends. Copy of it has been communicated to Belgian Government.

His Majesty's representative in Paris discussed these observations on 28th July with Briand, who promised to send his considered reply through the French Ambassador.

The most favourable construction possible has naturally been put upon the German Note in this despatch to Paris. At the same time disappointment is felt by His Majesty's Government at the nature of the Note. It is considered that the German Government had it in their power to send a note which would have led immediately to personal conversations, whereas in fact, by raising points of detail and by its modified acceptance of the basic stipulations of the French Note, it has postponed those conversations and perhaps made further written correspondence inevitable.

The position now is that the French will probably draft a reply to the German Note and will, as before, show it to His Majesty's Government before it is despatched, and it seems likely that M. Briand will himself come to London early next week.

Please inform your Prime Minister.—AMERY.

Note.—Copy sent to Irish Free State by despatch, 1st August.

36250

No. 540.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 1.0 p.m., 7th August, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

7TH AUGUST. Secret. My telegram 31st July.* Security Pact. Briand has now sent to Secretary of State for Foreign Affairs his observations on the

* No. 539.

amended draft Treaty, referred to in my telegram of 28th July.* He has also sent the draft of a reply to the last German note. Comment upon these will follow.

Briand has now arranged to come to London 10th August to discuss these drafts personally with Secretary of State for Foreign Affairs.

Please inform your Prime Minister.—AMERY.

Note.—Copy sent to Irish Free State by despatch, 7th August.

37219/S

No. 541.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 8.0 p.m., 13th August, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

13TH AUGUST. Secret. My telegram, 10th August.† The conversations between Briand and Secretary of State for Foreign Affairs on 11th and 12th August resulted in complete agreement on text of the French draft reply to the last German Note.

Various minor modifications suggested by Secretary of State for Foreign Affairs were accepted by Briand.

It will be observed that tone of reply, text of which is being telegraphed separately, is conciliatory. It is hoped that exchange of notes will now end, and personal conversations will begin. The French Government propose to show the draft reply to the other Allies as was done before. It will then be handed to the German Government by the French Ambassador in Berlin, and a suggestion will follow for a meeting of the German, French, British and Belgian Legal Advisers to discuss text of the draft Treaty.

Agreement was also reached upon the text of the Draft Treaty, subject to Cabinet approval, as a basis for discussion with Germany. Separate telegram regarding this will follow. Please inform your Prime Minister.—AMERY.

Note.—Copy sent to Irish Free State by despatch, 14th August.

37795

No. 542.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 3.55 p.m., 17th August, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

17TH AUGUST. Secret. Following for your Prime Minister from Prime Minister:—

Begins: The discussions which have taken place with the French Government since the communication to them of the original British draft of a Treaty of Mutual Guarantee have mainly been concerned with two points:—

(*a*) The nature of the action which should follow a violation by Germany of Articles 42 and 43 of the Treaty of Versailles;

(*b*) the operation of the guarantees to be given by His Majesty's Government.

---

* 31502/25: not printed; it dealt with the terms of the draft Treaty. † 31477/25: not printed: it described the modifications in the draft Treaty proposed by M. Briand, and stated that they would be discussed by him and the Secretary of State for Foreign Affairs on the 11th August.

The position from which His Majesty's Government started in their original draft of a Treaty of Mutual Guarantee was that France and Belgium on the one side and Germany on the other should undertake not to go to war with each other except in two cases :—

(i) In resistance to invasion or attack;

(ii) when acting with the authorization of the League.

Under the original British draft, all allegations that Articles 42 and 43 of the Treaty of Versailles had been violated would have had to be referred to the Council of the League of Nations, and France could only have acted when the Council had decided that a violation had in fact taken place. Equally the British guarantee in all cases, including that of a violation of Articles 42 and 43, would only have come into operation after a decision by the Council.

The French at first took their stand on the rights conferred upon them by Article 44, Treaty of Versailles, which declares any breach of Articles 42 and 43, however trivial, to be a hostile act which each of the Allies has the right to answer by war. To admit the intervention of the League in such a case—even where the breach was purely technical—was, they argued, to consent to a restriction of existing treaty rights. Apart from that, appeal to the League would involve delay, which might be prolonged indefinitely if even a single nation represented on the Council of the League were prevented by partiality for Germany or, what is more probable, by fear of Germany, from joining in the decision of the majority. France's security, therefore, could not be ensured unless instant action was permissible in reply to a violation of the demilitarized zone. The French accordingly wished to provide for a third case where war on Germany would be legitimate without the obligation of prior reference to the League, namely, the case of a hostile act within the meaning of Article 44 of the Treaty of Versailles. They also wished the British guarantee to become immediately operative (i.e., without the need for a prior decision of the League) in this, as in other cases.

His Majesty's Government could not for a moment accept the contention that every hostile act as defined by Article 44, however trivial or however slight the danger it involved, should automatically justify resort to arms and bring their guarantee into action. But they recognized that there were cases in which, as in 1914, safety would be a matter of days or even hours and that provision must be made for these cases. The problem which His Majesty's Government therefore set themselves to solve was to distinguish between those infractions of the articles dealing with the demilitarized zone which, constituting an immediate and urgent danger, must at once be repelled by force, and those others which, whether in themselves trivial or grave, allowed time for reference to the League. The conclusion to which His Majesty's Government came was broadly that force should only be used to repel force.

Happily when the matter was discussed with Briand he showed himself fully alive to the necessity of distinguishing between flagrant violations and purely technical infractions of the demilitarized Rhineland zone, and he readily appreciated the fact that Great Britain could not be expected to give a guarantee which might involve her against her will in war as the result of a trivial incident. His object was to make sure of the support of Great Britain in serious circumstances, and he supported the idea that provision should be made for consultation between the parties concerned to decide whether the particular violation of Articles 42 and 43 constitute a menace of war.

This suggestion has been worked upon and the result is contained in Article 4(3) of the latest version of the draft treaty, terms of which have already been telegraphed to you by Secretary of State for Dominion Affairs 15th August.* Under that Article every allegation that a breach of treaty has occurred must be referred to the Council of the League of Nations and a decision by the Council on the facts will normally be necessary before the guarantee comes into play. The guarantee will only operate prior to such a decision if the contracting parties other than the one against whom the allegation is made *are agreed* that the violation constitutes an unprovoked

* 37478/25: not printed; it dealt with the terms of the draft Treaty.

act of aggression and that *by reason of the outbreak of hostilities or the assembly of armed forces in the demilitarized zone immediate action is necessary.*

Thus, while France can regard our immediate help as a practical certainty in the only case of genuine need, Great Britain retains complete freedom of decision.

It will be noted, too, that Article 2 draft Treaty constitutes an important restriction of the extreme claim at first made by France with regard to her own right of action under Articles 42-44 Treaty of Versailles. Whereas she at first insisted that she could not forgo the right given to her by Article 44, in case of any violation by Germany of Articles 42 or 43, to wage war on Germany at once, Article 2, as now drafted, limits that right to the case where the violation is flagrant and constitutes an unprovoked act of aggression, and where, by reason of the assembly of armed forces in the demilitarized zone, immediate action is necessary.

As is natural, the discussions with France have been mainly conducted in terms of French security, but every provision is bilateral and it is clearly understood that the proposed treaty will give equal guarantees to Germany. The German point of view will receive detailed consideration as soon as the German Government have definitely agreed to enter into conversations. Both Briand and Secretary of State for Foreign Affairs insisted that there must be no semblance of any kind of dictating to Germany an agreed document. Briand indeed went out of his way to make it clear that he considered this point of vital importance. It is, therefore, of the utmost consequence that strict secrecy should be observed about this part of the recent conversations until we can secure a meeting with the Germans. *Ends.*

—AMERY.

Note.—Copy sent to Irish Free State by despatch, 18th August.

37795

No. 543.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 4.30 p.m., 17th August, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

17TH AUGUST. Secret. Following for your Prime Minister from Prime Minister :—

Begins: My message of to-day.* We have reason to believe that terms of communiqué issued here at close of Briand-Chamberlain conversations have given satisfaction in Berlin where it is thought that they will facilitate course of German Government. Briand showed himself extremely reasonable and genuinely anxious for the success of the negotiations. Wherever we can trace his influence it is being used to promote peaceful atmosphere notably in Eastern Europe. The omens therefore are propitious and we hope for early meeting with German representatives. *Ends.*

—AMERY.

Note.—Copy sent to Irish Free State by despatch, 18th August.

---

* No. 542.

38617

No. 544.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 3.5 p.m., 22nd August, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

22ND AUGUST. Secret. Security Pact. My telegram 17th August.* A telegram has been sent to His Majesty's representative in Berlin informing him that subsequent to the meeting with Briand on 12th August it was agreed that when the French Note was handed to the German Government a definite suggestion should be conveyed that if Germany were willing, a meeting between the British, French, Belgian and German Legal Advisers should be held in London as soon as possible in order to prepare the way for a meeting between Foreign Ministers. His Majesty's representative was instructed to support his French colleague in making this proposal which will also be made by the Belgian Ambassador.

It is intended by this meeting to give the German Legal Adviser an opportunity to seek and receive explanations of the views of the Allied Governments in regard to the form which the proposed Treaty should take. His Majesty's representative was instructed to emphasize that the German Legal Adviser will be at liberty to make any suggestions he may desire and that he will not be asked to commit his Government in any way or to discuss anything but legal issues. It is hoped in this way to enable the German Foreign Minister to meet the other three Foreign Ministers with a full knowledge of their proposals. No specific date will be suggested as to the eventual meeting of Ministers, but the Secretary of State for Foreign Affairs is anxious that it should take place as soon as possible.

It is probable that the reply to Germany will be handed to the German Government on the 24th instant and published a few days later.

Please inform your Prime Minister.—AMERY.

Note.—Copy sent to Irish Free State by despatch, 24th August.

42130/S

No. 545.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 8.35 p.m., 15th September, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

15TH SEPTEMBER. Secret. My telegram 9th September.† Security Pact. Conversation was held at Geneva on 9th September between Secretary of State for Foreign Affairs, Briand, Vandevelde and Scialoja, the last named preserving the attitude of an observer. Briand said that he thought the results of the Jurists' conversations were satisfactory, and in some ways even constituted an improvement on the original draft. He recognized that the eastern frontiers formed the great stumbling block, but suggested that the difficulty about the French guarantee might perhaps be overcome by putting the eastern treaties under the guarantee of the League with France acting in some way as the agent of the League for enforcing

* No. 542. 41286/25: not printed: it described the proceedings at the meeting of the Jurists which took place in London from the 1st to the 4th September.

them. He had suggested this idea to the Polish Foreign Minister, who was not altogether unfavourable to it. Vandevelde approved and said it would certainly be acceptable to Benes. Briand dwelt forcibly on the dangers involved to Europe if the possibility of war in Eastern Europe is not excluded.

The proposed meeting of Ministers was discussed and the question of the relation of Poland and Czechoslovakia to it was raised. They did not expect to be present at conversations on the Western Pact, but asked for simultaneous but separate conversations in the same place because of their public opinion. It must not appear that the other Powers had decided their fate without consulting them, in which case they would have to accept submissively the decision or appear to be the cause of failure of the whole plan. Secretary of State for Foreign Affairs proposed that a commencement should be made with the Western Pact which might serve as a model, or at least a starting point for discussions on the more thorny subject of the eastern frontiers. Then perhaps the representatives of Poland and Czechoslovakia might be invited to join in a day or so after the first meeting. This suggestion was approved by Briand and Vandevelde.

French Ambassador in Berlin is handing to the German Government to-day note of which text is being telegraphed separately. The British Chargé d'Affaires in Berlin will simultaneously give a similar invitation to the German Government on behalf of His Majesty's Government.

Please inform your Prime Minister.—AMERY.

Note.—Copy sent to Irish Free State by despatch, 16th September.

42130/S

No. 546.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 10.58 p.m., 15th September, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

SECRET. 15th September. My telegram of to-day.* Security Pact. Following is translation of French note:—

Begins: When communicating the note of 24th August to Stresemann, the French Ambassador, acting on instructions, informed the Minister for Foreign Affairs that the French Government, in agreement with their Allies, considered that, if the note referred to were favourably received by the German Government, it would be of advantage to accelerate the conclusion of the negotiations by a meeting of legal experts and ultimately by a meeting of the Ministers for Foreign Affairs of the States concerned.

After the conversations which have just taken place between the Jurists in London it appears to the French Government and to their Allies that it is to the common interest of the nations concerned that the negotiations should not be spun out and that the time has come to fix a date for the meeting of the suggested conference.

For this purpose the end of September or at latest the first days of October would be a convenient time. The conference might take place in neutral territory, preferably in Switzerland, in a locality to be fixed later by agreement between the Governments.

The French Government and their Allies earnestly hope that these proposals will meet with the approval of the German Government and that the latter will shortly be in a position to communicate to them their assent. *Ends.*

Please inform your Prime Minister.—AMERY.

* No. 545.

43898/S

No. 547.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 7.0 p.m., 28th September, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

28TH SEPTEMBER. Secret. My telegram 26th September.* The German Ambassador handed to Secretary of State for Foreign Affairs 26th September a brief note accepting the invitation to the Conference of Ministers on Security in Switzerland, and suggesting 5th October as the date. At the same time he made a separate verbal declaration of which he left a copy defining the attitude of the German Government on the subject of war responsibility, and asserting the desirability of a settlement of the questions of Cologne and disarmament before Germany enters the League, and the Security Pact is concluded.

Secretary of State for Foreign Affairs told the German Ambassador that he considered the introduction of the question of war guilt at this stage to be an act of provocative folly. Secretary of State for Foreign Affairs afterwards saw the French Ambassador and said that he hoped the German declaration would not be allowed to alter the plan for the Conference, and that it would be possible for the Allies to accept the date, adding that they did not think it necessary to make any observations on the accompanying declaration.

The German Government made similar communications in Paris, Brussels and Rome.

The French Government are endeavouring to dissuade the German Government from their avowed intention of publishing the contents of the verbal declarations, and no reference to them is being made in the Press at present.

Please inform your Prime Minister.—AMERY.

Note.—Copy sent to Irish Free State by despatch, 29th September.

44392/S

No. 548.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 7.30 p.m., 30th September, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

30TH SEPTEMBER. Security Pact. Texts of German note of 26th September and reply dated 29th September were published to-day.

Following is text of German note:—

Begins: (Translation.)

Sir,

By instruction of my Government I have the honour to inform Your Excellency of the following:—

The German Government have the honour to state in reply to the note of the 15th September communicated by the British Chargé d'Affaires, that they entirely share the desire of the Allied Governments not to protract the

43566/25: not printed; it described the attitude of the German Government.

negotiations for the conclusion of a Security Pact. They also trust that the final settlement of the problems under discussion will be expedited by a meeting of the members of the Governments of the States concerned, and they therefore, in accordance with their note of the 27th August last, agree to the proposal that this meeting should take place immediately. They suggest the 5th October as the date for the meeting planned to take place in Switzerland.

I have, &c.,
STHAMER. *Ends.*

Following is text of reply:—

Begins:

Your Excellency,

His Majesty's Government have received with pleasure the acceptance by the Government of the Reich of the proposal for a conference on the 5th October at Locarno. His Majesty's Government note with satisfaction that the acceptance is given without reserve.

In reply to the declaration which Your Excellency made to me at the same time, I have the honour to take note of the assurance of Your Excellency that the questions therein raised do not constitute conditions preliminary to a meeting of Foreign Ministers.

These questions have, in fact, no relation to the negotiations for a Security Pact and have formed no part of the preliminary exchange of views.

As regards that part of the declaration which deals with Germany's entry into the League of Nations, His Majesty's Government note with satisfaction that the German Government raise no objection to this essential condition of any mutual pact. The question of Germany's responsibility for the war is not raised by the proposed pact, and His Majesty's Government are at a loss to know why the German Government have thought proper to raise it at this moment. His Majesty's Government are obliged to observe that the negotiation of a security pact cannot modify the Treaty of Versailles or alter their judgment of the past.

As regards the evacuation of the Cologne zone, I have the honour to repeat that the date of that evacuation depends solely on the fulfilment of Germany's disarmament obligations and that His Majesty's Government will welcome the performance of those obligations as permitting the Allies at once to evacuate the northern zone. I have the honour to be, with the highest consideration,

Your Excellency's obedient servant,
(For the Secretary of State),
VICTOR WELLESLEY.

Please inform your Prime Minister.—AMERY.

Note.—Copy sent to Irish Free State by despatch, 1st October.

44392/S

No. 549.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 9.0 p.m., 30th September, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

30TH SEPTEMBER. Secret. My telegram 28th September.* Security Pact. Following is translation of German Ambassador's verbal declaration:—

* No. 547.

Begins: At the time when the Ministers of the Powers concerned are about to meet for important conversations on the subject of the consolidation of peace between their countries, the German Government consider it necessary to acquaint the British Government in all candour with their attitude in two matters which are most closely connected with the objects of those conversations.

In the preceding correspondence the Allied Governments have made the conclusion of a Security Pact conditional upon the entry of Germany into the League of Nations. The German Government have not contested the linking up of the two problems, but find themselves thereby confronted by the necessity of reverting to a point which, in connexion with the League of Nations question, they have already in their memorandum of September, 1924, mentioned to the Governments represented on the League Council. They repeat the declaration made in that memorandum to the effect that the eventual entry of Germany into the League of Nations is not to be understood as a recognition of the allegation made to establish their obligations, and which implies a moral charge on the German people and is made to establish Germany's international obligations. They are of opinion that the public notification in this sense issued by the then German Government on the 29th August, 1924, assists the object of an understanding and sincere reconciliation between nations, and for their own part they identify themselves with this proclamation with the express desire of creating the condition of mutual esteem and true equality of rights which is the prior condition for the success of the confidential conversations now contemplated.

Further, the understanding and conciliation, which are the object sought, would be prejudiced if, before the entry of Germany into the League of Nations and before the conclusion of the Security Pact, the elimination of a dispute which still separates Germany from the Allies were not achieved. That dispute is the evacuation of the Northern Rhenish zone and the final settlement of the disarmament question. As long as the present situation continues, namely, the prolongation of the occupation of a large tract of German territory, which is felt by the German nation to be unjust, faith in peaceful development, upon which depends the efficacy of the contemplated international agreements, cannot be established.

The German Government trust that the British Government will take these statements in the same spirit of loyalty in which they are made, and that they will recognize in them the honest determination to smooth the way for the realization of the great work of peace now to be commenced. *Ends.*

Please inform your Prime Minister.—AMERY.

Note.—Copy sent to Irish Free State by despatch, 1st October.

45232/S

No. 550.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 4.55 p.m., 6th October, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

6TH OCTOBER. Secret. My telegram 5th October.* The first meeting of the Locarno Conference took place 5th October as arranged. After the opening speeches, with Mr. Chamberlain in the chair, the meeting resolved itself into a "Round Table" conference with no formal chairmanship, and it was agreed that the character of the "conversations" should be maintained throughout.

* 45072/25: not printed; it described a conversation between His Majesty's Ambassador at Berlin and the German Chancellor on the situation.

By common consent preliminary discussions of a general character were avoided and the Draft Pact, as it left the Jurists on 4th September (see my telegram 9th September*), was taken as the basis of discussion. Mr. Chamberlain reports that the proceedings opened in a most striking atmosphere of helpful good-will. Briand and Luther particularly emphasized their determination, not only to bring the Pact to a successful conclusion, but also to eliminate once and for all the division of Europe into rival camps of victor and vanquished.

Articles 3, 5, 9 and 10 were agreed to without comment by all delegations. The Preamble and Articles 7 and 11 were, at the request of Germany, referred back to the Jurists for—it was understood—purely technical reasons.

On Article 1 Germany proposed certain drafting alteration which will be referred to the Jurists. Belgium suggested purely verbal alterations to Article 2 which will cause no difficulty.

Article 4 (3). Germany proposed two amendments, about one of which Briand expressed some doubt; their meaning, however, was not clear and they will be examined later.

Article 6 contains the real difficulty ahead of the Conference, namely, French guarantee of the German-Polish Arbitration Treaty. This, the German Delegation declared themselves absolutely unable to accept.

Article 8. Germany wished notification to Council dependent on request of one party only. This caused some difficulty, but Mr. Chamberlain considered their arguments were not without weight and that they had considerable influence on the Conference. Finally, the Belgians and Italians made alternative suggestions which have been referred to the Jurists.

Mr. Chamberlain reports that the German Chancellor seemed to show just the qualities which, joined to Briand's, were needed for success. He adds, however, that they will be tested when the bigger questions arise and it will be rash for the present to presume too much upon the very satisfactory character of the opening discussions.

Please inform your Prime Minister.—AMERY.

Note.—Copy sent to Irish Free State by despatch, 7th October.

45434/S

No. 551.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 8.35 p.m., 7th October, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

7TH OCTOBER. Secret. My telegram 6th October.† At meeting of Locarno Conference 6th October, Mr. Chamberlain was tacitly accepted as acting as President though there was no official President.

Belgian delegate drew attention to article in Italian newspaper based upon knowledge which went beyond information vouchsafed by official communiqué issued after session on previous day. The Conference took note of his complaint, and the Italian delegate said that the leakage which he much regretted would be investigated.

Mr. Chamberlain reminded the Conference of the pledge of strict secrecy, pointing out that any breach of the pledge would mar the frankness of discussion.

He proposed that Conference should hear objections of Germany to Article 6 of Draft Treaty. A long interchange of views followed, and an argument between French and German delegates, though conducted with excellent temper, did not disclose any basis for agreement. Each side was trying to secure a suggestion from the other and was unwilling to commit itself. This, however, was to be expected,

* 45232/25: not printed; it described the proceedings of the meeting of Jurists. † No. 550.

and a personal meeting has been arranged between French and German delegates to-morrow, which it is hoped may bring about a solution.

The discussion closed by a definition from Mr. Chamberlain of attitude of British Government towards question of eastern frontier, as to which a further telegram will be sent.

Please inform your Prime Minister.—AMERY.

Note.—Copy sent to Irish Free State by despatch, 8th October.

45750/S

No. 552.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 8.30 p.m., 9th October, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

9TH OCTOBER. Secret. My telegram of 7th October.* Mr. Chamberlain telegraphs from Locarno that on the 8th October he had a long conversation with the German Foreign Minister. The conversation was principally important on account of the indication it gave that the Germans now regard Article 16 of the League of Nations Covenant as the only serious obstacle to the conclusion of the Pact. The Germans took it for granted that the remaining difficulties regarding disarmament can be solved, and that the evacuation of Cologne will follow, but their objection to Article 16 appeared uncompromising.

Stresemann finally made a suggestion indicating that the difficulty regarding Article 16 might possibly be got over by an interpretation rather than a modification of that Article. This suggestion is to be further explored by the legal advisers of the French, British and German delegations.

Please inform your Prime Minister.—AMERY.

Note.—Copy sent to Irish Free State by despatch, 10th October.

45750/S

No. 553.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 9.0 p.m., 12th October, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

12TH OCTOBER. Secret. My telegram of 9th October.† Mr. Chamberlain telegraphs that on the 10th October the Conference had a short meeting which was rendered notable by the definite request of the Italian delegate that the preamble of the Pact should be amended to include Italy. The Pact thus definitely takes the form of a five power agreement. There was nothing sudden or dramatic in the Italian decision which had been foreshadowed by the Italian delegate at the beginning of the Conference.

A second reading was given at the meeting to the Articles of the Pact on the basis of amendments submitted by the Jurists. Definite text was adopted on

*No. 551. † No. 552.

majority of points, the remainder being reserved for a later discussion. The amendments submitted by the Jurists may be summarized as follows:—

Preamble. Articles 1 and 3, small verbal alterations.

Article 4, small verbal alterations in Clauses 1 and 2. The amendment of Clause 3, Article 4, so as to leave the contracting parties less discretion in deciding whether a flagrant violation had taken place.

In Article 5, small verbal alterations.

In Article 8, amendment to satisfy the Germans in the sense that "one or other" of the contracting parties could request the Council to consider whether the treaty was still necessary. Other amendments to make Council's decision by two-thirds instead of simple majority, and keep treaty in force for year after decision by Council that treaty was no longer necessary. The two most important of the questions left before the Conference are, firstly, German objections to the application to Germany, upon her entry into the League, of Article 16 of the Covenant. Secondly, question arising out of Article 6, regarding nature of guarantee to be given to the eastern arbitration treaties.

Article 6 of the treaty and also Article 7 were, according to another telegram from Mr. Chamberlain, chief subjects of discussion between him and German and French delegates during the trip on Lake Maggiore on the afternoon of 10th October which has been announced in the Press.

Please inform your Prime Minister.—AMERY.

Note.—Copy sent to Irish Free State by despatch, 13th October.

46559/S

No. 554.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 6.15 p.m., 14th October, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

14TH OCTOBER. Secret. My telegram of 12th October.* Mr. Chamberlain reports from Locarno that at a meeting of the Conference on 12th October the German delegation accepted the declaration outlined in following paragraph as safeguarding their position under Article 16 of the Covenant in such a way as to make it possible for Germany to enter the League.

The declaration, in order to meet German susceptibilities, is not for the moment being disclosed at Locarno. After registering the fact that the Allies are not qualified to speak on behalf of the League of Nations, it says that in consequence of the discussions which have already taken place in the Assembly and in the committees of the League of Nations, and after the explanations which have been exchanged between them, the Allies have no hesitation in giving to the German delegates the interpretation which for their part they put upon Article 16. According to that interpretation, obligations placed by Article 16 upon members of the League of Nations should be understood in the sense that each of the member nations of the League is bound to collaborate loyally and effectively for the maintenance of the Covenant and to withstand all acts of aggression in such a manner as shall be compatible with their military strength and with their geographical position.

Mr. Chamberlain further reports that the Germans made great play of their special position, pointing out that, whereas they are disarmed, other members of the League are not disarmed. The Allies consequently agreed that upon the signature of the Pact they would make, as a final act of the Conference, a formal declaration to the effect that the security of Europe had been sufficiently assured to permit of the practical application of Article 8 of the Covenant of the League of Nations.

*No. 553.

The question of the guarantee of the eastern arbitration treaties is now, Mr. Chamberlain points out, the only question which remains outstanding. It is being dealt with for the present by means of informal conversations among those concerned. Mr. Chamberlain understands that neither the Belgian nor French delegates expect especial difficulty regarding the arbitration treaties which they propose to conclude with Germany. The Czechoslovak delegate is also optimistic. The situation regarding the Polish-German arbitration treaty is not yet clear.

Mr. Chamberlain considers that the prospects are favourable for agreement by the end of the week.

Please inform your Prime Minister.—AMERY.

Note.—Copy sent to Irish Free State by despatch, 15th October.

46638/S

No. 555.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 1.45 p.m., 15th October, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland)

15TH OCTOBER. Secret. My telegram of 14th October.* Mr. Chamberlain reports from Locarno that at a meeting on 13th October the amended draft text of Pact was accepted by all, subject only to the reserve of final consent by Briand until he had consulted the Polish and Czechoslovakian Foreign Ministers regarding France's eastern commitments. Briand's final consent is expected to-day, when it is also anticipated that the Franco-German and Belgian-German Arbitration Treaties will be ready for submission to the Conference. The German-Polish and German-Czech Arbitration Treaties, with regard to which there appears to be some slight anxiety, will then only be outstanding.

As regards question of signature, though all other delegations are prepared to sign, the German delegation are obliged to return to Berlin to obtain full powers. It has been arranged therefore, that the Pact shall be initialled only in Locarno and signed later in London.

Mr. Chamberlain reports that if the Polish negotiations proceed satisfactorily it should be possible to initial the Pact on 16th October.

In order to avoid the difficulty of four equally valid texts in different languages, it was agreed to accept French as authoritative text.

Please inform your Prime Minister.—AMERY.

Note.—Copy sent to Irish Free State by despatch, 15th October.

46876/S

No. 556.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 5.0 p.m., 16th October, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland)

16TH OCTOBER. Secret. My telegram of 15th October.† The Secretary of State for Foreign Affairs reports that on 15th October the Conference finally

* No. 554. † No. 555.

approved the draft of the Pact. After the Pact had been disposed of, the Czech and Polish Ministers for Foreign Affairs joined the Conference to hear the discussion where it concerned their own negotiations with Germany over the eastern arbitration treaties. The French Jurist explained the principles underlying the French and Belgian draft Arbitration Treaties and the conference concurred in their terms. The Czech and Polish Ministers for Foreign Affairs both stated that generally speaking they were ready to adopt the same text, but that the political aspect of certain portions still remained to be settled. They hoped, however, that settlement would be reached so that their treaties might be presented to the Conference at its meeting on 16th October.

Mr. Chamberlain in consequence considers that everything is practically settled and that it is reasonably certain that, unless an unforeseen hitch occurs, the Pact and its ancillary treaties will all be initialled on 16th October, when a date will be fixed for their signature in London. English translation of text as finally approved (see last paragraph of my telegram of 15th October*) which has been prepared in advance of official translation will be telegraphed separately.

Please inform your Prime Minister.—AMERY.

Note.—Copy sent to Irish Free State by despatch, 16th October.

46940/S

No. 557.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 3.15 p.m., 17th October, 1925.)

TELEGRAM.

[*Answered by No. 558.*]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland)

17TH OCTOBER. Secret. My telegram of 16th October.† Mr. Chamberlain reports that on the evening of 15th October the German delegation, who had previously raised various questions such as Cologne, on which they wanted pledges before they could guarantee the ratification of the Pact, made final attempt to extract eleventh hour concessions. Briand met them most generously with a general assurance regarding Allied intentions in the questions of Cologne and the Rhineland, and the German delegation then raised the question of the League scheme of military investigation under Article 213 of the Treaty of Versailles and its relationship to Article 1, paragraph 2, of the Covenant. Briand, Vandervelde and Mr. Chamberlain all pointed out the enormity of presenting in this way an entirely fresh and unsuspected condition. Mr. Chamberlain eventually convinced the Germans that the difficulty was imaginary; the danger of a rupture was thus averted. It seems that the German Chancellor was actuated by fears of Parliamentary difficulties at home.

The text of the Pact and subsidiary documents were initialled on the evening of 16th October and date for signature was fixed for 1st December in London.

Mr. Chamberlain intends to call on French Prime Minister on his way through Paris on 18th October.

Please inform your Prime Minister.—AMERY.

Note.—Copy sent to Irish Free State by despatch, 19th October.

---

* No. 555. † No. 556.

47085

No. 558.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 12.40 p.m., 19th October, 1925.)

TELEGRAM.

19TH OCTOBER. My Prime Minister asks me to convey to His Majesty's Government the congratulations of the New Zealand Government upon the success of the negotiations at Locarno which they believe to be in great measure due to the part taken in the negotiations by Mr. Chamberlain.—FERGUSSON.

47405

No. 559.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 4.45 p.m., 20th October, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

20TH OCTOBER. Unofficial translation of text of Security Pact differing only verbally at a few places from translation already telegraphed was published this morning, together with translations of the final protocol of the Conference to which it forms Annex A and of Arbitration Convention between Germany and Belgium (Annex B), Arbitration Convention between Germany and France (Annex C), Arbitration Treaty between Germany and Poland (Annex D), Arbitration Treaty between Germany and Czechoslovakia (Annex E), and draft collective note to Germany regarding Article 16 of the Covenant of the League of Nations (Annex F).

There has also been published (1) translation of Treaty between France and Poland with which Treaty between France and Czechoslovakia identical *mutatis mutandis*, (2) official commentary on the Pact. Translations of protocol and of Annex F are being telegraphed separately. Copies of all translations as published and of commentary are being sent by mail to-day.—AMERY.

Note.—Copy sent to Irish Free State by despatch, 21st October.

50579

No. 560.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 2.0 p.m., 18th November, 1925.)

TELEGRAM.

[*Answered by No.* 564.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)

18TH NOVEMBER. Confidential. Following from Prime Minister for [*To all except Irish Free State:* your Prime Minister.] [*To Irish Free State only:* President of the Executive Council.]

Begins: As you are aware Article 9 of the Treaty of Mutual Guarantee which was initialled at Locarno and which it is hoped will be signed on 1st December provides that the Treaty shall impose no obligation upon any of the British Dominions or upon India unless the Government of such Dominion or of India signifies its acceptance thereof.

So far as this country is concerned, Parliament is being given an immediate opportunity of discussing the Treaty and, assuming that Parliament gives its approval and that the other signatories also are prepared to ratify the Treaty, we propose to advise His Majesty to ratify.

As regards the Dominions, we have been proceeding on assumption that no obligation under Article 9 of the Treaty would in any event be undertaken by any Dominion Government unless the whole position had been laid before its Parliament and the approval of Parliament obtained. It has also seemed to us that, before arriving at any final judgment, Dominion Governments would desire the fullest possible information as to the situation created by the Treaty in relation to the whole field of foreign policy and defence.

It would appear to follow that there should be a general examination of the whole situation, and we suggest that such examination could best be deferred until there has been an opportunity of personal discussion between Ministers here and representatives of the Dominions and India such as would be afforded by the next Imperial Conference as to the date of which we hope to be able to make proposals in the near future.

Similar message sent to other Prime Ministers. Baldwin. *Ends.*

Substance of statement which Secretary of State for Foreign Affairs is making in House of Commons to-day will be telegraphed later.—AMERY.

50579

No. 561.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 8.10 p.m., 18th November, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)

MY telegram of 18th November.* Locarno Treaty. Following is substance of what Foreign Secretary said in relation to position of Dominions:—

Begins: After expressing regret that it is impossible for representatives of all parts of the Empire to take part in all our discussions of international affairs he intimated that it was desire of His Majesty's Government before the scheme of the Locarno Pact took shape to get into conference with the Governments of the Dominions and India prior to embarking upon any negotiations, but this proved impossible. All that was possible was to inform Dominions of every stage of the proceedings and this was done to fullest extent practicable. Their liberty and freedom of action was safeguarded specifically by Article 9 of the Treaty. It was recognized that only their own Governments acting with the approval of their Parliaments can undertake on their behalf the obligations which His Majesty's Government ask the Imperial Parliament to undertake to-day. It is hoped to discuss the matter with them whenever the next Imperial Conference meets and that that Conference may not be too long delayed. We do not think it possible to discuss questions of such importance and covering so wide a field by despatch or telegraph. It appears to us that personal consultation is necessary on question of so wide a character. *Ends.*

—AMERY.

---

* No. 560.

51023

No. 562.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 435.)

Dominions No. 491.)

[MY LORD,] [SIR,] Downing Street, 18th November, 1925.

[*Not to Southern Rhodesia:* With reference to previous correspondence,] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, certified copies of the final protocol* of the recent Conference at Locarno.

I have, &c.,
L. S. AMERY.

52156

No. 563.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 3.5 p.m., 19th November, 1925.)

TELEGRAM.

19TH NOVEMBER. Following is extract from the Prime Minister's speech at the opening of the Exhibition at Dunedin, 17th November:—

Begins: The Security Pact recently concluded at Locarno has amplified a great advance towards a solution of the International situation in Europe, and it is to be earnestly hoped that as a result peace amongst Nations will be assured for many years to come. As far as this Dominion is concerned the Pact will be submitted in due course for ratification by our own Parliament; but we have already intimated to His Majesty's Government that the New Zealand Government has been satisfied to leave the negotiations in their hands and that we will fall in behind them in whatever course seems to them necessary to ensure peace amongst the Nations of Western Europe.

Ratification by the New Zealand Parliament is necessary because the Dominions are expressly exempted by the terms of the Pact from its obligations unless they elect to ratify it. Those obligations only exceed the Covenant of the League to which New Zealand is a signatory by guarantee to Germany against attack by France—a negligible addition to our existing Covenant to come to the aid of France, Belgium and Italy against attacks by Germany, but if our responsibilities were materially increased by the Pact I do not believe that any true New Zealander would desire to sever our country from the credit of the great achievement in the Locarno negotiations. *Ends.*

—FERGUSSON.

52682

No. 564.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.50 p.m., 23rd November, 1925.)

TELEGRAM.

CONFIDENTIAL. 23rd November. Following from my Prime Minister for Prime Minister:—

Begins: Your telegram of 18th November,† with reference to consideration by the Dominion of Locarno Treaty of Mutual Guarantee, received. It

* Not printed here. † No. 560.

is noted that further suggestions are to be made in the near future in connexion with the Imperial Conference proposals. Government will give the present proposals its careful consideration in the meantime. *Ends.*

—BYNG.

51829

No. 565.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 448.)

Dominions No. 500.)

[MY LORD,] [SIR,] Downing Street, 24th November, 1925.

WITH reference to my despatch [Dominions No. 491] [No. 435] of the 18th of November,* I have the honour to transmit to [Your Excellency,] [you,] for the information of Your Ministers, the accompanying copies of a Parliamentary Paper (Cmd. 2525) containing the text of the Final Protocol of the Locarno Conference, 1925 (and Annexes), together with the texts of Treaties between France and Poland and France and Czechoslovakia.

[*Not to New Zealand and Irish Free State:* 2. Further copies are being sent in Library despatch.]

I am, &c.,
L. S. AMERY.

54104

No. 566.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 5.10 p.m., 1st December, 1925.)

TELEGRAM.

[*Answered by No.* 567.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)

1ST DECEMBER. My despatch 18th November, Dominions 491.* Treaties initialled at Locarno were signed in London this morning.—AMERY.

55428

No. 567.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9.35 a.m., 10th December, 1925.)

TELEGRAM.

[*Answered by No.* 568.]

10TH DECEMBER. Your telegram 1st December† intimating that Treaties initialled at Locarno had been signed. My Prime Minister desires again to convey to His Majesty's Government through you the congratulations of the New Zealand Government on the great results of the negotiations. The Prime Minister will

* No. 562. † No. 566.

cause those Treaties to which Great Britain is a party to be submitted to the New Zealand Parliament for ratification by this Dominion at the earliest possible date in its coming session. He has no doubt that decision of Parliament will be to take our full share in the obligations undertaken by His Majesty's Government. —FERGUSSON.

55428

No. 568.

NEW ZEALAND.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 9.0 p.m., 15th December, 1925.)

TELEGRAM.

[*Answered by No.* 570.]

SECRET and Personal. Your telegram of 10th December.* Locarno Treaties. We greatly appreciate congratulations of New Zealand Government and readiness of your Prime Minister to associate himself with our action and to invite New Zealand Parliament to share obligations already accepted by Parliament here. You will, however, see from Prime Minister's message of 18th November† that our view hitherto has been that it would be preferable to await a general examination of whole international situation at an Imperial Conference before Dominion Governments generally reach a final decision. Reason of course is that we are hopeful that as the result of such an examination it may be possible to announce at any rate general approval of principles to which Pact gives expression, and we think that it would be preferable from point of view of Empire policy if any Dominions which saw their way formally to participate were to do so after such announcement rather than before. We therefore incline to the opinion that course suggested in Allen's recent telegram of 2nd December‡ to your Prime Minister of which he has shown me a copy is most suitable in the meantime. On the other hand we recognize that in view of definite pronouncement made by your Prime Minister on the 17th November§ at opening of Dunedin Exhibition it may be awkward for him to change his attitude now. Terms of your telegram of the 10th December* which was presumably drafted after your Prime Minister had received High Commissioner's message seem to suggest this. Please let me know how you view position and whether you think that your Prime Minister would be embarrassed if we were to suggest that reference to New Zealand Parliament should be deferred until after Imperial Conference.—AMERY.

55428

No. 569.

NEW ZEALAND.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 9.45 p.m., 15th December, 1925.)

TELEGRAM.

PRIVATE and Personal. In case you have not seen telegram from High Commissioner to your Prime Minister referred to in my Secret and Personal telegram of to-day,‖ following is its text:—

Begins: "At conference this morning of High Commissioners with Secretary of State for Dominions I raised the question of Dominions and Locarno Treaties. The general conclusion was that it would be better that Dominions should not at present act independently of each other but await Imperial Conference when unanimity would most likely be secured. Action by any one Dominion now might prejudice position of the others."

Conference referred to was, I should explain, not a special conference but my usual weekly meeting with High Commissioners at which Allen raised the subject.

There is no objection to your showing my Secret and Personal telegram to your Prime Minister if you think it desirable.—AMERY.

---

* No. 567. † No. 560. ‡ See No. 569. § See No. 393. ‖ No. 568.

57668

No. 570.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9.58 a.m., 23rd December, 1925.)

TELEGRAM.

[*Answered by No.* 571.]

'23RD DECEMBER. Secret and Personal. Your telegram of 15th December.* Locarno Treaties. I have sounded my Prime Minister as to his feelings in the matter. A brief summary is as follows:—

1. New Zealand Parliament in the ordinary course will assemble next June and proposal for ratification would have been submitted then as already announced.

2. If the Imperial Conference meets during the latter half of 1926, effect of your proposal to defer action would be that ratification would not be possible until after June, 1927, or should the Imperial Conference meet in 1927 the matter could not be dealt with by Parliament until perhaps the following year.

3. Prime Minister is inclined to think that New Zealand having decided its policy prompt action on our part might strengthen the general position rather than otherwise, but he has no personal feeling on the question and if His Majesty's Government consider uniformity of action is more likely to be achieved by course indicated in your telegram under reply, then he is quite willing to fall in with their wishes.

Regret that absence on official tour prevented my replying earlier.—FERGUSSON.

57668

No. 571.

NEW ZEALAND.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 7.15 p.m., 24th December, 1925.)

TELEGRAM.

24TH DECEMBER. Secret and Personal. I am much obliged for your telegram 23rd December.† Locarno Treaties. I will send definite reply as soon as possible, but I am inclined to think that it will be necessary to await replies from other Dominions to Prime Minister's message of 21st December‡ as to date of next Imperial Conference. In any case you will appreciate that I must consult Secretary of State for Foreign Affairs as regards question raised in paragraph 3, and he is at present abroad.—AMERY.

MANDATES.

(1) Attitude of the United States Government.

(a) Conventions relating to Palestine and "B" Mandated Territories.

(*Treaty Series* 1925, *No.* 54.)

163

No. 572.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Canada. / Commonwealth of Australia. / New Zealand. / Union of South Africa. Confidential (2).)

[MY LORD,] [SIR,] Downing Street, 9th January, 1925.

WITH reference to my predecessor's Confidential despatch of the 22nd of September, 1924,§ I have the honour to transmit to Your Excellency, for the information of your Ministers, the accompanying copies of correspondence with the

---

* No. 568. † No. 570. ‡ 55357/25 in Dominions No. 95. § No. 391 in Dominions No. 93.

United States Ambassador regarding the conclusion with the United States Government of Treaties concerning the former German territories in Central Africa now administered under Mandate by His Majesty's Government.

I have, &c.,
L. S. AMERY.

[58891]

Enclosure 1 in No. 572.

(No. 580.)

SIR, London, 24th November, 1924.

YOU will doubtless recall that under date of 18th February last I addressed a note to your predecessor, the Right Honourable J. Ramsay MacDonald, with regard to the proposed Anglo-American treaties affecting the former German territories in Central Africa now administered by His Majesty's Government under mandate on behalf of the League of Nations, and submitted a form of preamble which, it was hoped, would satisfy the desires of His Majesty's Government; and that on 29th July last Mr. Villiers, for the Secretary of State, replied that His Majesty's Government would prefer to postpone their final answer to the note until a more advanced stage had been reached in the negotiations of the Treaty relating to the British Mandate in Palestine.

Inasmuch as our two Governments have now practically come to an agreement concerning the terms of the Palestine Mandate, I have the honour to inquire whether a more definite answer may now be given to the proposals contained in my note above referred to.

I have, &c.,
FRANK B. KELLOGG.

The Right Honourable
Austen Chamberlain,
&c., &c., &c.

Enclosure 2 in No. 572.

YOUR EXCELLENCY, Foreign Office, S.W.1, 24th December, 1924.

WITH reference to Your Excellency's note of the 24th ultimo, I have the honour to state that His Majesty's Government are now prepared to conclude with the United States Government treaties in the terms of the draft enclosed in Mr. Harvey's note of the 24th March, 1923, concerning the former German territories in Central Africa now administered under mandate by His Majesty's Government. The preamble suggested in your note of the 18th February last is acceptable to His Majesty's Government, subject to the substitution in the case of the Cameroons and Togoland of the word "protectorate" for "colony," the former being the designation given to those territories by the German Government at the time of the outbreak of the War.

2. I shall have the honour to inform you as soon as the necessary documents are ready for signature.

I have, &c.,
AUSTEN CHAMBERLAIN.

His Excellency The Honourable
Frank B. Kellogg,
&c., &c., &c.

557

3062

No. 573.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada. / Commonwealth of Australia. / New Zealand. / Union of South Africa. / Irish Free State. / Newfoundland.) Dominions No. 61. Confidential.)

[MY LORD,] [SIR,] Downing Street, 16th February, 1925.

[*Not to Irish Free State and Newfoundland:* With reference to my [Confidential (2)] [Confidential] despatch of the 9th of January* and previous correspondence regarding the United States of America and Mandated territories,] I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers the accompanying copy† of a Convention with the United States of America regarding Palestine, signed on the 3rd of December, 1924.

2. The Secretary of State for Foreign Affairs agreed with the United States Ambassador that the text of the Convention should not be published until the United States Government were ready to lay the Convention in its final form before the Senate for ratification; arrangements will then be made for simultaneous publication in the United States and in this country. His Majesty's ratification will be withheld until the United States Senate has approved ratification.

I have, &c.,
L. S. AMERY.

6908

No. 574.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Canada. / Commonwealth of Australia. / New Zealand. / Union of South Africa.) Confidential.)

[MY LORD,] [SIR,] Downing Street, 25th February, 1925.

WITH reference to my predecessor's Confidential despatch of the 22nd of September, 1924,‡ I have the honour to transmit to Your Excellency, for the information of your Ministers, the accompanying copies of three Conventions§ with the United States of America concerning (1) the former German Colony of East Africa, (2) the former German Protectorate of Togoland, and (3) the former German Protectorate of the Cameroons, as signed on the 10th of February.

I have, &c.,
L. S. AMERY.

57859

No. 575.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada. / Commonwealth of Australia. / New Zealand. / Union of South Africa. / Irish Free State. / Newfoundland.) Dominions No. 543. Confidential.)

[MY LORD,] [SIR,] Downing Street, 22nd December, 1925.

WITH reference to my Confidential despatch Dominions No. 61 of the 16th of February,‖ I have the honour to request [Your Excellency] [you] to inform your

---

* No. 572. † Not printed here; see Treaty Series 1925, No. 54. ‡ No. 391 in Dominions No. 93.
§ Not printed here. *See* Treaty Series 1926, Nos. 22, 23 and 24. ‖ No. 573.

Ministers that ratifications of the Convention with the United States of America regarding Palestine, signed on the 3rd of December, 1924, were exchanged by the Secretary of State for Foreign Affairs and the United States Ambassador in London on the 3rd of December, and that the Convention will enter into operation as from that date.

I have, &c.,
L. S. AMERY.

57631

No. 576.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL AND GOVERNORS.

(Canada. / Commonwealth of Australia. / New Zealand. / Union of South Africa. / Irish Free State. / Newfoundland. / Southern Rhodesia. No. 503.) Dominions No. 559.)

[My Lord,] [Sir,] Downing Street, 31st December, 1925.

I have the honour to transmit to [Your Excellency,]-[you,] for the information of your Ministers, copies of Treaty Series paper No. 54 of 1925, Cmd. 2559, containing the Convention between the United Kingdom and the United States of America respecting the rights of the Governments of the two countries and their respective nationals in Palestine, signed at London on the 3rd of December, 1924.

[*Not to New Zealand or Irish Free State:* 2. Further copies are being sent in Library despatch.]

I have, &c.,
L. S. AMERY.

(b) United States rights in "C" Mandated Territories.

56590

No. 577.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to the GOVERNOR-GENERAL.

(Sent 3.45 p.m. 14th January, 1925.)

[*Answered by No.* 579.]

14th January. Private and Personal. Before considering official reply to your Confidential telegram 1st December,* United States of America and "C" Mandates, I should be glad if you could take the opportunity to discuss the matter personally with General Hertzog, and bring before him the following considerations.

Present correspondence had its origin in decision of Council of League of Nations in June, 1921, that principal Allied Powers should be asked to negotiate direct with United States Government on issues involved in notification from latter Government in connexion with "A" and "B" Mandates to effect that they could not accept any decision come to without their approval, as territories in question had been ceded to Allied and Associated Powers. United States Government formulated their views in memorandum 24th August, 1921, of which copy enclosed Secretary of State's despatch 1st September, 1921, Dominions Treaty 30, Confidential.† This memorandum described position taken by United States Government in relation to disposal of Mandated Territories generally, and then proceeded to set out their wishes in regard to all three forms of Mandate. In their replies,‡ His Majesty's Government indicated extent to which they could meet wishes of United States

* No. 395 in Dominions No. 93. † No. 159 in Dominions No. 81. ‡ Nos. 186 and 187 in Dominions No. 87.

Government in connexion with "B" Mandates and Palestine Mandate. As regards "C" Mandates action was limited to communication of memorandum to Dominion Governments concerned.

United States Government having in meantime concluded agreement with Japan as to Japanese Mandated Territories (see Secretary of State's despatch, 21st February, 1922, Dominions 58*) returned to question of "C" Mandates in memorandum submitted by United States Ambassador 26th July, 1922,† which was communicated to Governments of Mandatory Dominions for consideration in Secretary of State's despatch 18th August, 1922, Confidential.‡

New Zealand Government suggested§ that, as memorandum raised questions affecting other Dominion Mandatories, points raised should be left in abeyance until they had been considered by Imperial Conference. Similar view was expressed‖ by Commonwealth Government. Matter was accordingly considered by Imperial Conference Committee and further developments were as set out in my predecessor's despatch 6th September, Confidential.¶

It will be seen that, while correspondence with United States Government as to "C" Mandates formed part of general correspondence with them as to position in all Mandated Territories, His Majesty's Government endeavoured as far as possible to keep correspondence as to "C" Mandates separate from that as to "A" and "B" Mandates, and to dissociate decision as regards "C" Mandates from that with regard to "B" Mandates.

General principle underlying representations of United States in regard to all the former German Colonies is that by Article 119, Treaty of Versailles, these territories were ceded to Principal Allied and Associated Powers, and that accordingly there could be no disposition of the territories without their consent. From this point of view matter affects other parts of Empire as well as Mandatories of particular territories. For this reason Canadian Government were kept informed of discussions with United States Government and were represented at Imperial Conference Committee.

Apart from this general consideration, since any decision as to rights of United States and its nationals in one of the "C" Mandated Territories cannot fail to affect position of Governments responsible for other "C" Mandated Territories, any negotiations on subject of South-West Africa would, as indicated in comments of Commonwealth and New Zealand Governments referred to above, be of interest to them, and would be also of interest to His Majesty's Government as one of partners in Nauru Mandate. Hence principles laid down in Part I, paragraph 1 (*b*) of Resolution on Negotiation, etc., of Treaties passed at Imperial Conference, 1923, as regards participation of other Governments, would be applicable in regard to negotiations instituted by Union Government, and also in regard to any similar negotiations which might be instituted by Commonwealth Government or New Zealand Government.

In any case it is very doubtful whether United States Government would welcome, after more than three years since correspondence started, suggestions for opening of entirely new channel for purpose of future discussion of subject so far as it affects South-West Africa or other "C" Mandated Territories.

For above reasons we feel that it would be best, if possible, to complete present correspondence through channel hitherto adopted, i.e., United States Ambassador in London, and we hope that on further consideration General Hertzog may agree. We, of course, appreciate necessity for explaining that any decision notified to United States Government as regards territories mandated to a particular Dominion is that of the Dominion Government, and draft note enclosed in despatch 6th September,¶ was worded with intention of making this clear.—Amery.

56590

No. 578.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to the GOVERNOR-GENERAL.

(Sent 4.15 p.m., 14th January, 1925.)

Telegram.

Secret and Personal. 14th January. I was very much obliged for your Private and Personal telegram 1st December** as to your conversation with General

* No. 193 in Dominions No. 87. † Enclosure 1 in No. 195 in Dominions No. 87. ‡ No. 196 in Dominions No. 87. § No. 201 in Dominions No. 87. ‖ No. 249 in Dominions No. 88. ¶ No. 392 in Dominions No. 93. ** No. 396 in Dominions No. 93.

Hertzog on subject of United States and "C" Mandates which has greatly assisted me in dealing with your Confidential telegram* of the same day. I have thought it best not to send an official reply at present to latter telegram but I am sending you to-day a Private and Personal telegram† which can be shown to General Hertzog if you think fit, asking you to discuss the matter with him on the lines there set out. If the chain of argument in this telegram read in conjunction with previous correspondence referred to therein is not quite clear in any point please let me know and I will send further explanation. I have not in my telegram made any reference to your Private and Personal telegram as I presume that General Hertzog will not have seen latter.

I propose to send you to-morrow a private and personal telegram‡ regarding extension of Extradition Treaties which you may like to show to General Hertzog.—AMERY.

3399

No. 579.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9.20 p.m., 22nd January, 1925.)

TELEGRAM.

[*Answered by No.* 600.]

22ND JANUARY. Private and Personal. Your telegram of 14th January Private and Personal.† Negotiations with the United States of America regarding "C" Mandates. At the time of the receipt of your telegram I was absent from Pretoria and with the prospect of some delay before I could see my Prime Minister. I therefore decided to send him a copy of your telegram under reference with a covering letter in which I pointed out the unwisdom of attempting to force the independent status of the Dominions on Foreign Powers, especially the United States of America who were inclined to be sensitive on the point, and suggested that it would be better to trust to the educating process of time.. I discussed the matter fully with my Secretary and informed Prime Minister that he could consult Alexander, who was fully aware of my point of view.

On receipt of the letter, Prime Minister sent for Alexander and said that he fully sympathized with the difficulty of the British Government, but the Dominions status must be recognized by Foreign Powers and the Union would accept no derogation from it. Alexander assured him of the British Government's acceptance of this view, but pointed out the difficulty of getting Foreign Powers to see the peculiar position of the Dominions in the Empire. Hertzog said that he saw this, and subject to the agreement of his colleagues he was prepared to allow the negotiations regarding "C" Mandates to continue in the present channel as suggested by you. He has now confirmed this by a private note to me and an official minute is to follow in a few days. I made no reference in my letter to the question of extradition treaties referred to in your telegram Private and Personal of the 15th January‡ but authorised Alexander to show the Prime Minister your telegram if necessary.

Prime Minister made no mention of it and Alexander thought it wiser not to bring the matter up as it was desirable to keep the issue as clear as possible and not introduce complications. I should be glad to learn what further steps you would like me to take in regard to the extradition question.

I will send you a copy of my letter to Hertzog and his reply by next mail.—ATHLONE.

---

* No. 395 in Dominions No. 93. ‡ No. 577. ‡ No. 599.

3973

No. 580.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.0 p.m., 26th January, 1925.)

TELEGRAM.

[*Answered by No.* 600.]

(Paraphrase.)

CONFIDENTIAL. 26th January. My Confidential telegram of 1st December,* United States and "C" Mandates. Following Minute received from my Ministers to-day :—

Begins: Ministers have given the matter further consideration and appreciate the difficult position in which the British Government, because of failure of the Union Government to move in the matter at an earlier stage, may now be placed by their insistence that the United States shall negotiate on the question(s) concerned directly with this Government, and they therefore are willing that the present correspondence should be completed through the channel hitherto adopted, i.e., the United States Ambassador in London. Ministers have the honour to state in reply to Confidential despatch of Secretary of State for Colonies dated 6th September, 1924,† that they concur in the course proposed in paragraph 5 thereof; only desiring that, as usual, Ministers shall be consulted—if necessary by cable—as to further terms of any note which may be sent to American Government and which affects South-West Africa. *Ends.*

—ATHLONE.

7625

No. 581.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 17th February, 1925.)

[*Answered by Nos.* 582 *and* 584.]

(Confidential.)

SIR, Governor-General's Office, Pretoria, 28th January, 1925.

I HAVE the honour to transmit to you herewith, with reference to my Confidential telegram of the 1st December, 1924,* and in confirmation of my Confidential telegram of the 26th January, 1925,‡ copy of Minute, Confidential No. 72, from Ministers, on the subject of the negotiations with the United States of America in respect of their claims relating to the Mandated Territory of South-West Africa.

I have, &c.,

ATHLONE,
Governor-General.

Enclosure in No. 581.

(Confidential.)

Pretoria, 26th January, 1925.

MINUTE No. 72.

MINISTERS have the honour to refer to their Confidential Minute No. 941 of the 29th November, 1924, regarding the negotiations with the United States of America in respect of its claims relating to the Mandated Territory of South-West Africa.

Ministers have given the matter further consideration and appreciate the difficult position in which the British Government, because of the failure of the Union Government to move in the matter at an earlier stage, may now be placed by their insistence that the United States shall negotiate on the question concerned directly with this Government, and they, therefore, are willing that the present correspondence should be completed through the channel hitherto adopted, i.e., the

* No. 395 in Dominions No. 93. † No. 392 in Dominions No. 93. ‡ No. 580.

United States Ambassador in London. Ministers have the honour to state in reply to the Confidential despatch of the Secretary of State for the Colonies dated 6th September, 1924, that they concur in the course proposed in paragraph 5 thereof; only desiring that, as usual, Ministers shall be consulted—if necessary by cable—as to the further terms of any note which may be sent to the American Government and which affects South-West Africa.

J. B. M. HERTZOG.

7144

No. 582.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 8.0 p.m., 2nd March, 1925.)

TELEGRAM.

[*Answered by No.* 583.]

2ND MARCH. Personal. Your despatch 28th January, Confidential.* I assume that concluding words of Ministers' Minute refer to any subsequent communication to United States Government and not to verbal modifications referred to in paragraph 5 Secretary of State's despatch, 6th September, Confidential,† but I should be glad if you could confirm this before note is actually sent.—AMERY.

10399

No. 583.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 3.48 p.m., 4th March, 1925.)

TELEGRAM.

PERSONAL. 4th March. Your telegram of 2nd March, Personal.‡ Negotiations with the United States regarding South-West Africa. Assumption is correct.—ATHLONE.

12291

No. 584.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Commonwealth of Australia. Confidential.)
(New Zealand. Confidential.)
(Union of South Africa. Confidential (2).)

[MY LORD,] [SIR,] Downing Street, 17th April, 1925.

WITH reference to [Your Excellency's telegram of the 2nd of December last,§] [Viscount Jellicoe's Confidential despatch of the 5th of November last,‖] [Your Excellency's Confidential despatch of the 28th of January,*] I have the honour to transmit to [you,] [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a note to the United States Chargé d'Affaires concerning the representations of the United States Government in regard to the treatment of United States nationals and goods in the Territories administered under the British "C" mandates.

I have, &c.,
(for the Secretary of State)
W. ORMSBY-GORE.

---

* No. 581. † No. 392 in Dominions No. 93. ‡ No. 582. § No. 397 in Dominions No. 93.
‖ 57089/24: not printed; its purport was the same as that of No. 394 in Dominions No. 93.

Enclosure in No. 584.

SIR, Foreign Office, S.W.1, 14th March, 1925.

HIS MAJESTY'S GOVERNMENT have been in consultation with the Governments of the self-governing Dominions in the matter of the wishes of the Government of the United States of America in regard to the treatment of United States nationals and goods in the territories administered under the British "C" mandates.

2. As the United States Government were assured in the notes from the Marquess Curzon of Kedleston to Mr. Harvey of the 22nd and 29th December, 1921, dealing with Palestine and with the territories in Africa administered under "B" mandates, His Majesty's Government had never desired to deprive the United States of the fruits of a victory to which they had so generously contributed, and were willing to meet the wishes of the United States as regards the treatment of their nationals in those territories subject to the obligations imposed upon them by their existing treaty engagements. In this spirit His Majesty's Government entered upon the negotiation of treaties to regulate the position of the United States in the territories in question and have, as you are aware, concluded such treaties in terms satisfactory to your Government.

3. The contents of Mr. Harvey's several notes, the last of which was dated the 25th October, 1923, dealing with the territories administered under "C" mandates have been carefully examined with the object of determining how far it is possible to adopt in these territories a procedure similar to that followed in the case of the territories referred to in the preceding paragraph. This examination had led both His Majesty's Government and the Governments of the Dominions to the conclusion that it will not be possible to treat the "C" mandated territories on the same footing as those administered under the "A" and "B" mandates for the following reasons.

4. The terms of the different types of mandate vary fundamentally, and this variation has its basis in the terms of the Treaty of Versailles. It is true that the United States have not ratified that treaty, but that does not alter the fact that, as between Germany and those Powers which have ratified it, those provisions are binding. Under Article 119 of the treaty Germany renounced "in favour of the Principal Allied and Associated Powers all her rights and titles over her oversea possessions." Under Article 22 those possessions situated in South West Africa and the Southern Pacific were assigned to the mandatory with provision for their administration "under the laws of the mandatory as integral portions of its territory." This provision was incorporated in the terms of the "C" mandates which, as your Government are aware, have been approved and confirmed by the Council of the League of Nations.

5. The Government of the United States will remember that the plenipotentiaries representing the Commonwealth of Australia, New Zealand and the Union of South Africa refrained from pressing the question of the annexation of these particular territories at the earnest request of the United States Government or President at the time, but only on the express understanding that, in return for accepting, instead, mandates over these territories, they would be free to administer them as integral parts of the mandatory dominions. It is impossible now to admit any departure from this express understanding.

6. Apart from these considerations, the Governments of the Dominions would be unable, for reasons of a practical and physical nature, to comply in full with some of the claims advanced by the United States Government. With the object nevertheless of testifying to their friendly sentiments towards the United States, they are willing that an assurance should be given, embodied, if desired, in the form of a binding engagement, that so long as the terms of the mandates remain unaltered, United States nationals and goods will be treated in all respects on a footing equal to that enjoyed by the nationals and goods of any state member of the League of Nations, with the exception of those within the British Empire, subject only to the proviso that this shall not involve the violation of any existing treaty engagements towards third parties.

I have, &c.,
(in the absence of the Secretary of State).
G. H. VILLIERS.

Frederick A. Sterling, Esq.,
&c., &c., &c.

12291

No. 585.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Confidential.)

MY LORD, Downing Street, 23rd April, 1925.

WITH reference to Mr. Churchill's Confidential despatch of the 18th August, 1922.* I have the honour to transmit to Your Excellency, for the information of your Ministers, a copy of further correspondence† with the United States Ambassador on the subject of "C" Mandates.

I have, &c.,
(for the Secretary of State),
W. ORMSBY-GORE.

24778

No. 586.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.50 p.m., 29th May, 1925.)

TELEGRAM.

[*Answered by Nos.* 587 *and* 589.]

29TH MAY. Private and Personal. I have learned from a private source that my Ministers find themselves in a dilemma through having overlooked the full extent of their commitments when they agreed to the terms of the note to the United States Chargé d'Affaires regarding "C" Mandated territory(ies) a copy of which accompanied your despatch of 17th April, Confidential (2).‡

You will remember that there was some difficulty in persuading Ministers to conduct negotiations with the United States of America through the medium of the Foreign Office and it must be recognized that their final acquiescence was a considerable concession from their point of view. It is, therefore, particularly unfortunate that they should find themselves in an embarrassing position in this connexion.

Difficulties have arisen over the new Customs Tariff which as you are aware is an outstanding feature of the Government's legislative programme this session and which has been specially designed to give the Union the power of bargaining with other countries and obtaining special treatment for its products. Offer to the United States of America of most-favoured-nation treatment in South-West Africa made in paragraph 6 of the Foreign Office note very largely nullifies this and certainly deprives the Union of any bargaining power with the United States of America on which I believe that considerable hopes have been built. South-West Africa of course is treated as an integral part of the Union for customs purposes and though it would be possible to exclude it this would be undesirable both for administrative and for political reasons.

It was only on receipt of your Confidential despatch above referred to that the full significance of paragraph 6 of the Foreign Office note was realized and it has caused no little consternation. From my knowledge of my Prime Minister I feel perfectly confident that he will not seek to evade his responsibility but at the same time there is undoubtedly a danger when the fact becomes known that the section which is opposed to British connexion will endeavour to make use of the blunder as an example of the difficulties which arise from entrusting foreign negotiations to the British Government. For this reason and because I believe that a helpful attitude will be appreciated I should be particularly grateful for your advice as to whether you consider anything can be done to assist my Prime Minister out of the difficulty with which he is now faced.

It is possible that representations may be made to you in London by the Union High Commissioner but this communication is made to you on my own responsibility and I need hardly add that I am most anxious that my action should remain private. —ATHLONE.

---

* No. 195 in Dominions No. 87.

† Enclosure in No. 251 in Dominions No. 88, and enclosure in No. 584.

‡ No. 584.

24778

No. 587.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 11.15 a.m., 3rd July, 1925.)

TELEGRAM.

3RD JULY. Private and Personal. Your telegram 29th May,* United States and "C" Mandates. I have had some conversation with High Commissioner for Union of South Africa on the subject. Whole position is being carefully examined and I hope to be able to telegraph the result shortly.—AMERY.

34837

No. 588.

MEMORANDUM.

THE position is that in paragraph 6 of the note to the United States Ambassador of the 14th March an offer was made to give an assurance to the United States Government that, so long as the terms of the "C" Mandates remain unaltered, United States nationals and goods will in South-West Africa be treated in all respects on a footing equal to that enjoyed by the nationals and goods of any State Member of the League, except those within the British Empire, provided that this will not involve the violation of any existing treaty engagements towards third parties. The proviso was inserted as a precaution of a general character but no such existing treaty engagements are in fact known. The offer is accordingly one of general most-favoured-nation treatment of United States goods in South-West Africa.

The practice which has obtained in the Empire for many years past has been to interpret "most-favoured-nation" treatment in Treaties with foreign countries in an unconditional sense, viz., as meaning that any country entitled to most-favoured-nation treatment in another can, without granting any compensation to the second country, claim the benefits of any concessions granted by that country to a third, even if the grant of those concessions by the second country to the third has been in return for special compensation. The presumption is accordingly that the United States Government have interpreted the offer made in the note of the 14th March in the sense set out above and this presumption is strengthened by the fact that the United States Government have recently changed their own practice in this respect. The traditional interpretation placed by the United States Government upon the term "most-favoured-nation treatment" was that, in cases where special concessions are granted by one country to another in return for a certain compensation, the benefit of the special concessions cannot be claimed by a third country under Treaty provisions granting most-favoured-nation treatment except in return for similar compensation. Recently, however, the United States Government have shown a disposition to conclude Treaties providing in terms for unconditional most-favoured-nation treatment, though this, it is understood, does not affect their interpretation of pre-existing Treaties. The annexed prints with regard to the exchange of notes between the United States and Brazil on the subject of commercial relations and the possibility of negotiations for a new Commercial Treaty between Great Britain and the United States show the altered attitude of the United States Government. It will be seen that in a letter to the Press on the former point the State Department of the United States observed, "This Government explained to the Government of Brazil that its policy henceforth would be to seek from Brazil, as from other countries, treatment for United States goods as favourable as might be accorded by Brazil to the products of any third country," and "Initial steps have recently been taken looking towards the negotiation of new Treaties of amity, commerce and consular rights with the five countries of central America, in each of which it is the purpose of this Government to incorporate a provision for unconditional most-favoured-nation treatment in customs matters, should such a provision be found to be agreeable to the Government of the other interested country." It will also be seen that in May, 1924, Mr. Hughes informed Sir E. Howard, in reply to an inquiry whether the United States were prepared to waive their former interpretation of

---

* No. 580

the most-favoured-nation clause which laid it down that the benefits of the clause could only be claimed by countries which gave something in return for them, that by an unconditional most-favoured-nation clause he certainly implied that most-favoured-nation treatment would be accorded without any conditions of this kind being attached.

It may also be mentioned that the United States Tariff Act of 1922 contains a section (No. 317) whereby "the President when he finds that the public interest will be served thereby shall by proclamation specify and declare new or additional duties as hereinafter provided upon articles wholly or in part of the growth or product of any foreign country whenever he shall find as a fact that such country—

Imposes, directly or indirectly, upon the disposition in or transportation in transit through or re-exportation from such country of any article, wholly or in part the growth or product of the United States, any unreasonable charge, exaction, regulation, or limitation which is not equally enforced upon the like articles of every foreign country;

Discriminates in fact against the commerce of the United States, directly or indirectly, by law or administrative regulation or practice, by or in respect to any customs, tonnage or port duty, fee, charge, exaction, classification, regulation, condition, restriction, or prohibition, in such manner as to place the commerce of the United States at a disadvantage compared with the commerce of any foreign country."

In considering the effect which the offer to the United States, if it stands, might have in relation to the policy of the Union Government of endeavouring to negotiate special tariff arrangements with foreign countries, it is desirable to examine the existing Treaty position of the Union. At present there are Treaties with a number of countries, guaranteeing most-favoured-nation treatment, which apply to the Union or parts thereof (though not to South-West Africa) either as a result of accession or because they apply to His Majesty's Dominions generally. These are the Treaties with the Argentine (1825), Colombia (1866), Denmark (1660-1670), Italy (1883), Norway (1826), Paraguay (1884), Persia (1903), Sweden (1826), Switzerland (1855), and Venezuela (1825). There is also an arrangement with Spain whereby, in return for the rates of duty in the second column of the Spanish Customs Tariff, Spanish goods are granted most-favoured-nation treatment in the Union and South-West Africa.

From most of the above Treaties it is possible for the Union to withdraw separately by giving twelve months' notice, while the arrangement with Spain is terminable at six months' notice. In the case of the Treaties with the Argentine, Italy and Venezuela, however, it has been found impossible to secure the assent of the foreign country concerned to a provision rendering separate termination in respect of the Dominions possible, and the only method by which the Union could free itself from the obligation to grant most-favoured-nation treatment to these countries (apart from termination of the Treaties as a whole by His Majesty) would be by negotiating new Treaties to replace the Treaties in question as between the Union and the countries concerned.

If the Union were to negotiate with a foreign country a special tariff arrangement, the United States would not be able to claim the benefit of the special concessions granted to the foreign country in question, so far as United States goods imported into the Union itself were concerned, though these benefits could be claimed by all the countries entitled to most-favoured-nation treatment in the Union.

As regards the position of South-West Africa, which at present has the same customs tariff as the Union, two possible cases have to be considered:

(1) The arrangement with the foreign country might be such that the benefits of any special concessions granted would apply to goods reaching South-West Africa by any route including ports in the Union. In this case the United States might have ground for protest if United States goods imported into the Union and eventually reaching South-West Africa were in fact charged higher duties than those charged on goods from the foreign country in question reaching South-West Africa in a similar manner.

(2) The arrangement might be such that goods entering South-West Africa would only receive the benefit of the special concessions if imported through ports in South-West Africa. In this case United States goods could only claim the same concessions if imported through those ports.

In the circumstances, it is difficult to see any solution of the present difficulty which would free the hands of the Union Government in their customs policy, short

of at least a partial withdrawal of the undertaking given to the United States Government. His Majesty's Government could not themselves recommend any such withdrawal, to which, indeed, they see serious objections. If, however, the Union Government on consideration feel such a step to be imperative, the course which in the view of His Majesty's Government would involve the least risk of difficulty with the United States Government would be to intimate to them, through the same channel as the undertaking itself was conveyed, that on further consideration it has occurred to the Union Government that the absence of a customs barrier between the Union and South-West Africa might render it difficult to carry out any arrangement on the lines of that set out in the Note of the 14th March* in respect of South-West Africa, without raising questions connected with the treatment of United States goods in the Union generally. This latter question could of course be dealt with should general negotiations between the Union Government and the United States Government take place as to commercial relations between the Union and the United States in pursuance of the policy outlined during the present session of the Union Parliament of negotiating special tariff arrangements with foreign countries, but in the meantime the Union Government think it right to make it clear that the offer in the Note of the 14th March* must not be construed as extending most-favoured-nation treatment to United States goods entering Union ports generally on the ground that it is impossible to say that the ultimate destination of such goods may not be South-West Africa.

Dominions Office,
August, 1925.

34837

No. 589.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 2.0 p.m., 20th August, 1925.)

TELEGRAM.

PRIVATE and PERSONAL. 20th August. My telegram 3rd July.† United States and "C" Mandates. I have now sent High Commissioner for Union of South Africa Memorandum prepared in consultation with Foreign Office and Board of Trade of which following is summary. [*Here followed a summary of the Memorandum printed as No.* 588.]—AMERY.

34837

No. 590.

MR. W. C. HANKINSON to MAJOR E. N. ALEXANDER.

(Confidential.)

DEAR MAJOR ALEXANDER, Downing Street, 20th August, 1925.

I ENCLOSE a copy of the Memorandum‡ on the subject of the United States and "C" Mandates sent to Mr. Smit, which is referred to in the Secretary of State's Private and Personal telegram to the Governor-General of the 20th August.§

Yours sincerely,
W. C. HANKINSON.

---

* Enclosure in No. 584. † No. 587. ‡ No. 588. § No. 589.

(2) Position of Mandated Territories in relation to Treaties. Discussion by Permanent Mandates Commission.

37699

No. 591.

EXTRACT FROM THE REPORT OF THE PERMANENT MANDATES COMMISSION ON THE WORK OF ITS SIXTH SESSION (A.14. 1925, VI).

Geneva, 10th July, 1925.

* * * * * * *

II.—Extension of Special International Conventions to Mandated Territories.

In accordance with the decision adopted by the Council on 8th June, 1925, the Permanent Mandates Commission considered the replies of the Mandatory Powers to the question submitted to them regarding the possibility of extending special international treaties and conventions to mandated territories.

The Commission would suggest that the Council might:

1. Recommend that the mandatory Powers, and also all States, whether Members or not of the League of Nations, which have concluded special treaties or conventions with the mandatory Powers, should agree to extend the benefits of such treaties or conventions to mandated territories if possible and expedient and if the provisions of these international agreements are consistent with the stipulations of the Covenant and the mandate;

2. Request the mandatory Powers, subject to the above reservations, to insert in any special treaties or conventions they may conclude hereafter a clause providing for their application to mandated territories;

3. Request the mandatory Powers to indicate in their annual reports the reasons and circumstances which have prevented the application to mandated territories of the special treaties or conventions which they may have concluded with other Powers during the period under review.

* * * * * * *

37699

No. 592.

DOMINIONS OFFICE to FOREIGN OFFICE.

Sir, Downing Street, 29th August, 1925.

I am directed by Mr. Secretary Amery to request you to inform Mr. Secretary Chamberlain that he observes that page 2 of the Report on the work of the Sixth Session of the Permanent Mandates Commission (A.14. 1925, VI), copies of which have been received in this Office, contains observations on the questions of (1) Loans, Advances and Investments of Public and Private Capital in Mandated Territories, and (2) the extension of Special International Conventions to Mandated Territories.

2. The draft resolution as regards (1) proposed by the Commission seems satisfactory. As regards (2), a memorandum is enclosed for Mr. Chamberlain's information.

3. Before the Council of the League of Nations comes to a decision on either question, it will be desirable to ascertain the views of the Governments of the Mandatory Dominions, who have not yet received their copies of the Report and are, therefore, unaware of the Commission's recommendations, but Mr. Amery is not taking any action to this end at present as he assumes that, at its forthcoming Session, the Council will merely refer the Report to the Assembly and that a final decision will be postponed until a later Session.

4. If it appears likely that there will be any detailed discussion of these questions, either at the forthcoming Session of the Council or at the Assembly, the best course would appear to be to consult the representatives of the Mandatory Dominions who will be present in Geneva.

5. A copy of this letter is being sent to the Board of Trade.

I am, &c.,

C. T. DAVIS.

Enclosure in No. 592.

Generally speaking, the suggestions of the Permanent Mandates Commission as to the extension of special international conventions to Mandated Territories are satisfactory so far as His Majesty's Government are concerned, though some modification in the wording may be desirable. It would appear from the previous discussions that the conventions which the Commission has mainly in mind are commercial treaties and extradition treaties.

The first suggestion of the Commission is that the Council might recommend that the Mandatory Powers and all States which have concluded special treaties or conventions with them should agree to extend the benefits of such treaties or conventions to Mandated Territories, if possible and expedient and if their provisions are consistent with the Covenant and the Mandate.

The Commission refers only to the *benefits* of existing treaties, but presumably foreign powers would not be prepared to extend to British Mandated Territories the benefits of such treaties unless the Mandated Territories accepted also the *obligations* under those treaties, i.e., what is contemplated would be accession of Mandated Territories to existing treaties.

In the letter to the League of Nations of the 29th April, 1924, His Majesty's Government have stated that, in the case of existing treaties which contain no provision for extension to Mandated Territories, they will be satisfied to take up the question of such extension with the particular foreign power concerned in any individual case where action appears desirable. This appears as far as it is necessary or desirable to go. The Mandates Commission has probably not realized the extent to which the application to Colonies and Protectorates of existing Commercial Treaties between His Majesty and foreign powers varies from treaty to treaty. Some treaties apply only to the United Kingdom and not to any of the Colonies or Protectorates; others apply to all Colonies but contain no provision for extension to Protectorates; others again applied, in the first instance, only to the United Kingdom, but were capable of extension to any Colony or Protectorate under an accession clause and have in fact been extended to various specific Colonies and Protectorates, the list of which varies in the case of each treaty. There seems no necessity for the extension to A and B Mandated Territories generally of treaties which do not apply to Colonies or Protectorates where conditions are similar and possibly contain no provision for such extension, especially as in most cases the Mandated Territories would gain little practical advantage from accession. It must be noted in this connexion that the mere extension of a general Commercial Treaty between this country and a foreign power to a Mandated Territory would not, in the absence of a special arrangement, entitle the natives of the territory to enjoy the *personal* privileges conferred by the treaty on British subjects generally, the position in this respect being the same as that which obtains in the case of Protectorates.

As regards the C Mandated Territories, the only Mandatory Dominion which specifically expressed its views on the point was the Commonwealth of Australia, which stated that it was considered that each particular case should be dealt with as it arises, but it is to be presumed that on general grounds the Mandatory Dominions would not welcome a suggestion that all existing Commercial Treaties which apply to them should be extended to their Mandated Territories. It will be remembered that there are numerous treaties concluded by His Majesty's Government which applied to the self-governing Dominions, either because they were concluded for His Majesty's Dominions generally or as a result of accession. As a result of the discussions at the Imperial Conference of 1911, the foreign countries concerned were approached with a view to provision being made for the separate termination of such treaties in respect of the Dominions. Most of the countries concerned agreed to such a provision, but a few did not. In all cases where it was found possible to secure such a provision, the Commonwealth of Australia has withdrawn separately from the treaties, and the Commonwealth only continues bound by the treaties with those countries which did not agree to provision for separate termination, of which the most notable are the Argentine Republic, Italy and Venezuela. New Zealand and the Union of South Africa, however, have not yet availed themselves of the right of separate withdrawal and consequently continue bound by a number of general Commercial Treaties with foreign countries.

It is also necessary to consider the converse case, i.e., extension to foreign Mandated Territories of treaties with the foreign mandatory power concerned

which are binding upon this country or other parts of the Empire. This aspect of the matter does not particularly concern Australia, New Zealand, or the Union, as they are not parties to any general Commercial Treaties with France, Belgium or Japan, except the Additional Articles to the 1826 Treaty with France which apply to New Zealand and the Union. Canada and Newfoundland acceded to the Anglo-Japanese Treaty of 1911 and the question of their extending the benefits of this Treaty to Japanese Mandated Territories will shortly arise in connexion with the question of their accession to the recently signed Supplementary Commercial Convention with Japan. Canada also has her own treaties with Belgium and France; the former applies to Belgian Mandated Territories; the latter applies to French "Colonies, Possessions and Protectorates" but does not specify French Mandated Territories. The Irish Free State is, of course, bound by the existing Commercial Treaties with France, Belgium and Japan which apply to Great Britain.

Presumably, under the wording suggested by the Mandates Commission, it would be possible for His Majesty's Government and the Dominion Governments to decline to take up the question of the extension of existing Commercial Treaties to British Mandated Territories generally and to decline to extend the benefits of existing treaties to foreign Mandated Territories on the ground that such action was not "expedient" but it might be more satisfactory if the words "if possible and expedient" were altered to "if circumstances render such extension necessary or desirable."

No special difficulty arises on this point in connexion with Extradition Treaties, as it is already proposed to take up with the foreign countries concerned the possibility of extending existing Extradition Treaties to British Mandated Territories.

The second suggestion of the Commission is that in any special treaties or conventions hereafter concluded a clause should be inserted providing for their application to Mandated Territories.

It is already the practice to insert in general commercial treaties and in extradition treaties negotiated by His Majesty's Government provision for their extension to Mandated Territories if desired. It does not, of course, follow that all such treaties would be extended to all A and B Mandated Territories or that, if a Mandatory Dominion acceded to such a treaty for itself, it would also accede for its Mandated Territory. The suggestion of the Commission, however, seems satisfactory so long as (i) the expression "a clause providing for their application to Mandated Territories" is interpreted as meaning "a clause providing for the possibility of their application to Mandated Territories" and (ii) it is understood that the special treaties or conventions referred to are only those of importance, i.e., generally speaking, general Commercial Treaties and Extradition Treaties, and not the variety of treaty engagements on subjects of minor importance (e.g., the treatment of commercial travellers' samples or the exchange of information regarding lunatics) which His Majesty's Government are constantly entering into with foreign countries; the normal practice is to confine such arrangements to the United Kingdom and to leave it to the foreign Government concerned to raise the question of extension to other parts of the Empire, and it would be an unnecessary complication to have to insert in each case a provision for extension to Mandated Territories.

The third suggestion is that the mandatory powers should indicate in their annual reports the reasons which have prevented the application to Mandated Territories of treaties concluded during the period under review. It is not clear why it should be incumbent on the mandatory to give reasons and, if any reference to the matter in the annual report is necessary, it should suffice to state merely which such conventions have and which have not been applied to the Territory. If, however, foreign states attach importance to this part of the Commission's suggestions, there seems no reason for His Majesty's Government to press opposition to it. Presumably, it would be accepted as a sufficient reason for the non-application of a convention to a Mandated Territory that no advantage was seen in its application to the territory.

45815

No. 593.

RESOLUTION ADOPTED BY THE COUNCIL OF THE LEAGUE OF NATIONS ON THE 15TH SEPTEMBER, 1925.

II.—Extension of Special International Conventions to Mandated Territories.

The Council:

(1) Recommends that the mandatory Powers, and also all States, whether Members or not of the League of Nations, which have concluded special treaties or conventions with the mandatory Powers, should agree to extend the benefits of such treaties or conventions to mandated territories, if circumstances render such extension possible and expedient and if the provisions of these international agreements are consistent with the stipulations of the Covenant and the mandate;

(2) Requests the mandatory Powers, subject to the above reservations, to insert in any special treaties or conventions they may conclude hereafter a clause providing for the possibility of their application to mandated territories;

(3) Requests the mandatory Powers to indicate in their annual reports, if possible and expedient, the reasons and circumstances which have prevented the application to mandated territories of the special treaties or conventions which they may have concluded with other Powers during the period under review.

(4) Instructs the Secretary-General to bring this resolution to the attention of the mandatory Powers and all States Members of the League.

---

(3) Position of Mandated Territories in relation to Commercial Treaties.

2981

No. 594.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL.

[*Answered by No.* 595.]

(Commonwealth of Australia. No. 33.)
(New Zealand. No. 14.)
(Union of South Africa. No. 16.)

[My Lord,] [Sir,] Downing Street, 28th January, 1925.

With reference to the Duke of Devonshire's despatch No. [46*] [26†] [31†] of the 23rd of January, 1924, I have the honour to transmit to Your Excellency, for the information of your Ministers, the accompanying copy of a note from the Greek Minister regarding the application of commercial treaties to mandated territories, together with a copy of the note sent in reply.

I have, &c.,
L. S. AMERY.

[58894]

Enclosure 1 in No. 594.

Legation de Grece, 51, Upper Brook Street,
London, W.1, 3rd December, 1924.

Sir,

At the request of my Government, I have the honour to inquire whether the relations between Great Britain and foreign countries established by the existing commercial treaties and conventions also apply to the territories placed under a British mandate.

The Greek Government are desirous of ascertaining this point in order to know if Greece enjoys *de facto* in mandated territory the same privileges, exemptions from duties, and rights in general as are granted to her in the United Kingdom under the existing treaties.

I have, &c.,
D. Caclamanos.

The Right Honourable
Austen Chamberlain, M.P.,
His Majesty's Principal Secretary of State for Foreign Affairs,
&c., &c., &c.

---

* No. 398 in Dominions No. 93. † 58711/23: not printed; it forwarded copy of No. 398 in Dominions No. 93.

Enclosure 2 in No. 594.

SIR, Foreign Office, S.W.1, 19th January, 1925.

I HAVE the honour to communicate to you the following observations in reply to your note of the 3rd ultimo inquiring whether the relations between Great Britain and foreign countries established by existing commercial treaties apply also to territories administered by His Majesty's Government under mandate on behalf of the League of Nations.

2. In the opinion of His Majesty's Government the territorial application of commercial treaties with foreign Powers is settled in each case by the terms of the treaty itself; and in order to render it possible for such treaties to be applied to territories not forming part of His Majesty's Dominions (i.e., Protectorates and Mandated Territories) it is, therefore, necessary for the treaties to contain a special provision to that effect. Hence the existing commercial treaties with Greece are not regarded as applying to mandated territories, though it will be recollected that the mandates for Palestine, the Tanganyika Territory, Togoland and the Cameroons contain provisions according certain rights in commercial matters to the nationals of all States Members of the League of Nations. In the case of commercial treaties negotiated since the War it has been the practice to include provisions enabling their stipulations to be made applicable to any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty, and in the event of a new treaty being negotiated with Greece His Majesty's Government would propose that such a provision should be inserted in it.

I have, &c.,
(For the Secretary of State),
G. H. VILLIERS.

Monsieur D. Caclamanos,
&c., &c., &c.

14533

No. 595.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 30th March, 1925.)

[*Answered by No.* 596.]

(No. 91.)

SIR, Governor-General's Office, Cape Town, 13th March, 1925.

WITH reference to your despatch No. 16 of the 28th January,* I have the honour to transmit to you herewith a copy of a Minute from my Ministers on the subject of the application of commercial treaties to mandated territories.

I have, &c.,
ATHLONE,
Governor-General.

Enclosure in No. 595.

MINUTE No. 215.

Prime Minister's Office, 11th March, 1925.

MINISTERS have the honour to acknowledge the receipt of His Excellency the Governor-General's Minute No. 74/153 of 17th February, 1925, on the subject of the application of commercial treaties to mandated territories.

Ministers assume that the reference to mandates towards the end of the Foreign Office communication of 19th January, 1925, to the Greek Minister in London was, from its context, only intended to be a reference to "A" and "B" mandates and *not* a reference to any mandate accepted by His Majesty on behalf of a Dominion Government such as the mandate held by the Union Government for South-West Africa, and Ministers suggest that any such treaty should clearly indicate that the stipulations thereunder are not applicable to territories held under a "C" mandate, the mandatory whereof would negotiate its own treaty.

J. B. M. HERTZOG.

---

* No. 594.

14533

No. 596.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 3.15 p.m., 20th May, 1925.)

TELEGRAM.

[*Answered by No.* 597.]

20TH MAY. Your despatch 13th March No. 91.* Reference to Mandated territories in last sentence of Foreign Office note of 19th January† to Greek Minister was made in general terms on account of provision which has been inserted in all recent Commercial Treaties negotiated on behalf of His Majesty's Government (see e.g., Articles 31 and 32 of Treaty with Germany) to effect that stipulations of such treaties do not apply to any mandated territory unless notice of accession given. Provision in question was designed primarily for use in case of "A" and "B" mandated territories, but is capable of application also in case of "C" mandated territories if so desired by any of Dominion Governments concerned. It had been contemplated, however, that in event of accession of a territory administered by a Dominion Government under mandate to any such Treaty being found desirable, form of notice would make it clear that initiative rested with Dominion Government concerned. In the light of recent correspondence relating to Extradition Treaties ending with your telegram 28th April‡ His Majesty's Government would be quite ready to amend relevant clause in future commercial treaties by adoption of same formula as that proposed for extradition treaties, see my telegram 11th April.§ If your Ministers concur His Majesty's Government will take steps accordingly. Please telegraph reply as several treaties now under negotiation where question arises.—AMERY.

25053

No. 597.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4.35 p.m., 1st June, 1925.)

TELEGRAM.

[*Answered by No.* 598.]

1ST JUNE. Your telegram of 20th May.‖ Applicability of Commercial Treaties between His Majesty's Government in London and foreign countries to "C" mandated territories. Ministers regret that they are unable to accede to suggestion that such a commercial treaty should be capable of application to a mandated territory for which the Union Government hold the Mandate, even though words are inserted therein that accession to the treaty should take place on the initiative only of the Union Government as Mandatory.

Ministers feel that this suggestion hardly meets the position indicated in their Minute No. 215 of 11th March last (my despatch of 13th March No. 91*) and that there is no real analogy between a commercial treaty and a treaty for extradition of fugitive criminals. They consider that in the latter case His Majesty enters into a treaty with a foreign Government for all His Dominions and that it is obviously a matter of convenience that when such a treaty is applied on a Dominion Government's initiative to the Dominion itself it should be capable of application on like initiative to a territory for which that Dominion Government holds a Mandate. And in the commercial treaty His Majesty presumably negotiates only for Great Britain and for such of His Possessions as do not enjoy responsible government. Inasmuch therefore as a Dominion Government would itself negotiate a commercial treaty with a foreign government and would in doing so have regard to special economic conditions of Dominion it would have to consider in each case whether it should negotiate also for application of that treaty to any territory for which it held a Mandate.

---

* No. 595. † Enclosure 2 in No. 594. ‡ No. 600. § No. 605. ‖ No. 596.

For these reasons Ministers state that they must press for insertion of words in any commercial treaty negotiated by His Majesty's Government making clear that its conditions are not applicable to Dominion of the Union of South Africa or to territories in South-West Africa for which the Union Government holds Mandate.—ATHLONE.

43010

No. 598.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 1.40 p.m., 14th November, 1925.)

TELEGRAM.

14TH NOVEMBER. Your telegram 1st of June,* His Majesty's Government agree that application of commercial treaties which they negotiate is now usually limited in manner described in your telegram and that right of Dominion Governments to negotiate direct with Foreign Governments extends also to mandated territories.

Accession clause in commercial treaties negotiated by His Majesty's Government is, however, designed to make it clear that geographical application of treaty is limited in first instance to this country and to foreign country concerned. This position is well understood by Foreign Governments and it is also appreciated that accession on behalf of a Dominion would only be arranged at express desire of Dominion Government concerned.

Moreover existence of clause in question has not hindered in any way initiation or progress of negotiations between a Dominion Government and a Foreign Government for conclusion of a separate commercial convention in cases where such negotiations have been thought desirable.

In the light of views expressed by your Ministers His Majesty's Government would not wish to carry further suggestion at end of my telegram of 20th May,† but they feel that it would be difficult to insert in text of commercial treaties negotiated by themselves provision on lines suggested by your Ministers. Such provision could hardly be confined in terms to Union and South-West Africa, while if it related to Dominions generally and territories mandated to them it could only be made if other Dominions agreed. Moreover, if, as is usual, treaty contained stipulation whereby oversea parts of Empire secure most-favoured-nation treatment in foreign country concerned without accession so long as in fact they grant similar treatment to that country, exclusion of Dominions from such stipulation might in any particular case operate to detriment of one or more Dominions. In connexion with this aspect of matter your Ministers may like to know that legislation was passed by Canadian Parliament last session setting out that it was desirable that Canada should have benefit of latter part of Article 23 of Anglo-Finnish Treaty and authorizing grant of most-favoured-nation treatment to Finnish goods accordingly. Further with regard to Treaty with Spain negotiated by His Majesty's Government in 1922, though it was not possible to include stipulation referred to above as to most-favoured-nation treatment, it was found desirable after consultation to conclude arrangements of analogous kind extending to certain Dominions and also to mandated territories.—AMERY.

(4) Position of Mandated Territories in relation to Extradition Treaties.

59408

No. 599.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 11.55 a.m., 15th January, 1925.)

TELEGRAM.

PRIVATE and Personal. 15th January. Before answering your telegram 18th December, Confidential,‡ Extension of Extradition Treaties to Mandated

* No. 507. † No. 506. ‡ No. 407 in Dominions No. 93.

566

Territories, I should prefer to await result of discussion with General Hertzog referred to in my telegram of yesterday Private and Personal* United States of America and "C" Mandates. Meanwhile, since extradition question may also come up in your conversation with General Hertzog, it may be convenient to give you outline of reply which I have in mind.

Extradition Acts 1870 to 1906 do not apply to any territories outside His Majesty's Dominions. Where an Extradition Treaty is concluded applying to Protectorates, effect is given to Treaty in those Protectorates not by Order in Council under Extradition Acts but by Proclamation or similar instrument under local legislation corresponding to those Acts, and we had assumed that similar course would be followed in case of any mandated territories to which extradition treaties might be made applicable.

Reason for inquiry in my telegram 2nd December† was as follows:—There are existing extradition treaties with over thirty countries in connexion with which question of extension to mandated territories arises. We thought that, if Union Government were desirous that extradition arrangements applying under these treaties as between Union itself and foreign countries should also apply as between South-West Africa and those countries, most convenient method of giving effect to their decision would be that general negotiations referred to in my telegram of 2nd December† should cover South-West Africa.—SECRETARY OF STATE FOR THE COLONIES.

3973

No. 600.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 1.0 p.m., 4th February, 1925.)

[*Answered by No.* 601.]

TELEGRAM.

4TH FEBRUARY. Your telegram 22nd January, Private and Personal, and your telegram 26th January, Confidential.‡ United States of America and "C" Mandates. I much appreciate trouble which you have taken and was very glad to know of successful result of Alexander's interview with your Prime Minister.

As regards question of extradition treaties I should now propose to reply officially to your telegram 18th December,§ on lines indicated in my telegram 15th January, Private and Personal,‖ with addition (*a*) that we now gather that Ministers do desire that extradition arrangements referred to should be extended to South-West Africa, and (*b*) that if they agree that the general negotiations should cover South-West Africa as well as the territories mandated to other Dominions we do not anticipate any difficulty in securing a form of clause which would make it clear that decision for extension of treaties in question to "C" mandated territories rests with Dominion Government concerned. Do you see any objection to such reply?

I am advised that some of provisions of Bill enclosed in your despatch 5th November, 594,¶ give rise to difficulty and hope shortly to send you despatch on subject. I assume that in view of consultation with other Governments now proceeding early introduction of Bill not likely.—AMERY.

6868

No. 601.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.40 p.m., 11th February, 1925.)

TELEGRAM.

[*Answered by No.* 603.]

11TH FEBRUARY. Confidential. Your telegram of 4th February, Confidential,** Extradition Treaties. Although Ministers have given way on question of negotiations now proceeding with United States of America regarding

* No. 577. † No. 406 in Dominions No. 93. ‡ Nos. 579 and 580. § No. 407 in Dominions No. 93. ‖ No. 580. ¶ 54068/24: not printed; it enclosed copies of a draft Bill dealing with Extradition and Fugitive Offenders. ** No. 600.

"C" Mandates, they have not altered their views that negotiations with Foreign Powers as regards South-West Africa are their concern under the terms of mandate and should not be conducted with the British Government as intermediary. See my despatch, Confidential No. 2 of 27th January,* regarding Extradition Treaty with United States of America, in which position taken up is explained in paragraph (*c*) of Ministers' Minute. I think, therefore, that in your reply you should omit any reference to the assumption made in sub-paragraph (*a*) of your telegram under reply. As you will see from my telegram of 18th December, Confidential,† Ministers are strongly averse to any admission that Parliament of United Kingdom has power to legislate for mandated territory, and, as it appears from your telegram of 15th January, Private and Personal,‡ object desired can be attained without such legislation, I think that your reply should be on the lines proposed emphasizing this point and including sub-paragraph (*b*) in your telegram Confidential of 4th February.§ If Ministers can be satisfied that there is no fear of infringement of their rights as mandatory, I think it is possible that they may agree to negotiations being conducted through the Foreign Office in view of the greater convenience of the adoption of a common channel by all the Empire "C" Mandatories.—ATHLONE.

6868

No. 602.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 12.15 p.m., 28th February, 1925.)

TELEGRAM.

PRIVATE and Personal. I am much obliged for your telegram 11th February,‖ Extradition Treaties, and am now replying officially to your telegram 18th December† on lines suggested.

I ought, however, to let you know that we think it would be difficult to devise procedure for application of existing or new extradition treaties to mandated territories substantially differing from Article 18 of draft United States Treaty, see my despatch 11th December, Confidential.¶ Alteration proposed by your Ministers as regards this clause (see your despatch 27th January, Confidential (2)*) on which I shall have to comment later would not, I think, be acceptable as it would prevent application of that treaty to New Guinea and Western Samoa which would presumably be desired by Commonwealth and New Zealand Governments.—AMERY.

6868

No. 603.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 12.15 p.m., 28th February, 1925.)

TELEGRAM.

[*Answered by No.* 604.]

28TH FEBRUARY. Confidential. Your telegram 18th December, Confidential,† extension of extradition treaties to mandated territories. Please inform your Ministers that suggestion contained in my telegram of 2nd December** would not involve amendment of Imperial Extradition Acts or any legislation by Parliament here. Acts in question do not apply to any territories outside His Majesty's dominions and existing procedure for application of extradition treaties to Protectorates is not by Order in Council under Extradition Acts but by proclamation or similar instrument under local legislation corresponding to those Acts. It was assumed that similar course would be followed in case of any mandated territories to which extradition treaties might be made applicable.

Reason for inquiry in my telegram of 2nd December** was as follows: There are existing extradition treaties with over thirty countries in connexion with which question of extension to mandated territories arises. His Majesty's Government

* No. 259 in Part I. † No. 407 in Dominions No. 93. ‡ No. 599. § No. 600. ‖ No. 601.
¶ No. 162 in Dominions No. 93. ** No. 406 in Dominions No. 93.

would in any case have had sooner or later to take up question of application of these treaties in respect of mandated territories for which they are themselves responsible and when requests of Commonwealth and New Zealand Governments in respect of New Guinea and Western Samoa referred to in that telegram were received the best course to adopt seemed in the circumstances to be to propose to Foreign Governments concerned arrangements which would be capable of application to mandated territories generally.

No procedure, however, had been contemplated which would fail to make it clear to foreign Governments concerned that decision for extension of treaties in question to mandated territories rested with Dominion Government concerned or with His Majesty's Government, according as mandate is held, nor had any difficulty been anticipated in securing necessary form of clause.—AMERY.

12570

No. 604.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1.33 p.m., 17th March, 1925).

TELEGRAM.

[*Answered by No.* 605.]

CONFIDENTIAL. 17th March. Your Confidential telegram of 28th February,* extension of extradition treaties to mandated territories. Ministers state that they fully appreciate the explanation given by you and the reason(s) for inquiring in your telegram of 2nd December.† They do not propose to press further (the) suggestions made in the last paragraph of their Confidential minute No. 66 of 24th January (see my despatch Confidential 2 of 27th January‡) recognizing the advantage(s) of extradition treaties being so framed as to be capable of extension to Mandated Territories provided that in case of Dominion mandatories initiative remains with Dominion Government.

Ministers are aware that the second paragraph of Article XVIII of the draft Treaty with the United States of America contemplates such procedure, but are advised that reference in that Article to "Two preceding Articles" still offers a certain danger of misconstruction. Whilst in the case of the United States Treaty there would be no objection to His Majesty's Ambassador at Washington giving notice on behalf of the Union Government of their desire that the treaty should be extended to South-West Africa, insertion in paragraph 2 of Article XVIII after the words "His Britannic Majesty" of the words "whether for Great Britain or for one of the self-governing Dominions aforesaid" would establish the position of the Dominion without doubt. In case of the United States treaty insertion of such words would also draw the attention of the United States Government to a fact it appears not to have appreciated hitherto. Ministers add that if formula above is open to objection they would accept any alternative having the same effect whether as regards the United States or any other treaty.—ATHLONE.

12570

No. 605.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 12.20 p.m., 11th April, 1925.)

TELEGRAM.

[*Answered by No.* 606.]

11TH APRIL. Confidential. Your telegram 17th March.§ His Majesty's Government quite in accord with suggestion that specific reference to territories administered by Dominions under mandates should be inserted—

* No. 603. † No. 406 in Dominions No. 93. ‡ No. 259 in Part I. § No. 604.

(*a*) in second paragraph Article 18 draft Extradition Treaty with United States of America;

(*b*) in corresponding Article of other extradition treaties now being negotiated or such treaties to be negotiated in future;

(*c*) in any formal extensions of existing treaties as contemplated in my telegram 2nd December* negotiations for which it is gathered your Ministers now agree it would be advisable to commence.

As regards form of words suggested by your Ministers, while His Majesty's Government agree in their general tenor, there is difficulty that, except in case of New Guinea, Western Samoa and South-West Africa, formal mandates do not specify part of Empire by which mandate is to be exercised and, further, that in case of 'Iraq although mandate was accepted by His Majesty no specific provision has been made for its exercise, position being regulated by Treaty of Alliance, see my despatch 9th February, Dominions 46.†

In the circumstances most convenient wording would seem to be to insert in paragraph in question after "His Britannic Majesty" words "including the territories in respect of which mandates are being exercised on behalf of His Britannic Majesty by the Government of Commonwealth of Australia, the Government of Dominion of New Zealand, and the Government of Union of South Africa" (see wording of second paragraph Preamble to mandates in question). Do your Ministers agree?—SECRETARY OF STATE FOR THE COLONIES.

19318

No. 606.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 11.30 p.m., 28th April, 1925.)

TELEGRAM.

28TH APRIL. Your telegram 11th April‡ regarding the form of words to be inserted in the second paragraph of Article XVIII Draft Extradition Treaty with the United States of America, in corresponding Articles of other such Treaties now being or in future to be negotiated and in any formal extension of the existing Extradition Treaties.

Ministers concur in the form of words suggested and desire to express their appreciation that the general tenor of their previous suggestions has been accepted. —ATHLONE.

20082

No. 607.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4th May, 1925.)

[*Answered by No.* 608.]

(Confidential (2).)

SIR, Governor-General's Office, Melbourne, 1st April, 1925.

WITH reference to your Confidential despatch dated 11th December, 1924,§ and to my Confidential despatch of 18th February, 1925,‖ on the subject of a new Extradition Treaty with the United States of America, I have the honour to inform you that it does not appear to my Ministers to be clear that any application of the proposed Treaty to New Guinea would be in the same manner as if that Territory were a possession of His Britannic Majesty.

The Commonwealth Government is of the opinion that it is desirable that the second paragraph of Article 18 of the draft should be amended by inserting after the words "mandated territories" the words "in the same manner as if they were possessions of His Britannic Majesty."

It is also thought advisable that the corresponding article in all future Treaties should be similarly expressed.

I have, &c.,
FORSTER,
Governor-General.

---

* No. 406 in Dominions No. 93. † 5296/25: not printed; it enclosed a copy of the Treaty.
‡ No. 605. § No. 162 in Dominions No. 93. ‖ No. 200.

568

27413

No. 608.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Confidential.)

MY LORD, Downing Street, 11th August, 1925.

I HAVE the honour to acknowledge the receipt of Your Excellency's despatch Confidential (2) of the 1st April,* in which it was suggested that the second paragraph of Article 18 of the draft Extradition Treaty with the United States and the corresponding Article of future similar Treaties should be amended by inserting after the words "mandated territories" the words "in the same manner as if they were possessions of His Britannic Majesty."

2. His Majesty's Government appreciate the desire of your Ministers that there should be no doubt that any extension of the Treaty to the mandated territory of New Guinea would be in the same manner as if the territory were a possession of His Majesty, and they recognize that the addition suggested would bring the wording of the second paragraph of the Article into conformity with that of the first paragraph which relates to the application of the Treaty to certain specified British Protectorates. They fear, however, that the suggested addition might give rise to difficulty in the event of any Treaty containing such a provision being extended to certain British Protected States and to territories administered by His Majesty's Government under mandate.

3. Under the first paragraph of Article 17 of the draft Treaty with the United States and the corresponding Article of other Treaties, the requisition for the surrender of a fugitive criminal who has taken refuge in any of His Majesty's self-governing Dominions, Colonies or Possessions is to be addressed to the Governor-General, Governor, or chief authority of the Dominion, Colony or Possession by the chief Consular Officer of the foreign country concerned in the Dominion, Colony or Possession. If this provision were extended without qualification to certain British Protected States (e.g., Tonga and Sarawak), difficulty would arise in determining who was the "chief officer" for the purposes of this paragraph, since there is no authority in these States corresponding precisely to the Governor or High Commissioner in a Colony or Protectorate. Again, the mandated territories of Togoland and the Cameroons are administered as integral parts of the neighbouring Colonies of the Gold Coast and Nigeria respectively and the "chief officer" for the purposes of the first paragraph of Article 17 would be the Governor of the Colony in question. There may also be cases in which there is no Consular Officer of the foreign country concerned actually stationed in the territory to which the Treaty is extended and in such cases it will be necessary to specify who is the appropriate Consular Officer for the purposes of the Article.

4. In the circumstances His Majesty's Government would suggest that it would be preferable not to alter the wording of the second paragraph of Article 18 but to deal with the whole question of the application of Article 17 to any of the territories, to which the Treaty may be extended under the second paragraph of Article 18, in the exchange of notes by which the extension is effected. They hope that your Ministers will concur in this view.

I have, &c.,
L. S. AMERY.

---

* No. 607.

MEMEL, CONVENTION RELATING TO

(*Treaty Series* 1925, *No.* 48.)

43425

No. 609.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
} Dominions No. 439.)

[MY LORD,] [SIR,] Downing Street, 3rd. October, 1925.

WITH reference to Mr. Thomas's despatch Dominions No. 504 of the 24th October,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a note from the French Minister for Foreign Affairs forwarding a copy of the *procès-verbal* of the deposit of ratifications of the Convention relating to Memel by the Allied Powers which were parties thereto.

I have, &c.,
L. S. AMERY.

Enclosure in No. 609.

Ministère des Affaires Etrangères.
Service du Protocole.

Republique Française,
Paris, le 29 août, 1925.

MONSIEUR LE MINISTRE,

J'AI l'honneur de vous transmettre ci-joint une copie certifiée conforme du procès-verbal de dépôt des ratifications de la France, de l'Empire Britannique, de l'Italie et du Japon sur la Convention relative au Territoire de Memel signée à Paris le 8 mai, 1924, entre la France, l'Empire Britannique, l'Italie et le Japon d'une part et la Lithuanie d'autre part.

Je vous serais très obligé de m'accuser réception du présent envoi.

Agréez, Monsieur le Ministre, les assurances de ma haute considération.

Pour le Ministre,
MAURICE CARRE.

Monsieur Phipps,
Ministre de Sa Majesté Britannique.

PROCÈS-VERBAL DE DÉPÔT DES RATIFICATIONS DE LA FRANCE, DE L'EMPIRE BRITANNIQUE, DE L'ITALIE ET DU JAPON, SUR LA CONVENTION RELATIVE AU TERRITOIRE DE MEMEL, SIGNÉE À PARIS LE 8 MAI, 1924, ENTRE LA FRANCE, L'EMPIRE BRITTANNIQUE, L'ITALIE ET LE JAPON D'UNE PART ET LA LITHUANIE D'AUTRE PART.

EN exécution de l'article 18 de la Convention relative au statut du Territoire de Memel signée à Paris le 8 mai, 1924, entre l'Empire Britannique, la France, l'Italie et le Japon d'une part et la Lithuanie d'autre part, les soussignés se sont réunis au Ministère des Affaires Etrangères à Paris pour procéder au dépôt des ratifications et les remettre au Gouvernement de la République française.

Les instruments des ratifications de l'Empire Britannique, de la France, de l'Italie et du Japon ayant été produits et, après examen, trouvés en bonne et due forme, ont été confiés au Gouvernement de la République française pour rester déposes dans ses archives.

Conformément aux dispositions de l'article 18 précité, le Gouvernement de la République française donnera avis aux Puissances Contractantes du dépôt des ratifications.

* 48943/24: not printed; it dealt with the position as to ratification.

En foi de quoi, les soussignés ont dressé le présent procès-verbal et y ont apposé leurs cachets.

Fait à Paris le 25 août, 1925.

L.S. signé:—
Eric Phipps.
A. Briand.
Summonte.
K. Ishii.

Pour copie certifiée conforme le Sous-chef du Service du Protocole,
MAURICE CARRE.

METRIC SYSTEM, INTERNATIONAL CONVENTION RELATING TO THE

(*Treaty Series* 1923, *No.* 24.)

Accession of the Irish Free State.

44437

No. 610.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 1st October, 1925.)

[*Answered by No.* 611.]

(No. 284.)

SIR, Vice Regal Lodge, Dublin, 30th September, 1925.

I HAVE the honour to refer to your despatch No. 252 of the 26th June* and to previous correspondence on the subject of the International Metric Convention of the 9th October, 1921.

2. My Ministers desire to adhere to the International Metric Convention of the 20th May, 1875, as modified by the International Convention of the 6th October, 1921, and request that you may be good enough to notify the French Government accordingly.

3. My Ministers would be glad to know the amount of the subscription payable by the Irish Free State.

I have, &c.,
T. M. HEALY.

49198

No. 611.

IRISH FREE STATE.

THE SECRETARY OF STATE to the GOVERNOR-GENERAL.

(No. 418.)

SIR, Downing Street, 4th November, 1925.

WITH reference to Your Excellency's despatch No. 284 of the 30th of September,† I have the honour to transmit to you, for the information of your Ministers, the accompanying copy of a note to the French Minister for Foreign Affairs regarding the accession of the Irish Free State to the International Metric Convention of the 6th of October, 1921.

I have, &c.,
L. S. AMERY.

* 39822/25: not printed; reminder. † No. 610.

Enclosure in No. 611.

(No. 801.)

MONSIEUR LE MINISTRE, 29th October, 1925.

I HAVE the honour, under instructions from His Majesty's Principal Secretary of State for Foreign Affairs, to inform Your Excellency that the Government of the Irish Free State has acceded to the International Metric Convention of 6th October, 1921.

I should be grateful if Your Excellency would be so good as to inform me of the amount of the subscription payable by the Government of the Irish Free State.

I have, &c.,
CREWE.

His Excellency
Monsieur Aristide Briand,
Minister for Foreign Affairs.

MEXICO.

Resumption of Diplomatic Relations and proposed Claims Convention.

38493

No. 612.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 8.5 p.m., 25th August, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

25TH AUGUST. Secret. My despatch 30th of December, 1924, Dominions 599, Confidential.* Question of resumption of diplomatic relations with Mexico has for some time been under discussion. Main difficulty in the past has been refusal of Mexican Government to agree to any form of arbitration for settlement of claims of general character as distinct from those arising from revolutionary causes, but there now seems every prospect of agreement on following lines:—(1) Diplomatic relations to be resumed without further formalities. (2) His Majesty's Government will accept invitation extended by Mexican Government in 1921 to submit for settlement to a Mixed Commission claims of British subjects arising from revolutionary disturbances in Mexico and will proceed to enter into a convention which will define necessary procedure. (3) As regards claims of British subjects of a more general nature, it will be agreed that these shall be dealt with through diplomatic channel along lines of mutual conciliation and that claims not settled by diplomatic discussion within period of one year, to be prolonged by mutual consent if necessary to eighteen months, from date of presentation of first claim, shall be submitted for settlement to a Mixed Claims Commission or, if the two Governments cannot agree on constitution of such Commission, to the Permanent Court of International Justice. Necessary Convention to settle details of such arbitration to be signed later.

Contemplated that agreement as to claims on above lines should be embodied in exchange of notes terms of which are under discussion with Mexican Government. Mexican Government are anxious for settlement before Congress opens 1st September.

In course of discussions Mexican Government intimated that, if agreement reached, Mexican Consular Officers in His Majesty's Dominions would return to their posts.

Please inform your Prime Minister.—AMERY.

---

* 38893/24: not printed; it dealt with the circumstances in which the Mexican Government closed the Mexican Consulates in the British Empire in 1924.

39245

No. 613.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 6.30 p.m., 28th August, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)

28TH AUGUST. Following announcement will be published to-morrow:—

Begins: His Majesty's Government after a satisfactory exchange of views in regard to outstanding differences with the Mexican Government have decided the procedure for renewal of full official diplomatic relations, and diplomatic representatives will be nominated forthwith. *Ends.*

—AMERY.

46105

No. 614.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada. / Commonwealth of Australia. / New Zealand. / Union of South Africa. / Irish Free State. / Newfoundland. — Dominions No. 469. Confidential.)

[MY LORD,] [SIR,] Downing Street, 27th October, 1925.

WITH reference to my telegram of the 28th of August,* I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, the accompanying prints of despatches† from His Majesty's Chargé d'Affaires at Mexico, relating to the renewal of diplomatic relations between Great Britain and Mexico, and the arrangements for dealing with the claims of British subjects against the Mexican Government.

I have, &c.,
L. S. AMERY.

[46499]

Enclosure in No. 614.

(Confidential.)
(A 4860/57/26.)

MR. KING to MR. AUSTEN CHAMBERLAIN.

(Received Foreign Office 28th September.)

(No. 3.)

SIR, Mexico, 7th September, 1925.

I HAVE the honour to enclose herewith copies of the notes exchanged between the Mexican Minister for Foreign Affairs and myself placing on record the agreement reached regarding the arrangements for dealing with the claims of British subjects against the Mexican Government. A translation of the Mexican note is also enclosed herewith.

I have, &c.,
NORMAN KING.

---

* No. 613. † First despatch only printed.

MR. KING to GENERAL SAENZ.

YOUR EXCELLENCY, Mexico, 31st August, 1925.

HIS Britannic Majesty's Government and the Mexican Government having now resumed diplomatic relations, I have the honour to inform your Excellency that His Majesty's Government accept the invitation extended by the Mexican Government on the 11th July, 1921, to Great Britain, with other nations, to submit for settlement to a mixed commission claims of British subjects arising from revolutionary disturbances in the Republic of Mexico and will proceed to enter into a convention with the Mexican Government which will define the necessary procedure.

With regard to claims of British subjects of a more general nature, that is to say, any claims not arising from revolutionary causes, I have the honour to record as follows the understanding of His Majesty's Government as to the procedure which is to be followed :—

His Majesty's Government and the Mexican Government agree that such claims shall be dealt with through the diplomatic channel along lines of mutual conciliation, and they further agree that such claims of a general nature as have not been settled by diplomatic discussion within a period of one year, to be prolonged by mutual consent, if necessary, to eighteen months, from the date of the presentation of the first claim, shall be submitted for settlement to a mixed claims commission, or, if the two Governments are not able to agree on the constitution of such a commission, to the Permanent Court of Arbitration at The Hague. The necessary convention to settle details of such arbitration shall be signed before the expiration of the above-mentioned period of one year, or eighteen months, as the case may be.

The present note on behalf of His Majesty's Government and Your Excellency's reply on behalf of the Mexican Government will accordingly be regarded as placing on record the agreement reached by our respective Governments in the matter.

I am further instructed to convey to Your Excellency an expression of the satisfaction with which His Majesty's Government regard the conclusion of the present understanding, and of their hope that, under the above-mentioned procedure, all outstanding questions may be speedily settled.

I avail, &c.,

NORMAN KING.

GENERAL SAENZ to MR. KING.

(Translation.)

M. LE CHARGÉ D'AFFAIRES, Mexico, 31st August, 1925.

I HAVE the honour to reply to your note of to-day's date.

My Government take note that the British Government accept the invitation made to them by Mexico—as also to the other interested nations—to submit to a mixed commission the claims which British subjects may have arising out of revolutionary disturbances which occurred in the Mexican Republic, and also take note that they are ready to sign a convention which shall determine the necessary procedure for that purpose. In this respect I have pleasure in notifying to the British Government, through your intermediary, that my Government are equally well disposed to negotiate and to carry out the aforesaid convention.

It is also gratifying to me to declare that my Government share the view of His Britannic Majesty's Government regarding the claims of a more general nature, that is to say, regarding those claims of British subjects which do not arise from revolutionary causes. The Mexican Government are willing that such claims should be treated through diplomatic channels, in a spirit of mutual conciliation, and further, agree that if these claims should not be settled by means of diplomatic discussion, to be conducted within a period of one year—which may be prolonged by mutual consent, if necessary, up to eighteen months, counting from the date on which the first claim is presented—they be submitted to a mixed commission, or, if both Governments should be unable to come to an agreement for the constitution of such commission, to the Permanent Court of Arbitration of The Hague. It is understood that the convention required for the arrangement of the details of such arbitrations shall be signed before the expiration of the aforesaid periods of one year, or eighteen months, as the case may be.

Lastly, the Mexican Government accept that this their note, and the note of His Britannic Majesty's Government which gives rise to it, be regarded, by mutual consent, as a proof of the understanding arrived at by the two Governments in this matter.

The Mexican Government desire to express to His Majesty's Government, through my intermediary, the appreciation with which they receive the satisfaction expressed by His Majesty's Government, in regard to the present agreement, and in turn record the pleasure they feel at having reached it, thus demonstrating, once again, the good intentions by which they have always been actuated, and the desire they have to continue treating with England all matters within the sphere of the law of nations and of goodwill in order to strengthen daily the relations now so happily resumed.

I avail, &c.,

AARON SAENZ.

50133

No. 615.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL AND GOVERNOR.

(Sent 5.30 p.m., 16th November, 1925.)

TELEGRAM.

[*Answered by Nos.* 618, 619, 620 *and* 623.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

16TH NOVEMBER. Confidential. My telegram 28th August.* Draft Convention between His Majesty the King and Mexican President for settlement of claims in respect of losses suffered by British interests during revolutionary period in Mexico has been prepared with a view to submission to Mexican Government. Draft is based on similar conventions concluded with Mexico by United States of America and France. Following is summary of operative provisions :—

Begins: Article One. Claims referred to in Article Three are to be submitted to commission of three members, one appointed by His Majesty, one by Mexican President and third, who is to preside, to be selected by mutual agreement between His Majesty's Government and Mexican Government. If two Governments cannot agree within two months of exchange of ratifications of Convention, third member to be designated by President of Permanent Administrative Council of Permanent Court of Arbitration at The Hague, to whom request is to be made by the two Governments within one month or, after expiration of that period, by one of the two Governments. Third member is to be neither British nor Mexican nor national of a country having claims against Mexico identical with those dealt with in Convention. In case of death, absence or incapacity of any member or in event of any member omitting or ceasing to act same procedure to be followed in filling vacancy as was followed in appointing him.

Article Two. Commissioners to meet at Mexico City within six months after exchange of ratifications and each member to make solemn declaration before entering on his duties. Commission may fix time and place of subsequent meetings as may be convenient subject to special instructions of the two Governments.

Article Three reads: "The Commission shall examine and decide all claims against Mexico, as defined in the following paragraph, arising from losses or damages suffered by British subjects, whether corporations, companies, associations, partnerships or individuals in respect of either their persons or properties during the revolutions and disturbed conditions which existed in Mexico for the period from the 20th November, 1910, to the 31st May, 1920, inclusive, including losses or damages suffered by such British

* No. 613.

subjects by reason of losses or damages suffered by any corporation, company, association or partnership in which such British subjects have or have had a substantial and *bonâ fide* interest, provided an allotment to the British claimant by the corporation, company, association or partnership of his proportion of the loss or damage is presented by the claimant to the commission, and provided that such claims have been communicated to His Britannic Majesty's Government for presentation to the Mexican Government or are so communicated within the time hereinafter specified.

The claims to be so dealt with are those which are due to action by one or any of the following forces:—

1. By forces of a Government *de jure* or *de facto*;

2. By revolutionary forces as a result of the triumph of whose cause Governments *de facto* or *de jure* have been established, or by revolutionary forces opposed to them;

3. By forces arising from the dispersal of the forces mentioned in the next preceding paragraph up to the time when the Government *de jure* established itself as a result of a particular revolution;

4. By federal forces that were disbanded; and

5. By mutinies or mobs, or insurrectionary forces other than those referred to under sub-divisions 2, 3 and 4 above, or by bandits, provided in any case it be established that the appropriate authorities omitted to take reasonable measures to suppress such forces of insurrectionists, mobs or bandits, or failed to punish them or were negligent and might have prevented the damage arising or were in fault in other respects.

The Commission shall also examine and decide all claims in respect of losses or damages arising from acts by the civil authorities, provided that such acts are due to the revolutionary events or disturbances during the above-mentioned period, and provided that the acts were executed by one of the forces mentioned under Nos. 1, 2 and 3 of the present article."

Article Four. Commission may establish rules of proceedings by majority decision. Each of the two Governments may nominate agent and counsel with authority to present arguments for or against any claim, to produce documents, and to examine witnesses. Decision of majority of members of Commission is to be decision of Commission. Proceedings to be conducted and recorded in English and Spanish.

Article Five. In order that Commission may keep accurate records and minutes each of the two Governments may appoint a secretary and other necessary assistants. Commission may also appoint any necessary officials.

Article Six. Mexican Government agree that Commission shall not disallow or reject any claim by application of general principle of international law that legal remedies must be exhausted as condition precedent to validity or allowance of any claim.

Article Seven. Every claim to be filed with Commission within nine months from first meeting unless reasons for delay satisfactory to majority of Commissioners shall be established, and in any such case period for filing claim may be extended by not more than six months. Commission to decide within two years from first meeting all claims filed. Commission to submit reports on work to each of the two Governments every four months and to decide any claim within six months after conclusion of hearing.

Article Eight. High Contracting Parties agree to consider proceedings and decisions of Commission as final.

Article Nine. Total amount awarded to claimants to be paid in gold coin or equivalent by Mexican Government to His Majesty's Government.

Article Ten. Each of the two Governments to pay its own commissioner and secretaries and bear its own expenses. Expenses of Commission including salary of third commissioner to be defrayed in equal proportions by the two Governments.

Article Eleven. In case of divergence between English and Spanish texts of Convention former to prevail.

Article Twelve. Ratification Article. *Ends.*

Should your Ministers desire to offer any observations on provisions of Convention His Majesty's Government would be glad to receive them at earliest possible

date since it is desired that Convention should be signed as soon as possible in order that it may be considered by Mexican Congress before it rises at end of December.

Copies of draft Convention follow by mail.

Similar telegram sent to other Dominions.—AMERY.

50133

No. 616.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL AND GOVERNOR.

[*Answered by No.* 626.]

(Canada. / Commonwealth of Australia. / New Zealand. / Union of South Africa. / Irish Free State. / Newfoundland.) — Dominions No. 489. Confidential.)

[MY LORD,] [SIR,] Downing Street, 17th November, 1925.

WITH reference to my Confidential despatch Dominions No. 469 of the 27th October* [*Not to Irish Free State:* and to my telegram of the 16th November,†] I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, copies of [*Not to Irish Free State:* the] [*To Irish Free State:* a] draft Convention‡ with Mexico for the settlement of claims in respect of losses suffered by British interests during the revolutionary period in Mexico.

I have, &c.,
L. S. AMERY.

50133

No. 617.

IRISH FREE STATE.

THE SECRETARY OF STATE to the GOVERNOR-GENERAL.

[*Answered by No.* 626.]

(Confidential.)

SIR, Downing Street, 17th November, 1925.

WITH reference to my Confidential despatch Dominions No. 489 of even date,§ I have the honour to transmit to Your Excellency, to be laid before your Ministers, a copy of a telegram† to the other self-governing Dominions regarding the draft Convention with Mexico for the settlement of claims arising from revolutionary causes.

2. Should your Ministers desire to offer any observations on the provisions of the draft Convention, His Majesty's Government would be grateful if they could be forwarded at the earliest possible date, in view of the circumstances mentioned at the end of the telegram.

I have, &c.,
L. S. AMERY.

51970

No. 618.

NEW ZEALAND.

THE GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 4.30 a.m., 19th November, 1925.)

TELEGRAM.

CONFIDENTIAL. 19th November. Your telegram of 16th November.† Draft Convention between His Majesty and Mexican President. My Ministers advise me that they have no observations to make on the proposed Convention which appears entirely satisfactory.—FERGUSSON.

---

* No. 614. † No. 615. ‡ Not reprinted § No 616.

52351

No. 619.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 12.36 p.m., 21st November, 1925.)

TELEGRAM.

21ST NOVEMBER. Confidential. Your telegram of 16th November, Confidential.* Draft Convention for settlement of claims in respect of losses suffered by British interests during the revolutionary period in Mexico. Union Government has no observations to offer.

52383

No. 620.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 11.30 p.m., 21st November, 1925.)

TELEGRAM.

21ST NOVEMBER. Confidential. Your telegram 16th November.* Mexican Convention. My Ministers have no observations to make.—ALLARDYCE.

53407

No. 621.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 3.30 p.m., 11th December, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

11TH DECEMBER. My telegram 16th November, Confidential.* His Majesty's Chargé d'Affaires, Mexico City, reports that draft Convention with Mexico regarding revolutionary claims was presented to Mexican Government 19th November.—AMERY.

53407

No. 622.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Confidential.)

SIR, Downing Street, 15th December, 1925.

WITH reference to my Confidential despatch of the 17th of November,† I have the honour to request Your Excellency to inform your Ministers that His Majesty's Chargé d'Affaires at Mexico City reports that the draft Convention with Mexico regarding revolutionary claims was presented to the Mexican Government on the 19th of November.

2. The Governments of the other Dominions have been informed accordingly by telegraph.‡

I have, &c.,
L. S. AMERY.

---

* No. 615. † No. 617. ‡ No. 621.

56390

No. 623.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.35 a.m., 16th December, 1925.)

TELEGRAM.

16TH DECEMBER. Your telegram of 16th November, Confidential.* Claims against the Mexican Government. No claims have been lodged with the Commonwealth Government, therefore my Ministers have no observations to make on the proposed Convention.—STONEHAVEN.

56464

No. 624.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 8.30 p.m., 21st December, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

CONFIDENTIAL. My telegram 16th November,* Mexican Claims Convention. Mexican Government have now put forward counter-draft which they claim follows more closely form of conventions concluded with other countries, e.g., France and United States of America. Draft differs in certain respects from British draft, most important variation being in Article 3, which, as regards claims of companies, etc., in which British nationals are interested, provides that claim can only be dealt with where interest of the injured party exceeds 50 per cent. of total capital of company. Article 2 states that compensation afforded as result of findings of commission will be made by Mexican Government as Act of Grace.

Article 4 provides for final decision by President when there is no majority.

Article 6 provides that in determining compensation for damage to property account shall be taken of value declared by interested parties for fiscal purposes. Article 11 provides that Spanish text shall be accepted as authentic.

His Majesty's Government attach special importance to ratification during present session of Mexican Senate, as Senate does not meet again until September next. His Majesty's Chargé d'Affaires has therefore been instructed that while he should press as far as possible for acceptance of British version of Article 3 he should if necessary concede chief Mexican desiderata as outlined above provided Mexican Government agree to accept the British draft modified on those lines.—AMERY.

56464

No. 625.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Confidential.)

SIR, Downing Street, 22nd December, 1925.

WITH reference to my Confidential despatch of the 17th of November,† I have the honour to transmit to Your Excellency, for the information of your Ministers, a copy of a telegram‡ to the other self-governing Dominions regarding the draft Convention with Mexico for the settlement of claims arising from revolutionary causes.

I have, &c.,
L. S. AMERY.

---

* No. 615. † No. 617. ‡ No. 624.

68443

No. 626.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 30th December, 1925.)

(Confidential.)

SIR, Vice Regal Lodge, Dublin, 29th December, 1925.

WITH reference to your despatch Dominions No. 489, Confidential, of the 17th ultimo* and your Confidential despatch of the same date,† on the subject of a draft Convention with Mexico for the settlement of claims arising from revolutionary causes, I have the honour to inform you that my Ministers do not desire to offer any observations on the provisions of the draft Convention.

I have, &c.,
T. M. HEALY.

MUSCAT.

Commercial Treaty, 1891.

18304

No. 627.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Canada. No. 203.)
(Commonwealth of Australia. No. 127.)
(Irish Free State. No. 175.)

[MY LORD,] [SIR,] Downing Street, 27th April, 1925.

WITH reference to my predecessor's despatch [No. 222 of the 28th of May, 1924,‡] [No. 191 of the 28th of May, 1924,‡] [No. 457 of the 30th of July, 1924,§] I have the honour to transmit to Your Excellency, for the information of your Ministers, the accompanying copy of a document signed by His Highness the Sultan of Muscat and the Political Agent, prolonging for a further period of one year the Commercial Treaty of the 19th of March, 1891.

I have, &c.,
(for the Secretary of State),
W. ORMSBY-GORE.

Enclosure in No. 627.

NOTE.

WE, the undersigned, have agreed to what follows: That the Treaty of Friendship, Commerce and Navigation between Great Britain and Maskat, Signed on the eighth day of Shaban 1308-H; corresponding to the 19th March, 1891, will be prolonged by this writing, notwithstanding all, or any, correspondence between His late Highness Saiyid Faisal bin Turki and the Glorious British Government in the matter of the revision of that Treaty. And it will remain in force for a period of one year from this eleventh day of February, 1925, corresponding to the 17th Rajab 1343-H; unless a suitable Treaty by agreement between His Highness the Sultan of Maskat and Oman and the Glorious British Government be substituted for that ancient Treaty aforesaid. It is also understood that it shall be open to the Dominion of Canada and the Irish Free State to withdraw from the aforesaid Treaty at any time on notice being given to that effect by His Majesty's Representative at Maskat.

It is also understood that the Commonwealth of Australia have withdrawn from participation in the aforesaid Treaty as per notice given by His Majesty's Representative at Maskat in his letter No. 6 dated 3rd December, 1923.

* No. 616. † No. 617. ‡ No. 427 in Dominions No. 93. § No. 429 in Dominions No. 93.

In confirmation thereof, we, that is, I, Taimur bin Faisal, C.S.I., Sultan of Maskat and Oman, with my own hand, and I, Lieutenant-Colonel C. G. Crosthwaite, C.B.E., duly authorized agent for that purpose on behalf of the Glorious British Government, have signed this writing and five copies and have affixed our seals thereto.

Done at Maskat this eleventh day of February, 1925, corresponding to the 17th Rajab 1343-H.

C. G. CROSTHWAITE, LIEUT.-COLONEL,
Political Agent, Maskat.

NEGOTIATION, SIGNATURE AND RATIFICATION OF INTERNATIONAL AGREEMENTS.

Resolution of the Imperial Conference, 1923.

3332

No. 628.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 23rd January, 1925.)

[*Answered by No.* 629.]

(No. 31.)

SIR, Vice Regal Lodge, Dublin, 22nd January, 1925.

WITH reference to Mr. Thomas's despatch No. 607 of the 24th October last* and previous correspondence concerning the recommendation of the Imperial Conference, 1923, on the subject of the negotiation, signature and ratification of treaties, I have the honour to inform you that my Ministers accept the procedure set out therein as a working arrangement.

2. They desire me, however, to point out that they understand that the instrument of ratification will state in all cases the member or members of the Commonwealth on whose behalf it is made.

I have, &c.,
T. M. HEALY.

5884

No. 629.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 80.)

SIR, Downing Street, 9th March, 1925.

I HAVE the honour to acknowledge the receipt of Your Excellency's despatch No. 31 of the 22nd January,† regarding the Resolution of the Imperial Conference of 1923 on the subject of the negotiation, signature and ratification of treaties.

2. As regards paragraph 2 of your despatch, it was recommended in Part I, paragraph 3, of the Resolution, that the existing practice in connexion with the ratification of treaties should be maintained. This practice is to quote in the Instrument of Ratification the full text of the Convention which is being ratified, and as a general rule the terms of the Convention itself will indicate clearly whether the obligations under it apply in respect of the whole Empire or, if not, in respect of which parts (*vide* Part I, paragraph 2 (*a*) of the Imperial Conference Resolution). A third class of case is possible, viz., that where the obligations in relation to foreign countries under a multilateral Convention may be made applicable either in respect of the whole Empire or in respect of some parts and not of others. Under present conditions, this chiefly occurs in connexion with Conventions negotiated under the

* 33092/24: not printed; reminder. † No. 628.

auspices of the League of Nations. In these cases, it is necessary to make it clear in the Instrument of Ratification to which parts of the Empire the Convention is being applied. This is effected in the case of the earliest Instrument of Ratification by specifying the parts not included therein, and in the case of any subsequent Instrument by specifying the parts included.

I have, &c.,
L. S. AMERY.

10304

No. 630.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 135.)

SIR, Downing Street, 3rd April, 1925.

WITH reference to Your Excellency's despatch No. 31 of the 22nd of January,* regarding the Resolution of the Imperial Conference, 1923, on the subject of the negotiation, signature and ratification of treaties, I have the honour to request you to inform your Ministers that copies of that despatch and the connected correspondence have been communicated to the other Dominion Governments and to the Secretary of State for India.

I have, &c.,
(for the Secretary of State),
W. ORMSBY-GORE.

10304

No. 631.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada. No. 161.)
(Commonwealth of Australia. No. 109.)
(New Zealand. No. 66.)
(Union of South Africa. No. 69.)
(Newfoundland. No. 34.)

[MY LORD,] [SIR,] Downing Street, 6th April, 1925.

WITH reference to my predecessor's despatch No. [262] [226] [114] [198] [94] of the 23rd of June, 1924,† I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copies of correspondence‡ with the Governor-General of the Irish Free State regarding the Resolution of the Imperial Conference, 1923, on the subject of the negotiation, signature and ratification of treaties.

2. Similar despatches have been sent to the Governors-General of [*To Canada:* the Commonwealth of Australia, New Zealand, and the Union of South Africa and the Governor of Newfoundland.] [*To Commonwealth of Australia:* Canada, New Zealand, and the Union of South Africa and the Governor of Newfoundland.] [*To New Zealand:* Canada, the Commonwealth of Australia, and the Union of South Africa and the Governor of Newfoundland.] [*To Union of South Africa:* Canada, the Commonwealth of Australia, and New Zealand, and the Governor of Newfoundland.] [*To Newfoundland:* Canada, the Commonwealth of Australia, New Zealand, and the Union of South Africa.]

I have, &c.,
(for the Secretary of State),
W. ORMSBY-GORE.

---

* No. 628 † Nos. 439 and 440 in Dominions No. 93. ‡ Nos. 437 and 441 in Dominions No. 93 and Nos. 628 and 629.

NETHERLANDS.

(1) Commercial Convention with Canada.

(*Treaty Series* 1925, *No.* 52.)

34975

No. 632.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 339.)

MY LORD, Downing Street, 7th August, 1925.

WITH reference to Your Excellency's telegram of the 12th of June, 1924,* I have the honour to transmit to you, for the information of your Ministers, the accompanying copy of a despatch from His Majesty's Representative at The Hague forwarding copies and a translation of the law of the 23rd of June approving the Commercial Treaty between Canada and the Netherlands.

I have, &c.,
L. S. AMERY.

Enclosure in No. 632.

(No. 264.)

British Legation, The Hague,
27th July, 1925.

SIR,

WITH reference to Mr. Macdonald's despatch No. 303 (W. 4534/93/29) of the 19th June, 1924, I have the honour to transmit herewith copies† and translation of the law of the 23rd June last, approving the Commercial Treaty concluded between the Netherlands and Canada at Ottawa on the 11th July, 1924.

I have, &c.,
CHARLES M. MARLING.

The Right Honourable Austen Chamberlain, M.P.,
&c., &c., &c.

TRANSLATION.

"Staatsblad" of the Kingdom of the Netherlands.

(No. 250.)

Law of the 23rd June, 1925, approving the Commercial Treaty concluded between the Netherlands and Canada at Ottawa on the 11th July, 1924.

WE, WILHELMINA, ETC.,

WHEREAS the Commercial Treaty concluded between the Netherlands and Canada at Ottawa on the 11th July, 1924, requires the approval of the States-General pursuant to Article 58 of the Constitution;

Now therefore, etc.,

Article I.

The Treaty concluded between the Netherlands and Canada at Ottawa on the 11th July, 1924, of which a copy is appended to this law, is hereby approved.

Article II.

This law shall enter into operation with the commencement of the day following that of its promulgation. Charge and Command, etc.

Given at Chamonix, the 23rd June, 1925.

WILHELMINA.

(Here follow the signature of Cabinet Ministers.)

Issued the Twentieth day of July, 1925.

The Minister of Justice,
HEEMSKERK.

---

* No. 63 in Dominions No. 93. † Translation only printed.

41294

No. 633.

CANADA.

THE DEPUTY GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10th September, 1925.)

[*Answered by No.* 636.]

(No. 343.)

SIR, Ottawa, 27th August, 1925.

WITH reference to Mr. Thomas's despatch No. 252 of the 13th June, 1924,* forwarding Full Powers authorizing the Honourable J. A. Robb and the Honourable T. A. Low to negotiate and sign a Treaty of Trade and Commerce between Canada and the Netherlands, I have the honour to enclose herewith a certified copy of the Treaty† concluded at Ottawa, the 11th July, 1924, which has been approved by the Canadian Parliament and by the States-General of the Netherlands, together with copies of the approved Minute of the Privy Council of the 20th instant, advising that His Majesty be humbly moved to ratify this Convention and the instrument of ratification be forwarded to the Governor-General to be exchanged against the ratification of the Queen of the Netherlands.

I have, &c.,
P. B. MIGNAULT,
Deputy Governor-General.

Enclosure in No. 633.

CERTIFIED COPY OF A MINUTE OF A MEETING OF THE COMMITTEE OF THE PRIVY COUNCIL, APPROVED BY THE DEPUTY OF HIS EXCELLENCY THE GOVERNOR-GENERAL ON THE 20TH AUGUST, 1925.

(P.C. 1323.)

THE Committee of the Privy Council have had before them a Report, dated 31st July, 1925, from the Right Honourable W. L. Mackenzie King, Secretary of State for External Affairs, submitting a copy of the Convention between Canada and the Netherlands for the improvement and extension of their commercial relations, signed at Ottawa on the 11th July, 1924.

The Minister observes that the Convention has been approved by an Act of the Canadian Parliament passed at the last Session, and also by the "States-General" at the Hague, and an inquiry has now been received from the Consul-General of the Netherlands regarding the steps to be taken for the exchange of ratifications of the Convention.

The Committee, on the recommendation of the Secretary of State for External Affairs, advise that Your Excellency may be pleased to forward a certified copy of the Convention to the Secretary of State for Dominion Affairs, with the request that His Majesty be humbly moved to ratify the Convention and that the instrument of ratification be forwarded to Your Excellency to be exchanged in due course against the ratification of the Queen of the Netherlands.

E. J. LEMAIRE,
Clerk of the Privy Council.

The Right Honourable
The Secretary of State for External Affairs.

45063

No. 634.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.55 p.m., 5th October, 1925.)

TELEGRAM.

[*Answered by Nos.* 635 *and* 636.]

5TH OCTOBER. My despatch of 27th August, No. 343.‡ Ratification of Trade Agreement between Canada and the Netherlands. My Ministers have been informed by the Consul-General of the Netherlands that the instrument for ratification (? by the) Queen of the Netherlands has been received and is now ready for exchange, and inquire as to the approximate date at which His Majesty's instrument for ratification may be expected.—BYNG.

* No. 443 in Dominions No. 93. † Not printed (see Treaty Series 1925, No. 32). ‡ No. 633.

46113

No. 635.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 4.30 p.m., 13th October, 1925.)

TELEGRAM.

13TH OCTOBER. Your telegram 5th October.* Trade Agreement between Canada and the Netherlands. Instrument of ratification by His Majesty is being forwarded by mail of 15th October and should reach you about 26th October.—AMERY.

46113

No. 636.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 637.]

(No. 441.)

MY LORD, Downing Street, 14th October, 1925.

WITH reference to the Deputy Governor-General's despatch No. 343 of the 27th of August,† I have the honour to transmit to Your Excellency, to be laid before your Ministers, the King's Ratification of the Commercial Convention between Canada and the Netherlands signed at Ottawa on the 11th of July, 1924.

2. I should be glad if an authenticated copy of the Certificate recording the exchange of this Ratification against a similar instrument on the part of the Queen of the Netherlands could be forwarded to me in due course.

I have, etc.,
L. S. AMERY.

51797

No. 637.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 18th November, 1925.)

[*Answered by No.* 638.]

(No. 445.)

SIR, Government House, Ottawa, 4th November, 1925.

WITH reference to your despatch No. 441 of the 14th ultimo‡ transmitting the King's Ratification of the Commercial Convention between Canada and the Netherlands, which was signed at Ottawa on the 11th of July, 1924, I have the honour to inform you that the Ratifications of this Convention were duly exchanged at the office of the Under-Secretary of State for External Affairs by the Under-Secretary of State for External Affairs on behalf of Canada and Mr. Th. H. de Meester, Consul-General of the Netherlands at Montreal, on behalf of the Netherlands.

I have the honour to enclose, for transmission to the Secretary of State for Foreign Affairs, authenticated copies of the certificate recording the exchange of Ratifications.

I have, &c.,
BYNG OF VIMY.

---

* No. 634. † No. 633. ‡ No. 636.

Enclosure in No. 637.

CERTIFICATE OF EXCHANGE OF RATIFICATIONS.

THE undersigned having met together for the purpose of exchanging the Ratifications of the Commercial Convention between His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, on behalf of Canada, and Her Majesty the Queen of the Netherlands, signed at Ottawa on the eleventh day of July, nineteen hundred and twenty-four; and the respective Ratifications of the said Convention having been carefully compared, and found to be exactly conformable to each other, the said exchange took place this day in the usual form.

IN WITNESS WHEREOF, they have signed the present Certificate and have affixed thereto the seal of their arms.

DONE at Ottawa the twenty-eighth day of October, one thousand nine hundred and twenty-five.

(L.S.) (Signed) O. D. Skelton.
(L.S.) (Signed) Th. H. de Meester.

Certified to be a true copy of the original.

O. D. SKELTON,
Under-Secretary of State for External Affairs.

56603

No. 638.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
Dominions No. 554.)

[MY LORD,] [SIR,] Downing Street, 28th December, 1925.

[*To Canada only:* With reference to Your Excellency's despatch No. 445 of the 4th of November,*] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of Treaty Series paper No. 52 of 1925, Cmd. 2555, containing the Commercial Convention between Canada and the Netherlands, signed at Ottawa on the 11th of July, 1924.

[*Not to New Zealand or Irish Free State:* 2. Further copies are being sent in Library despatch.]

I have, &c.,
L. S. AMERY.

NORWAY.

(1) Proposed Commercial Agreement with Australia.

3346

No. 639.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.50 a.m., 23rd January, 1925.)

TELEGRAM.

[*Answered by No.* 640.]

23RD JANUARY. Your telegram 30th December.† Reciprocal Commercial Agreement with Norway. Commonwealth Government do not propose at present to enter into negotiations with foreign countries for conclusion of Commercial Agreements. The question of entering into negotiations with the Norwegian Government will, however, be given further consideration at a later date.—FORSTER.

---

* No. 637. † No. 444 in Dominions No. 93.

4840

No. 640.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 39.)

MY LORD, Downing Street, 6th February, 1925.

WITH reference to Your Excellency's telegram of the 23rd of January* regarding a proposal of the Norwegian Government to enter into negotiations for a Commercial Agreement with the Commonwealth of Australia, I have the honour to transmit to you, for the information of your Ministers, the accompanying copy of a note to the Norwegian Chargé d'Affaires on the subject.

I have, &c.,
L. S. AMERY.

Enclosure in No. 640.

SIR, Foreign Office, S.W.1, 30th January, 1925.

I HAVE the honour to refer to Monsieur Vogt's note of 10th December last, regarding the intention of the Norwegian Government to enter into negotiations with the Government of the Australian Commonwealth for the purpose of concluding a Commercial Treaty.

2. His Majesty's Government have, of course, no objection to the procedure proposed by your Government, but I learn that the Australian Government, though ready to give the question further consideration at a later date, do not think they could usefully enter into negotiations at the present moment.

I have, &c.,
(for the Secretary of State),
OWEN O'MALLEY.

Monsieur C. F. Smith,
&c., &c., &c.

---

(2) Agreement for the Reciprocal Exchange of Information concerning Lunatics.

2582

No. 641.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 19th January, 1925.)

[*Answered by No.* 644.]

(No. 348.)

SIR, Governor-General's Office, Melbourne, 13th December, 1924.

WITH reference to your predecessor's despatch dated 25th July, 1924, Dominions No. 341,† respecting an agreement which had been concluded between His Majesty's Government and the Norwegian Government for the reciprocal exchange of information concerning lunatics, I have the honour to inform you that I am advised by my Prime Minister that the Commonwealth Government is prepared to agree to similar arrangements being made as regards the Commonwealth of Australia.

I have, &c.,
FORSTER,
Governor-General.

---

* No. 639. † No. 445 in Dominions No. 93.

4557

No. 642.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 30th January, 1925.)

(No. 17.)

SIR, Government House, Ottawa, 16th January, 1925.

WITH reference to your despatch No. 1 of the 1st instant* on the subject of an Agreement with the Norwegian Government for the reciprocal exchange of information concerning lunatics, I have the honour to inform you that my Government not having any facilities for procuring the desired information, the Governments of the several Provinces were asked if they were prepared to make the arrangements desired by the Norwegian Government. The only reply so far received is from the Government of Ontario which expresses readiness to arrange to supply the information desired and asks whether a number of printed copies of the Agreement with the Norwegian Government could be supplied.

Steps are being taken to press those Governments which have not yet answered for a reply in the matter.

My Government will be grateful if the printed copies of the Agreement desired by the Ontario Government can be supplied.

I have, &c.,
BYNG OF VIMY.

16280

No. 643.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8th April, 1925.)

[*Answered by No.* 644.]

(No. 128.)

SIR, Government House, Ottawa, 26th March, 1925.

WITH reference to your despatch No. 1 of the 1st January* regarding the proposed Agreement between Canada and the Norwegian Government for the reciprocal exchange of information concerning lunatics, I have the honour to inform you that, as the Governments of all the Canadian Provinces have expressed willingness to supply the information desired by the Norwegian Government, the Government of Canada is prepared to agree on behalf of Canada to an arrangement similar to that enclosed in Mr. Thomas's despatch Dominions No. 341 of the 25th July, 1924,† and my Government suggest that the Agreement might be effected like that with His Majesty's Government, by an exchange of notes.

I have, &c.,
BYNG OF VIMY.

33331

No. 644.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR:

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.

Dominions No. 317.)

[MY LORD,] [SIR,] Downing Street, 27th July, 1925.

WITH reference to my predecessor's despatch Dominions No. 341 of the 25th of July, 1924,† and to [*To Canada:* Your Excellency's despatch No. 128 of the 26th

* 32806/24: reminder; not printed. † No. 445 in Dominions No. 93.

578

of March,*] [*To Australia:* Your Excellency's despatch No. 348 of the 13th of December,†] [*To New Zealand:* Viscount Jellicoe's despatch No. 201 of the 22nd of September,‡] [*To Union of South Africa:* Your Excellency's despatch No. 490 of the 17th of September§] [*To Irish Free State:* Your Excellency's despatch No. 331 of the 20th of August, 1924,‖] [*To Newfoundland:* your despatch No. 106 of the 13th of September,¶] I have the honour to transmit to you, to be laid before your Ministers, the accompanying copy of a note to the Norwegian Chargé d'Affaires, of the 20th of July, with enclosure, regarding the application to the Dominions of the provisions of the Agreement between Great Britain and Norway relative to the reciprocal exchange of information concerning lunatics.

2. Copies of the notes as finally presented to and received from the Norwegian Government will be communicated to you in due course.

I have, &c.,
L. S. AMERY.

Enclosure in No. 644.

SIR, Foreign Office, S.W. 1, 20th July, 1925.

WITH reference to your note of 5th September, 1923, I have the honour to inform you that the Agreement between Great Britain and Norway constituted by the notes exchanged on 2nd and 5th June, 1924, regarding the reciprocal exchange of information concerning lunatics, was communicated to the Governments of the self-governing Dominions, and that those Governments are willing that the provisions of this Agreement should apply also to their respective Dominions.

2. If agreeable to the Norwegian Government I shall therefore be happy to exchange further notes with you for this purpose, and I take the opportunity to transmit the draft of a note which, with your concurrence, I would suggest might serve as a basis for the further arrangements contemplated.

I have, &c.,
(For the Secretary of State),
G. R. WARNER.

Monsieur P. H. Birkeland,
&c., &c., &c.

Norwegian Minister.

SIR, Foreign Office, S.W.1, July, 1925.

I HAVE the honour to refer to the Agreement constituted by the notes exchanged on 2nd June and 5th June, 1924, regarding reciprocal notifications in the case of Norwegian subjects in lunatic asylums in Great Britain and British subjects in lunatic asylums in Norway. In compliance with the desire expressed by the Norwegian Government the Governments of His Majesty's self-governing Dominions have been approached and have expressed their willingness to make arrangements with the Government of Norway similar to those set out in that Agreement.

2. I have the honour, therefore, to propose that the present note and your reply thereto should be regarded as placing on record that the terms of the Agreement will apply as from the 1st October, 1925, in respect of the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, the Irish Free State and Newfoundland, in the same manner and on the same conditions as they apply between Norway and Great Britain, subject to any modifications as regards procedure which experience may show to be advisable.

* No. 643. † No. 641. ‡ No. 449 in Dominions No. 93. § No. 448 in Dominions No. 93.
‖ No. 446 in Dominions No. 93. ¶ No. 447 in Dominions No. 93.

OBSCENE PUBLICATIONS CONVENTION, 1923.

(*Treaty Series* 1926, *No.* 1.)

21712

No. 645.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 13th May, 1925.)

[*Answered by No.* 646.]

(No. 151.)

SIR, Vice Regal Lodge, Dublin, 12th May, 1925.

I HAVE the honour to refer to your despatch No. 77 of the 6th March,* and to previous correspondence regarding the ratification of the Convention for the Suppression of the Circulation of and Traffic in Obscene Publications negotiated at Geneva in September, 1923.

2. My Ministers desire me to inform you that the arrangements for carrying out the provisions of the Convention have not yet been completed, and that, therefore, they do not desire the inclusion of the Irish Free State in the instrument of Ratification which is being prepared.

I have, &c.,
T. M. HEALY.

55508

No. 646.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State. — Dominions Treaty No. 42.)

[MY LORD,] [SIR,] Downing Street, 21st December, 1925.

WITH reference to [*To Canada and Commonwealth of Australia:* my despatch Dominions No. 342 of the 11th of August,†] [*To New Zealand:* Viscount Jellicoe's telegram of the 7th of May, 1924,‡] [*To Union of South Africa:* Your Excellency's telegram of the 28th of April, 1924,§] [*To Irish Free State:* Your Excellency's despatch No. 151 of the 12th of May,‖] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a letter to the Secretary-General of the League of Nations forwarding His Majesty's ratification of the International Convention for the Suppression of the Circulation of and the Traffic in Obscene Publications, in respect of Great Britain and Northern Ireland, New Zealand (including Western Samoa), the Union of South Africa (including South-West Africa) and India.

I have, &c.,
L. S. AMERY.

Enclosure in No. 646.

SIR, Foreign Office, S.W.1, 9th December, 1925.

I AM directed by Secretary Sir Austen Chamberlain to transmit to you herewith His Majesty's the King's ratification of the International Convention for the Suppression of the Circulation of and the Traffic in Obscene Publications signed at Geneva between the 12th September, 1923, and the 31st March, 1924.

2. I am to invite your attention to the fact that the ratification does not apply to the Dominion of Canada or the Commonwealth of Australia, which have not

* 55159/24: reminder; not printed. † 35029/25: not printed; it dealt with the application of the Convention of Austria. ‡ No. 453 in Dominions No. 93. § No. 452 in Dominions No. 93. ‖ No. 645.

signed the Convention, and that the Irish Free State which has signed the Convention is, as you will observe, expressly excluded in the instrument of ratification. Further, the ratification does not cover the Colonies, Overseas Possessions, Protectorates and Territories under His Britannic Majesty's sovereignty or authority which were excluded from Sir Archibald Bodkin's signature. It follows, therefore, that this ratification is in respect of Great Britain and Northern Ireland, the Dominion of New Zealand (including the mandated territory of Western Samoa), the Union of South Africa (including the mandated territory of South-West Africa) and India.

I am, &c.,
R. H. CAMPBELL.

The Secretary-General,
League of Nations,
Geneva.

OPIUM CONVENTIONS, 1925.

8296

No. 647.

MEMORANDUM BY MR. MALKIN OF THE FOREIGN OFFICE.

SIR E. CROWE,

THERE was one incident during the Opium Conference at Geneva which I think it desirable to place on record, at the risk of some prolixity, in case any question about it should subsequently arise.

As you are aware, some, though not all, of the conventions negotiated under the auspices of the League of Nations contain a provision to the effect that the convention in question is not to be interpreted as regulating the rights and obligations *inter se* of the various parts of the British Empire. The history of this article and the cases in which it has or has not been inserted are stated as follows in a memorandum* which the Colonial Office have just sent us in connexion with the registration of the Irish "treaty" by the Free State Government:—

> "Early in 1921 the question arose in connexion with the League of Nations Conference on Transit and Communications at Barcelona how best to indicate in technical Conventions of the kind negotiated at that Conference that the internal relations between different parts of the British Empire were not to be regarded as regulated by the terms of the Conventions. 'After a good deal of discussion, the question was settled by the insertion of the following clause in the Conventions relating to Freedom of Transit (Treaty Series 27 of 1923) and the *régime* of Navigable Waterways (Treaty Series 29 of 1923):—
>
> > It is understood that this Statute must not be interpreted as regulating in any way rights and obligations *inter se* of territories forming part or placed under the protection of the same sovereign State whether or not these territories are individually Members of the League of Nations.
>
> The same Article appears in the Customs Formalities Convention negotiated at Geneva in October and November, 1923, and in the Conventions relating to railways, maritime ports, electric power, and hydraulic power negotiated at the Conference on Transit and Communications held at Geneva in the autumn of 1923.
>
> The insertion of the same or a similar Article has been considered in connexion with other Conventions (e.g., that on Workmen's Compensation negotiated at the International Labour Conference, 1924) but on the occasion of the latter Convention it was thought unnecessary to insist on the Article, and it does not appear in other Conventions such as that on the Traffic in Women and Children (Treaty Series 26 of 1923) and on Obscene Publications. The main question to be considered in each case is whether the Convention simply contains provisions of an administrative character, or whether it may lead to arbitration or judicial decisions, e.g., a reference to the Permanent Court of International Justice."

* No. 363 in Dominions No. 93.

When the draft articles prepared by the committees of the Opium Conference came up before the drafting committee to be turned into a convention, I had of course to consider whether the article referred to above should be inserted in the convention or not, and I formed the definite opinion that it was both unnecessary and undesirable that it should. The only provisions in the convention to which the article in question could have any application are those prescribing that shipments from one country to another of the substances to which the convention applies must be covered by certain documents issued by the importing and exporting countries—what is called colloquially the "import certificate system." These provisions are certainly, in the words of the Colonial Office memorandum, "simply of an administrative character," and they are really a reproduction of the system which already exists in this country. This system is, I understand, at present applied, not only to shipments of the substances concerned between this country and the self-governing Dominions, but also to shipments to the Colonies, and this is certainly as it should be, for the whole object of the system is to control the passage of the substances from one country to another and the *political* relationship between the countries concerned is not in point at all. In any case it is certainly the intention of our authorities that the provisions in question should in fact be applied as between this country and the different parts of the Empire. If, therefore, the article in question were inserted in the convention, its only effect would have been to entitle us to do something which we had no intention of doing, and to produce an entirely erroneous impression as to our intentions. This would, in the circumstances of the conference, have been most undesirable, for the British Delegation took the lead in pressing for the adoption of the provisions in question, and if when this had been obtained the conference got the impression that we did not intend to apply these provisions as between the different parts of the British Empire there would certainly have been a storm, and the acceptance of the provisions might have been seriously jeopardized. I accordingly decided, after consulting Sir Malcolm Delevingne, not to attempt to get the article in question into the convention. I may add that the presence at the conference of Mr. MacWhite, the permanent Irish Free State representative at Geneva, who is, of course, thoroughly familiar with the controversy about the Irish "treaty," rendered it impossible to discuss the point with all the Dominion representatives and get their concurrence in the course proposed. Incidentally, this difficulty will continue until the general question of the position of the Dominions who are Members of the League of Nations has been further elucidated by inter-Imperial agreement, for at present it is practically impossible to reach agreement on such points by holding a meeting of the British Empire Delegation at any Geneva conference, and most undesirable to have a discussion on such points in open conference.

When the drafting committee were preparing the so-called "Protocol articles," which figure at the end of every convention, the Japanese delegate, Mr. Sugimura, who raises the question of the position of the British Empire at every conference which he attends, asked me privately whether we were proposing to ask for the insertion of the article in question. I told him not and explained why, and he appeared quite satisfied. When, however, the "Protocol articles" were being considered by the plenary conference, he rose and said that he desired to place it on record that the omission of the article was intentional, and asked that his statement might be recorded in the Minutes. It seemed to me that if after this statement (which in itself we had no reason to quarrel with) nothing was said from our side, it might create a misleading impression, and might even be made the basis of a suggestion in future that we had abandoned the principle which the article in question represents. There was no time for anything beyond a very hurried consultation with Sir Malcolm Delevingne, for the Japanese delegate had not told me beforehand that he was going to raise the point; it was just at the end of the meeting and I had to leave Geneva the same evening. I therefore rose and confirmed the statement that the omission of the article in question was deliberate, and added that my Japanese colleague was as familiar as I was with the reasons which made the article in question necessary in certain conventions (a statement to which he indicated assent), and that the reason why we did not ask for its insertion in the present convention was that *the only* provisions to which it could have any application were those to which I have referred above, and that in our view at any rate those provisions ought to be complied with in relation to shipments of the substances in question between different parts of the British Empire, and that, therefore, to have inserted the article would have given an impression of our intentions which was precisely the opposite of the truth. The

Japanese delegate thanked me for this statement, with which he declared himself quite satisfied, and the subject then dropped. I may add that at the moment when the point was raised none of the Dominion representatives were in their places (which in the case of the Irish representative may have been rather a good thing) but the Canadian representative, who came in while I was speaking, expressed afterwards his full agreement with the line I had taken.

I think, therefore, that the principle which we wish to maintain has been amply safeguarded so far at any rate as the inherent difficulties of the situation ever allow this to be done. The point arises in some form or other at nearly every Geneva conference, and one difficulty is that it is by no means certain that the views of all the Dominions on the point are the same as ours.

H. W. MALKIN.

19th February, 1925.

23691

No. 648.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 3.20 p.m., 21st May, 1925.)

TELEGRAM.

[*Answered by Nos.* 653, 654 *and* 655.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)

21ST MAY. My telegram 7th January.* As your Ministers will be aware, work of Opium Conferences finally resulted in adoption of Agreement supplementary to Opium Convention 23rd January, 1912, and of Convention relating to Dangerous Drugs, with Protocols in both cases. Copies were forwarded by Secretary-General, League of Nations, to Members of League in letters C.L. 21 (*a*) 10th March, and C.L. 22, 11th March. Subject to concurrence of Government of India, proposed that Agreement supplementary to Opium Convention with protocol which apply only to Far Eastern territories should be ratified by His Majesty subject to any necessary exceptions as regards territories under His Majesty's protection.

Further proposed that Drugs Convention with protocol should be ratified on behalf of this country. Governments of Newfoundland, Southern Rhodesia, and Colonies not possessing responsible Government, and Protectorates are being consulted as to whether any excluding declaration under Article XXXIX desired in their case. It would be convenient to His Majesty's Government to learn before instrument of ratification prepared whether Dominion Members of League desire that Drugs Convention and protocol should also be ratified on their behalf. Please telegraph your Ministers' views.—AMERY.

23691

No. 649.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 3.30 p.m., 21st May, 1925.)

TELEGRAM.

[*Answered by No.* 653.]

21ST MAY. My telegram of to-day.† Dangerous Drugs Convention. Observed that Convention and protocol already signed on behalf of Commonwealth of Australia. In event of your Ministers desiring ratification, please telegraph whether they wish excluding declaration under Article XXXIX to be made in respect of Papua, Norfolk Island, or New Guinea. Position of Nauru also will need consideration, and His Majesty's Government will be glad of your Ministers' observations as to application of Convention and protocol to it.—AMERY.

---

* 106/25: not printed; it summarized the proceedings at the Conferences. † No. 648.

23691

No. 650.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent [*Canada:* 3.40 p.m.] [*New Zealand and Union of South Africa:* 4.10 p.m.] 21st May, 1925.)

TELEGRAM.

[*Answered by Nos.* 654, 655 *and* 659.]

(Canada.)
(New Zealand.)
(Union of South Africa.)

21ST MAY. My telegram of to-day.* Dangerous Drugs Convention. Should your Ministers desire ratification on behalf of [Canada] [New Zealand] [Union of South Africa] it would be convenient to His Majesty's Government to learn [*Not to Canada:* (*a*)] what arrangements they contemplate for signature. [*To New Zealand and Union of South Africa:* and (*b*) in event of their deciding that excluding declaration under Article XXXIX should be made in respect of [Western Samoa,] [South West Africa,] whether it is intended to make declaration at time of signature or desired that matter should be dealt with in instrument of ratification].—AMERY.

23691

No. 651.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 205.)

SIR, Downing Street, 23rd May, 1925.

I HAVE the honour to invite reference to the Agreement and Convention resulting from the work of the Opium Conferences recently held at Geneva copies of which were forwarded by the Secretary-General of the League of Nations to the Members of the League in his letters C.L. 21 (*a*), 1925, V of the 10th March, and C.L. 22, 1925, V of the 11th March respectively.

2. Subject to the concurrence of the Government of India, it is proposed that the Agreement supplementary to the International Opium Convention of the 23rd January, 1912, with the Protocol thereto (which apply only to Far Eastern territories) should be ratified by His Majesty the King, subject to any necessary exceptions as regards territories under His Majesty's protection.

3. It is further proposed that the Convention relating to Dangerous Drugs with the Protocol thereto should be ratified on behalf of this country, and the Governments of Newfoundland, Southern Rhodesia, and the Colonies not possessing responsible Government, and Protectorates are being consulted as to whether any excluding declaration under Article XXXIX of the Convention is desired in their case.

4. It would be convenient to His Majesty's Government to learn, before the instrument of ratification of the Drugs Convention and Protocol is prepared, whether Your Excellency's Ministers would desire that these instruments should also be ratified on behalf of the Irish Free State.

5. A similar inquiry has been made of the other Dominion Members of the League by telegraph.

I have, &c.,
L. S. AMERY.

23691

No. 652.

THE SECRETARY OF STATE to THE GOVERNORS.

[*Answered by Nos.* 656 *and* 658.]

(Newfoundland. No. 54.)
(Southern Rhodesia. No. 176.)

SIR, Downing Street, 25th May, 1925.

I HAVE the honour to transmit to you, to be laid before your Ministers, copies of League of Nations papers containing the Instruments adopted as a result of

* No. 648.

the work of the recent International Conferences at Geneva on the Traffic in Opium and Dangerous Drugs, viz. :—

(i) An agreement supplementary to the International Opium Convention of the 23rd January, 1912, with a Protocol thereto (C. 82. M. 41);

(ii) A Convention relating to Dangerous Drugs with a Protocol thereto (C. 88. M. 44).

2. Subject to the concurrence of the Government of India, it is proposed that the supplementary agreement with the Protocol thereto (which apply only to Far Eastern territories) should be ratified by His Majesty the King, subject to any necessary exceptions as regards territories under His Majesty's protection.

3. It is further proposed that the Convention relating to Dangerous Drugs with the Protocol thereto should be ratified on behalf of this country. It will be seen that under Article XXXIX of the Convention any State signing the Convention may declare, at the moment of ratification, that its acceptance does not include any or all of its Colonies, overseas possessions, protectorates, or overseas territories under its Sovereignty or authority. I should be glad to learn whether your Ministers would desire that a declaration in this sense should be made in respect of [Newfoundland] [Southern Rhodesia] at the time of deposit of His Majesty's ratification of the Convention and Protocol. In this connexion I would invite attention to paragraph 1 of the Final Act of the Conference (page 23 of C. 88. M. 44).

4. I should be grateful for a telegraphic reply to this despatch.

I have, &c.,
L. S. AMERY.

25212

No. 653.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.26 a.m., 3rd June, 1925.)

TELEGRAM.

3RD JUNE. Your telegram of 21st May.* Dangerous Drugs Convention and Protocol. Commonwealth Government would be glad if His Majesty's Government will take necessary measures to effect ratification on its behalf. Commonwealth Government desires that the Convention shall apply also to Papua, Norfolk Island, and New Guinea. Ministers see no objection to the Convention being applied to Nauru, and they invite attention to page 9 of Report on Nauru for 1924.—FORSTER.

28778

No. 654.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1.5 p.m., 24th June, 1925.)

TELEGRAM.

24TH JUNE. Your telegram of 21st May.† Ministers state that the High Commissioner for the Union of South Africa in London has been instructed to sign the Dangerous Drugs Convention and Protocol on behalf of the Union of South Africa and the Mandated Territory of South-West Africa, and they would be glad if His Majesty will ratify the Convention and Protocol both on behalf of the Union of South Africa and South-West Africa.—ATHLONE.

---

* Nos. 648 and 649. † Nos. 648 and 650.

30350

No. 655.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6.30 a.m., 4th July, 1925.)

TELEGRAM.

4TH JULY. Your telegram dated 21st May.* My Ministers desire that the Drug Convention and Protocol of 19th February, 1925, should be ratified on behalf of New Zealand, and that the instrument of ratification should be executed either by His Majesty's Government or by the High Commissioner for New Zealand, whichever course is more convenient.

It is not desired that Western Samoa should, under Article XXXIX of the Convention, be excluded from the operation of the provisions of the Convention.

Ministers add that legislation will as soon as possible be introduced to enable effect to be given to the terms of the Convention and Protocol.—FERGUSSON.

31772

No. 656.

SOUTHERN RHODESIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 6.15 p.m., 11th July, 1925.)

TELEGRAM.

[*Answered by No.* 657.]

11TH JULY. Your despatch 25th May, No. 176.† This Government accepts the Supplementary Agreement of the International Opium Convention of 23rd January, 1912, with Protocol, and the Convention relating to Dangerous Drugs, with Protocol, with the following reservations regarding the latter Convention: (*a*) that the maximum dose of official opium preparation laid down in Article IX of the Convention should not cover the sale of tincture of opium or sydenham laudanum to stock-owners and ranchers as provided for in Government Notice 368 of 1924, (*b*) it is suggested that annual or half-yearly instead of quarterly return(s) of imports and exports required by paragraph 2 of Article XXII of Convention should be rendered.

It is not anticipated that the small quantities dealt with in this Colony will require the fixing of a minimum.—CHANCELLOR.

35010

No. 657.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 5 p.m., 6th August, 1925.)

TELEGRAM.

[*Answered by No.* 660.]

6TH AUGUST. Your telegram 11th July.‡ Secretary of State for Home Affairs considers that Article nine, Dangerous Drugs Convention, cannot be regarded as applying to supply of tincture of opium to stock-owners and ranchers who have been authorized by permit under Notice 368 to purchase and be in possession of tincture of opium for veterinary purposes. Article nine is of nature of exception to or relaxation of general provisions for prohibition of sale of drug to unauthorized persons which appear in 1912 Convention and are re-enacted in Article seven, new Convention, and stock-owners and ranchers who are granted permits under Notice 368 would be regarded as authorized persons for purposes of Article seven.

---

* Nos. 648 and 650. † No. 652. ‡ No. 656.

As regards second point, requirement of quarterly statistics under Article 22 forms essential part of scheme for establishment of Permanent Central Board (see pages 37, 39 and 40, Report of Opium Conferences, enclosed in my despatch 27th July, 270*) and was agreed upon by Conference only after considerable negotiation and discussion. It would therefore be embarrassing if it were now found necessary to exclude from provisions of this Article any part of Empire to which Convention as a whole was being applied, and in the circumstances it is hoped that your Ministers will not press suggestion.—AMERY.

39491

No. 658.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 2.0 a.m., 29th August, 1925.)

TELEGRAM.

28TH AUGUST. Your despatch 25th May, No. 54.† Opium and dangerous drugs. Ministers agree that Article(s) of Convention shall apply to Newfoundland.—ALLARDYCE.

40668

No. 659.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.15 p.m., 5th September, 1925.)

TELEGRAM.

[*Answered by No.* 661.]

5TH SEPTEMBER. Your telegram of 21st May.‡ Honourable Raoul Dandurand, Senior Canadian Delegate to the Sixth Assembly of the League of Nations, has been authorized to sign Opium Convention and Protocol.—GOVERNOR-GENERAL.

42976

No. 660.

SOUTHERN RHODESIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 3.15 p.m., 22nd September, 1925.)

TELEGRAM.

[*Answered by No.* 663.]

22ND SEPTEMBER. Your telegram 6th August§ on the subject of the International Conferences at Geneva on Traffic in Opium and Dangerous Drugs. Quarterly returns of imports and exports certificates issued in respect of habit-forming drugs will be provided.

My Ministers point out that these returns might not represent correctly the actual imports and exports during the periods specified, as habit-forming drugs in respect of which an import certificate has been issued might not reach this Colony until some months after the issue of the certificate.

I should be glad to be informed whether the quarterly returns of imports and exports certificates issued will be sufficient for the purpose required.—CHANCELLOR.

---

* 32731/25: not printed; it enclosed copies of the Records of the Conferences. † No. 652. ‡ No. 650. § No. 657.

42909

No. 661.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 12.30 p.m., 25th September, 1925.)

TELEGRAM.

[*Answered by No.* 667.]

25TH SEPTEMBER. Your telegram 5th September.* Do your Ministers wish that Opium Convention and Protocol should be ratified by His Majesty on behalf of Canada? Early reply would be appreciated, as it is proposed to prepare instrument of ratification on behalf of those parts of Empire which accept Convention and Protocol as soon as certified copies of Convention, etc., with signatures to 30th September (when period for signature expires) have been received from Geneva with a view to deposit of instrument as soon as possible thereafter.—AMERY.

42909

No. 662.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 376.)

SIR, Downing Street, 26th September, 1925.

WITH reference to my despatch No. 205 of the 23rd of May† on the subject of the ratification of the Convention and Protocol drawn up by the Second Opium Conference at Geneva, I have the honour to inquire whether Your Excellency's Ministers are now in a position to state whether they wish that ratification should be effected on behalf of the Irish Free State.

2. His Majesty's Government would appreciate an early expression of your Ministers' views, since it is proposed that the instrument of His Majesty's ratification of the Convention and Protocol on behalf of those parts of the Empire which accept their provisions should be prepared as soon as certified copies of the Convention and the Protocol with the signatures to the 30th September (the date when the period for signature expires) have been received from Geneva, and that the instrument should be deposited as soon as possible thereafter. For this purpose it is desired to know whether the instrument of ratification should or should not include the Irish Free State.

I have, &c.,
L. S. AMERY.

45364

No. 663.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 4.45 p.m., 23rd October, 1925.)

TELEGRAM.

[*Answered by No.* 664.]

YOUR telegram 22nd September,‡ Dangerous Drugs Convention. Secretary of State for Home Affairs fears that statistics based upon import certificates and export licences issued would not be regarded as fulfilling requirements of Article 22(2) of Convention which calls for statistics of actual imports and exports and, in view of considerations mentioned in my telegram 6th August,§ hopes that your Ministers may be able to make arrangements which would render it possible to meet this requirement. It is suggested for your Ministers' consideration that one possible course would be that when import or export of any consignment is effected customs officials should endorse licence presented as authority for import or export and return it to central authorities in Southern Rhodesia who would thus receive and be in a position to tabulate current information as to actual imports or exports effected. Please telegraph views of your Ministers.—AMERY.

---

* No. 650. † No. 651. ‡ No. 660. § No. 657.

54405

No. 664.

SOUTHERN RHODESIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 4.0 p.m., 3rd December, 1925.)

TELEGRAM.

3RD DECEMBER. Your telegram of 23rd October.* Arrangement has been made for the quarterly return of actual imports and exports of habit-forming drugs to be furnished beginning with the quarter ending 31st December, 1925.—CHANCELLOR.

56463

No. 665.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 1.50 p.m., 21st December, 1925.)

TELEGRAM.

[*Answered by No.* 667.]

21ST DECEMBER. My telegrams 25th September,† 23rd October.‡ Considered undesirable that deposit of His Majesty's ratification of Dangerous Drugs Convention and Protocol should be delayed beyond 31st December. Instrument of ratification is being prepared accordingly and should your Ministers desire inclusion of Canada in ratification I should be glad to be notified at earliest possible date. In the absence of such notification provision will be made in instrument that ratification shall not apply to Canada, without prejudice to right of His Majesty to ratify on behalf of Canada at a later date.—AMERY.

56463

No. 666.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 474.)

SIR, Downing Street, 22nd December, 1925.

WITH reference to my despatches No. 205 of the 23rd of May,§ No. 376 of the 26th of September,‖ and No. 407 of the 23rd of October,‡ I have the honour to request Your Excellency to inform your Ministers that it is considered undesirable that the deposit of His Majesty's ratification of the Dangerous Drugs Convention and Protocol should be delayed beyond the 31st of December.

2. An instrument of ratification is being prepared accordingly and, should your Ministers desire the inclusion of the Irish Free State in the ratification, I should be glad to be notified at the earliest possible date.

3. In the absence of such notification, provision will be made in the Instrument that the ratification shall not apply to the Irish Free State, without prejudice to the right of His Majesty to ratify the Convention and Protocol on behalf of the Irish Free State at a later date.

I have, &c.,
L. S. AMERY.

D. 27

No. 667.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.30 p.m., 31st December, 1925.)

TELEGRAM.

31ST DECEMBER. Your telegram of 23rd October.‡ Your telegram of 21st December.¶ Dangerous Drugs Convention and Protocol. As possibility of submitting Convention to Parliament is still under consideration my Ministers do not desire that Canada should be included at present in ratification.—BYNG.

---

* No. 663. † No. 661. ‡ 42909/25: reminder; not printed. § No. 651. ‖ No. 662. ¶ No. 665.

PANAMA.

Proposed Commercial Treaty.

31231

No. 668.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 260.) — Dominions No. 314.)

[My Lord,] [Sir,] Downing Street, 24th July, 1925.

I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, the accompanying copy of a draft Treaty* of Friendship, Commerce and Navigation with Panama, which has been forwarded to His Majesty's Minister at Panama with a request that he will submit it to the Panamanian Government for their favourable consideration.

I have, &c.,
L. S. AMERY.

Note.—No further developments occurred during 1925.

PERSIA.

Agreement, 1920, modifying the Commercial Convention of 1903.

(*Treaty Series* 1920, *No.* 17.)

1318

No. 669.

CANADA.

THE GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 9th January, 1925.)

[*Answered by No.* 670.]

(No. 538.)

Sir, Government House, Ottawa, 29th December, 1924.

With reference to Mr. Thomas's despatch No. 55 of the 1st February,† regarding the withdrawal of Canada from the Anglo-Persian Agreement of the 21st March, 1920, I have the honour to inform you that on reconsideration of the question the Canadian Government has decided to take no further steps in the matter, so that the notification of withdrawal given to the Persian Government may be disregarded.

I have, &c.,
BYNG OF VIMY.

9577

No. 670.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL.

(Canada. No. 106.)
(Commonwealth of Australia. No. 81.)

My Lord, Downing Street, 7th March, 1925.

With reference to Your Excellency's despatch [No. 538 of the 29th of December, 1924,‡] [No. 394 of the 21st of December, 1923,§] I have the honour to transmit to you, for the information of your Ministers, the accompanying copy of a

* Not printed here: it was in the usual form. † 4122/24: not printed; it enclosed a copy of No. 461 in Dominions No. 93. ‡ No. 669. § No. 461 in Dominions No. 93.

despatch to His Majesty's Minister at Tehran regarding the [*To Canada only:* cancellation of the withdrawal of Canada] [*To Australia only:* withdrawal of the Commonwealth of Australia] from the Agreement of the 21st of March, 1920, modifying the Commercial Convention between Great Britain and Persia of the 9th of February, 1903.

[*To Australia only:* 2. The delay in communicating the contents of your despatch under reference to the Persian Government was due to the desire to await a reply from Canada as well as from the Commonwealth of Australia.]

I have, &c.,
L. S. AMERY.

Enclosure in No. 670.

(No. 89.)

Sir, Foreign Office, S.W.1, 27th February, 1925.

With reference to your despatch No. 682 of 22nd November, 1922, relative to the withdrawal of the Canadian Government and of the Government of the Commonwealth of Australia from the Agreement of 21st March, 1920, modifying the Commercial Convention between Great Britain and Persia of 9th February, 1903, I transmit to you the accompanying copy of a despatch* from the Governor-General of the Commonwealth of Australia (to the Colonial Office), setting forth the reasons which prompted the desire of his Government to withdraw from that Agreement. You should accordingly address a note to the Persian Government embodying the substance of Lord Forster's despatch.

2. On the other hand, the Canadian Government have now decided to cancel their withdrawal from the Agreement, of which the Persian Government were made aware in your note of 18th February, 1922 (enclosed in your despatch No. 97 of 18th February, 1922).

3. You should therefore arrange to exchange notes with the Persian Government cancelling the previous notification of the withdrawal of Canada from the Agreement.

I am, &c.,
(For the Secretary of State),
Lancelot Oliphant.

Sir Percy Loraine, Bart., C.M.G.,
&c., &c., &c.

PHOSPHORUS, WHITE.

Convention Prohibiting the Use of, in the manufacture of Matches. Position of the Irish Free State.

57847

No. 671.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 24th December, 1925.)

(No. 349.)

Sir, Vice Regal Lodge, Dublin, 23rd December, 1925.

I have the honour to inform you that my Ministers have decided to adhere, on behalf of the Irish Free State, to the Berne Convention of 1906 regarding the use of White Phosphorus in the manufacture of Matches. Existing legislation effects all that is necessary for the purpose of putting the provisions of the Convention into operation.

2. My Ministers therefore request that you may be good enough to notify the Swiss Government of the adhesion of the Irish Free State to the above Convention.

I have, &c.,
T. M. HEALY.

* No. 461 in Dominions No. 93.

POLAND.

Commercial Treaty, 1923.

(*Treaty Series* 1924, *No.* 26.)

59569

No. 672.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 1.)

Dominions No. 2.)

[My Lord,] [Sir,] Downing Street, 2nd January, 1925.

With reference to my despatch [Dominions No. 562] [No. 502] of the 5th of December,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a despatch from His Majesty's Representative at Warsaw forwarding a translation of the law empowering the Polish Government, in certain cases, to increase the existing customs duties by 100 per cent. and to charge customs duties on goods the import of which is, at present, free.

I have, &c.,
L. S. AMERY.

Enclosure in No. 672.

(No. 560.)

Sir, British Legation, Warsaw, 8th December, 1924.

With reference to my telegram No. 113 of the 28th November, I have the honour to report that the bill empowering the Polish Government, in certain cases, to increase the existing customs duties by 100 per cent. and to charge customs duties on goods the import of which is, at present, free, has now become law.

I beg to enclose a translation of the law as published in the Journal of Laws of the Polish Republic, No. 102 of the 1st December.

This law has been passed in order to give the Polish Government a free hand to increase the customs duties on German goods in the event of the German Government refusing most-favoured-nation treatment to Polish goods after the expiration, on the 10th January, 1925, of the period during which that Government undertook, in virtue of Article 264 of the Treaty of Versailles, to grant such treatment to the goods of the Allied and Associated States.

I have, &c.,
W. G. Max Muller.

The Right Honourable
Austen Chamberlain, M.P.,
&c., &c., &c.

Article 1.

Maximum import duties will be fixed at twice the duties set out in the customs tariff of the 26th June, 1924.

For goods on which, according to the customs tariff of the 26th June, 1924, no duty is charged at present, maximum import duties will be introduced.

* No. 466 in Dominions No. 93.

These maximum import duties are applicable in the following cases for goods originating in countries with which Poland has not yet concluded a commercial treaty:—

(*a*) Where Polish goods are not subject to the most-favoured-nation treatment;

(*b*) Where the export of goods to the territory of the Republic of Poland is assisted by means of open or concealed premiums.

2. The enumeration of the countries and of the goods to which paragraph 1 will be applied and the list of the maximum import duties for goods which until now are imported free of duty, will be made the subject of a separate order.

3. The above order will come into force on the day of its publication.

2577

No. 673.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 19th January, 1925.)

(No. 343.)

Sir, Governor-General's Office, Melbourne, 9th December, 1924.

With reference to the Duke of Devonshire's despatch dated 31st December, 1923, Dominions No. 479,* on the subject of a Treaty of Commerce and Navigation between the United Kingdom and Poland, which was signed at Warsaw on 26th November, 1923, I have the honour to inform you that I am advised by my Prime Minister, with respect to Article VIII of the Treaty, that the Commonwealth Government does not desire to accede at present to this Treaty.

I have, &c.,
FORSTER,
Governor-General.

PORTUGAL.

(1) Tonnage Measurement Agreement, 1926.

(*Treaty Series* 1926, *No.* 15.)

18640

No. 674.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNOR.

(Sent 1.25 p.m., 9th June, 1925.)

Telegram.

[*Answered by Nos.* 676, 677, 678, 679, *and* 681.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

9th June. Portuguese Government have communicated to His Majesty's Government new regulations relating to tonnage measurement and have asked that in view of these His Majesty's Government will recognize for purposes of Merchant Shipping Act tonnage denoted on Portuguese papers issued after 5th July, 1924. New regulations are considered substantially equivalent to British regulations and accordingly proposed to negotiate agreement on lines of those with Finland and Japan, see my despatch 30th August, 1924, Dominions 424,† my despatch 9th March, 1923, Dominions 77.‡ Do your Ministers concur? If agreement on these lines concluded it would be placed on record at time of signature that agreement made with consent of Dominions.—Amery.

* No. 316 in Dominions No. 88. † No. 187 in Dominions No. 93. ‡ 9751/23: not printed; it enclosed a copy of the agreement with Japan.

25721

No. 675.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No. 680.*]

(No. 230.)

SIR, Downing Street, 13th June, 1925.

I HAVE the honour to transmit to Your Excellency, to be laid before your Ministers, the accompanying copy of a telegram* sent to the other self-governing Dominions regarding the proposed Agreement with Portugal on the subject of the tonnage measurement of ships.

2. I should be glad to learn whether your Ministers concur in the proposals described in the telegram.

I have, &c.,
L. S. AMERY.

27903

No. 676.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.50 a.m., 19th June, 1925.)

TELEGRAM.

19TH JUNE. My Ministers advise me that Portuguese regulations for the measurement of ships' tonnage referred to in your telegram of 9th June* will be recognized in New Zealand.—FERGUSSON.

28696

No. 677.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 6.15 p.m., 23rd June, 1925.)

TELEGRAM.

23RD JUNE. Your telegram 9th June,* Portuguese tonnage measurement. My Ministers concur.—ALLARDYCE.

28913

No. 678.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1.37 p.m., 25th June, 1925.)

TELEGRAM.

25TH JUNE. Your telegram of 9th June.* Tonnage measurement. Commonwealth Government concurs in proposed arrangement with Portugal and agrees to become a party to it.—FORSTER.

30225

No. 679.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2.15 p.m., 3rd July, 1925.)

TELEGRAM.

3RD JULY. Your telegram of 9th June.* Ministers concur in the proposed new Tonnage Measurement Agreement with Portugal.—ATHLONE.

---

* No. 674.

30845

No. 680.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7th July, 1925.)

(No. 200.)

SIR, Vice Regal Lodge, Dublin, 6th July, 1925.

I HAVE the honour to acknowledge the receipt of your despatch No. 230, dated the 13th ultimo,* and enclosure regarding the proposed Agreement with Portugal on the subject of the tonnage measurement of ships.

2. In reply I have to inform you that as the new Portuguese Regulations are stated to be substantially equivalent to those now in operation in the Irish Free State my Ministers see no objection to the making of the proposed Agreement with the Portuguese Government.

I have, &c.,
T. M. HEALY.

37212

No. 681.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6.36 p.m., 13th August, 1925.)

TELEGRAM.

13TH AUGUST. Tonnage Measurement Agreement with Portugal. Canadian Government concur in proposal outlined in your telegram of 9th June.†—BYNG.

41215

No. 682.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. — Dominions No. 422.)

[MY LORD,] [SIR,] Downing Street, 18th September, 1925.

WITH reference to my [*Not to Irish Free State:* telegram of the 9th of June,†] [*To Irish Free State:* despatch No. 230 of the 13th of June,*] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a note to the Portuguese Ambassador regarding the proposed agreement with Portugal relating to the reciprocal recognition of regulations for the tonnage measurements of ships.

I have, &c.,
L. S. AMERY.

Enclosure in No. 682.

Foreign Office, S.W.1.
8th September, 1925.

YOUR EXCELLENCY,

WITH reference to your note of 5th June last, and to previous correspondence regarding the proposed agreement between Portugal and Great Britain for the reciprocal recognition of regulations relating to tonnage measurement, I have the honour to inform you that His Majesty's Government are prepared to conclude an agreement with the Portuguese Government in the terms of the enclosed draft. If the latter meets with the approval of your Government I shall be glad to sign the agreement with Your Excellency as soon as possible.

---

* No. 675. † No. 674.

2. His Majesty's Government propose to place on record the fact that the agreement is made with the consent of the self-governing Dominions and India. This could conveniently be done by means of an exchange of notes at the time of signature.

3. I regret that I have been unable until now to furnish you with a definite answer in this matter, owing to the fact that it was necessary to ascertain the wishes of the Dominion Governments in regard to the agreement.

I have, &c.,
(For the Secretary of State),
C. W. ORDE.

His Excellency
General J. M. R. Norton de Mattos, G.C.M.G.,
&c., &c., &c.

Draft Agreement.

His Britannic Majesty's Government and the Portuguese Government have agreed as follows:—

In view of the fact that the existing laws and regulations of Great Britain in regard to measurement of tonnage of merchant ships are in substantial agreement with those of Portugal, British ships furnished with certificates of registry and other national papers duly issued by the competent British authorities shall be deemed by the Portuguese authorities to be of the tonnage denoted in the said documents, and shall be exempted from being re-measured in any port or place within the Portuguese territory or in localities under the control of Portugal, on condition that similar terms shall be accorded to Portuguese ships equipped with certificates of registry or other national papers duly issued by the competent Portuguese authorities on or after the 5th July, 1924, and that such ships shall be exempted from being re-measured in any place within His Britannic Majesty's Dominions or under His Britannic Majesty's protection or control.

Either of the contracting parties may, on giving to the other twelve months' notice to that effect, terminate this agreement either as a whole or separately in respect of any of the following parts of His Britannic Majesty's Dominions, viz., the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, the Irish Free State, Newfoundland, and His Majesty's Indian Empire.

In the event of the agreement being terminated in respect of any such part of His Britannic Majesty's Dominions the agreement shall cease to apply to British ships registered therein.

In witness thereof the under-signed have signed the present agreement and have fixed thereto their seals.

Done at the day of , 1925.

POSTAL CONVENTIONS, 1924.

3277

No. 683.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL.

[*Answered by Nos.* 684, 685, 686 *and* 695.]

(Canada,
(Commonwealth of Australia.
(New Zealand,
(Union of South Africa.
(Irish Free State,
} Dominions Treaty No. 9.

[MY LORD,] [SIR,] Downing Street, 10th February, 1925.

[*To Canada:* With reference to Your Excellency's despatch No. 234 of the 4th June, 1924,*] [*To Australia:* With reference to Your Excellency's despatch

* No. 481 in Dominions No. 93.

No. 73 of the 4th April, 1924,*] [*To New Zealand:* With reference to my predecessor's telegram of the 26th June, 1924,†] [*To South Africa:* With reference to Your Excellency's despatch No. 187 of the 11th April, 1924,‡] [*To Canada, Australia, New Zealand and South Africa:* and previous correspondence on the subject of the Congress of the Universal Postal Union held at Stockholm in July and August last,] [*To Irish Free State:* With reference to previous correspondence on the subject of the Congress of the Universal Postal Union held at Stockholm in July and August last,] I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, the accompanying copy of a Note from the Swedish Minister in London, together with one set of certified copies of the Convention§ and other Arrangements§ signed at the Congress.

[*To Canada, New Zealand, South Africa and Irish Free State:* 2. It will be observed that in the penultimate paragraph of the Note the Swedish Minister states that it would be desirable that instruments of ratification in respect of the Convention and of any of the subsidiary Arrangements should reach Stockholm not later than the 1st September next.] [*To Canada, New Zealand and South Africa:* It is proposed to prepare, on behalf of this country, a Document of Confirmation and Approval similar to that employed in connexion with the Convention resulting from the previous Congress held at Madrid in 1920.] [*To Irish Free State:* In this connexion I would invite attention to paragraph 3 of the memorandum enclosed in my predecessor's despatch No. 445 of the 26th July, 1924.‖ The enclosed copies of the Documents of Confirmation and Approval, employed by the Governments of Canada and the Union of South Africa, respectively, in connexion with the Convention resulting from the previous Congress held at Madrid in 1920, may, it is thought, be of assistance to your Ministers in this matter.]

[*To Australia:* 2. It will be observed that the Swedish Minister in the 3rd paragraph of this Note draws attention to Articles IX, X and XI of the Final Protocol to the main Convention, in which provision is made, *inter alia*, for adhesion by the Government of the Commonwealth of Australia to the Convention and any or all of the subsidiary arrangements, such adhesion to be notified to the Swedish Government through the diplomatic channel not later than the 1st of September next. His Majesty's Government would be glad to be informed, in due course, whether your Ministers would desire any such notification of adhesion to be made to the Swedish Government.]

I have, &c.,
L. S. AMERY.

Enclosure in No. 683.

(Copie.)
(N 211/211/42.)
(No. 3.)

Swedish Legation in London, 27, Portland Place, W.1.

MONSIEUR LE SECRÉTAIRE D'ETAT, le 9 janvier, 1925.

D'ORDRE de mon Gouvernement j'ai l'honneur de transmettre à votre Excellence les copies certifiées conformes ci-jointes des Actes signés au Congrès postal universel de Stockholm, savoir:—

Convention postale universelle,
Arrangement concernant les lettres et les boîtes avec valeur déclarée,
Arrangement concernant les colis postaux,
Arrangement concernant les mandats de poste,
Arrangement concernant les virements postaux,
Arrangement concernant les recouvrements,
Arrangements concernant les abonnements aux journaux et écrits périodiques.

Un de ces exemplaires est destiné au Gouvernement britannique, les autres sont destinés aux autorités compétentes de l'Empire de l'Inde britannique, du Canada, de la Commonwealth de-l'Australie, de la Nouvelle-Zélande, de L'Etat libre d'Irelande, de l'Union de l'Afrique du Sud et des "diverses colonies et protectorats britanniques."

Je me permets d'attirer en même temps votre attention sur:—

* No. 470 in Dominions No. 93. † No. 484 in Dominions No. 93. ‡ No. 470 in Dominions No. 93.
§ Not printed here. ‖ No. 441 in Dominions No. 93.

l'article IX du Protocol final de la Convention postale universelle, d'après lequel le Protocole reste ouvert à la Commonwealth de l'Australie, à l'Equateur, au Guatémala, à la République du Honduras, au Nicaragua et au Salvador;

l'article X du même Protocole, suivant lequel le Protocole demeure ouvert en faveur des Pays dont les représentants n'ont signé que la Convention postale universelle ou un certain nombre seulement des Arrangements arrêtés par le Congrès, à l'effet de leur permettre d'adhérer aux autres Arrangements, ou à l'un ou à l'autre d'entre eux, et

l'article XI du dit Protocole, fixant au 1er septembre, 1925, le délai accordé aux pays énumérés dans l'article IX pour leur notification d'adhésion.

Je dois aussi signaler à Votre Excellence le fait que, bien que l'Union des Républiques Soviétistes Socialistes soit nommée dans le préambule de l'Arrangement sur les colis postaux, celui-ci ne porte pas la signature des plénipotentiaires de l'Union; suivant l'article X mentionné ci-dessus, l'Union garde toutefois la faculté d'y adhérer.

Finalement je me permets de porter ce qui suit à la connaissance de votre Gouvernement.

D'après l'article XIII de la Convention postale universelle, les Actes du Congrès doivent être ratifiés aussitôt que possible et les ratifications doivent être communiquées au Gouvernement du Pays siège du Congrès, c'est-à-dire dans le cas présent au Gouvernement suédois. Suivant les dispositions finales de tous les Actes signés au Congrès ceux-ci seront mis à exécution le 1er octobre, 1925.

Dans ces conditions il serait désirable que les instruments des ratifications parviennent à Stockholm au plus tard le 1er septembre, 1925. Mon Gouvernement se propose de dresser à cette date l'acte de dépôt de tous les instruments de ratification qui lui auront été transmis. Copie de cet acte sera remise à chacune des Parties contractantes.

Veuillez agréer, Monsieur le Secrétaire d'Etat, les assurances de ma plus haute considération.

(Signé) PALMSTIERNA.

Monsieur Austen Chamberlain, M.P.,
Secrétaire d'Etat pour les Affaires Etrangères,
etc., etc., etc.

[36949]

Enclosure 2 in No. 683.

(To Irish Free State only.)

CANADA.

Ratification de la Convention Postale de Madrid.

ATTENDUE qu'une Convention Postale Universelle a été conclue et signée à Madrid le trentième jour de novembre, dans l'année de Notre Seigneur mil neuf cent vingt, remplacant la Convention signée à Rome le vingt-six mai, dans l'année de Notre Seigneur mil neuf cent six et, attendu que la Convention conclu à Madrid se lit, mot pour mot, ainsi qu'il suit:—

* * * * * * *

et attendu qu'on Protocole Final a été également signée à Madrid, le même jour par les Plenipotentiaires des Gouvernmements mentionnés ci-dessus, lequel Protocole se lit, mot pour mot, ainsi qu'il suit:—

* * * * * * *

Nous, l'Honorable Pierre Edouard Blondin, Ministre des Postes du Dominion du Canada,

En vertu des pouvoirs qui nous ont été conférés. Declarons par les presentes que nous approuvons et confirmons la Convention et le Protocole Finale précédents.

En témoignage de quoi nous avons signé les présentes auxquelles nous avons apposé notre sceau.

Fait à Ottawa, Canada, le sixième jour de juillet mil neuf cent vingt et un.

P. E. BLONDIN,
Ministre des Postes.

[54182]

Enclosure 3 in No. 683.

(To Irish Free State only.)

UNIVERSAL POSTAL UNION CONVENTION OF MADRID.

Deed of Approval and Confirmation on behalf of the Union of South Africa.

WHEREAS a Convention of the Universal Postal Union was concluded and signed at Madrid on the thirtieth day of November in the year of our Lord one thousand nine hundred and twenty superseding the Convention concluded at Rome on the twenty-sixth day of May in the year of our Lord one thousand nine hundred and six whereas the Convention concluded at Madrid is word for word as follows:—

* * * * * * *

and whereas a Final Protocol was likewise signed at Madrid on the same day by the Plenipotentiaries of the Government of the Union of South Africa which Protocol is word for word as follows:—

* * * * * * *

Now, We, Arthur Frederick Patrick Albert of Connaught, Knight of the Most Noble Order of the Garter, Member of His Majesty's Most Honourable Privy Council, Knight of the Most Ancient and Most Noble Order of the Thistle, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight Grand Cross of the Royal Victorian Order, Companion of the Most Honourable Order of the Bath, Personal Aide-de-Camp to His Majesty the King, High Commissioner for South Africa, and Governor-General and Commander-in-Chief in and over the Union of South Africa,

In virtue of the power which has been entrusted to Us, do declare by these presents on behalf of the Union of South Africa that We approve and confirm the foregoing Convention and Protocol.

In Witness whereof We have signed these presents which We have sealed with Our Seal of Office,

Done in duplicate, at Pretoria, the 29th day of September, 1921.

ARTHUR FREDERICK.

Seal.

13296

No. 684.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 23rd March, 1925.)

(No. 107.)

SIR, Government House, Ottawa, 9th March, 1925.

WITH reference to your despatch Dominions Treaty No. 9 of the 10th February,* on the subject of the Universal Postal Convention concluded at Stockholm on the 28th August last, I have the honour to inform you that Canada's ratification of this Convention and of the final protocol was forwarded direct to the Swedish Government on the 16th January last.

BYNG OF VIMY.

21965

No. 685.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 11.54 p.m., 14th May, 1925.)

TELEGRAM.

[*Answered by No.* 692.]

14TH MAY. Your despatch of 10th February, Dominions Treaty 9,* Stockholm Postal Convention. My Ministers would be glad if His Majesty's Government will make arrangements for signature on behalf of Australia of the principal Convention and final Protocol together with Convention regulations and protocol thereto.

---

* No. 680.

24768

No. 686.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 30th May, 1925.)

(No. 78.)

SIR, Government House, Wellington, 17th April, 1925.

WITH reference to your despatch Dominions Treaty No. 9 of the 10th February,* relative to the Universal Postal Convention, I have the honour to inform you that my Ministers advise me that action is being taken in connexion with the instruments of ratification to be deposited at Stockholm.

I have, &c.,
CHARLES FERGUSSON,
Governor-General.

20769

No. 687.

NEWFOUNDLAND.

THE SECRETARY OF STATE to THE GOVERNOR.

[*Answered by No.* 699.]

(No. 56.)

SIR, Downing Street, 4th June, 1925.

WITH reference to your despatch No. 67 of the 26th of June, 1924,† regarding the International Postal Congress at Stockholm, I have the honour to transmit to you, to be laid before your Ministers, copies of the Universal Postal Convention‡ and of an Agreement‡ concerning Insured Letters and Boxes, signed at Stockholm on the 28th of August, 1924.

2. It will be remembered that the formal letter of authority enclosed in your despatch under reference contemplated your confirmation and approval of any agreements or conventions to be drawn up at the Stockholm Conference. Should your Ministers see no objection, it would be convenient if the necessary document could now be prepared in respect of the enclosed Convention (including the Final Protocol, Detailed Regulations and Final Protocol to the Regulations) and Agreement, and if it could be forwarded to me as soon as possible. In this connexion I would invite reference to the document of confirmation prepared in respect of the Convention and Agreement concluded at Madrid, which was enclosed in Sir C. Harris's despatch No. 170 of the 18th of November, 1921.§

I have, &c.,
L. S. AMERY.

20769

No. 688.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

[*Answered by No.* 700.]

(No. 187.)

SIR, Downing Street, 4th June, 1925.

WITH reference to your despatch No. 170 of the 16th of June, 1924,‖ regarding the Postal Union Congress at Stockholm, I have the honour to transmit to you, to be laid before your Ministers, the accompanying copies of the Universal Postal Convention¶ and of an Agreement¶ concerning Insured Letters and Boxes, signed at Stockholm on the 28th of August, 1924.

2. It will be remembered that the formal letter of authority enclosed in your despatch under reference contemplated your confirmation and approval of any agreements or conventions to be drawn up at the Stockholm Conference. Should your

* No. 683. † No. 489 in Dominions No. 93. ‡ Not printed here. § 60322/21; not printed; it enclosed a document signifying confirmation and approval of the 1920 Convention. ‖ No. 487 in Dominions No. 93. ¶ Not reprinted.

Ministers see no objection, it would be convenient if the necessary document under seal could now be prepared in respect of the enclosed Convention (including the Final Protocol, Detailed Regulations and the Final Protocol to the Regulations) and of the enclosed Agreement, should it be desired that Southern Rhodesia should become a party to the latter. As regards this latter point, your Ministers will no doubt desire to consult the Union of South Africa authorities.

3. If such a document is prepared, I shall be glad if it may be forwarded as soon as possible. I enclose, for guidance, a copy of the document of confirmation* and approval signed by the High Commissioner for South Africa on behalf of the Southern Rhodesia, Basutoland and Bechuanaland Protectorate Administrations in respect of the Convention signed at Madrid.

I have, &c.,
L. S. AMERY.

26975

No. 689.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

[*Answered by No.* 693.]

(Commonwealth of Australia. No. 172.)
(New Zealand. No. 111.)
(Union of South Africa. No. 118.)
(Irish Free State. No. 238.)

[MY LORD,] [SIR,] Downing Street, 18th June, 1925.

WITH reference to my despatch Dominions Treaty No. 9 of the 10th of February,† on the subject of the Universal Postal Convention signed at Stockholm on the 28th of August last, I have the honour to transmit to Your Excellency, to be laid before your Ministers, the accompanying copy of a Note from the Swedish Minister in London, together with one certified copy of an amendment‡ to the Final Protocol of the Convention.

[*Not to Commonwealth of Australia:* 2. It will be observed that in the penultimate paragraph of his Note the Swedish Minister draws attention to the desirability of the instruments of ratification in respect of this amendment reaching the Swedish Government not later than the 1st of September next.]

I have, &c.,
L. S. AMERY.

Enclosure in No. 689.

(No. 61.)

Swedish Legation in London, 27, Portland Place, W. 1.

MONSIEUR LE SECRÉTAIRE D'ETAT, 2 juin, 1925.

ME référant à ma lettre du 9 janvier dernier concernant l'expédition des actes signés au Congrès postal universel de Stockholm, j'ai l'honneur, d'ordre de mon Gouvernement, de porter à la connaissance de Votre Excellence qu'une rectification apportée au texte du Protocole final de la Convention postale universelle vient d'être déposée aux Archives du Gouvernement.

Par conséquent, je me permets de vous faire parvenir les copies certifiées conformes ci-jointes de cette rectification, destinées l'une au Gouvernement britannique et les autres aux autorités compétentes de l'Empire de l'Inde britannique, de la Commonwealth de l'Australie, de la Nouvelle-Zélande, de l'Etat libre d'Irlande de l'Union de l'Afrique du Sud, et des diverses colonies et protectorats britanniques. L'exemplaire destiné au Gouvernement du Canada lui sera remis par les soins du Consul Général de Suède à Montreal.

Je me permets d'attirer en même temps votre attention sur le fait que l'acte en question doit être ratifié conformément aux dispositions de l'article 13 de la Convention postale universelle ainsi que sur l'opportunité qu'il y aurait à ce que l'instrument

* Not reprinted; its purport was as described in the text. † No. 683. ‡ Not printed.

de ratification parvienne au Gouvernement suédois dans le délai proposé dans ma dite lettre du 9 janvier dernier relativement aux autres actes du Congrès, à savoir avant le 1er septembre, 1925.

Veuillez agréer, etc.,
PALMSTIERNA.

Monsieur Austen Chamberlain, M.P.,
Secrétaire d'Etat pour les Affaires Etrangères,
&c., &c., &c.

20769

No. 690.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 235.) } Dominions No. 287.)

[My Lord,] [Sir,] Downing Street, 11th July, 1925.

[*Not Newfoundland and Southern Rhodesia:* With reference to my despatch Dominions Treaty No. 9 of the 10th of February,*] [*To Newfoundland:* With reference to my despatch No. 56 of the 4th of June,†] [*To Southern Rhodesia:* With reference to my despatch No. 187 of the 4th of June,‡] and previous correspondence on the subject of the Congress of the Universal Postal Union held at Stockholm in July and August last, I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of the following prints§ :—

[*Not to Newfoundland and Southern Rhodesia:* (*a*) Universal Postal Convention of Stockholm 28th August, 1924, and detailed Regulations (with English translation).

(*b*) Agreement concerning Insured Letters and Boxes, 28th August, 1924 (with English translation).

(*c*) Print showing Details of Changes introduced by the Congress of Stockholm, 1924 (prepared in the General Post Office).

(*d*) Summary of Principal Results of the Stockholm Congress (print prepared in the General Post Office).]

[*To Newfoundland and Southern Rhodesia:* (*a*) Print showing Details of Changes introduced by the Congress of Stockholm (prepared in the General Post Office).

(*b*) Summary of Principal Results of the Stockholm Congress (print prepared in the General Post Office).

Copies of the Universal Postal Convention of Stockholm and of the Agreement concerning Insured Letters and Boxes were enclosed in my despatch under reference.]

2. The following conclusions reached by the Postmaster-General in connexion with certain of the decisions of the Congress may be of interest to your Ministers :—

(*a*) Under the terms of Article 34, sub-section 1, of the Convention, Administrations are authorized, *as a reciprocal measure*, to grant a reduction of 50 per cent. of the ordinary postage at the printed papers rate on (1) newspapers and periodicals posted directly by the publishers, (2) sewn or bound books not containing advertisements, (3) literary and scientific works exchanged between learned institutions. As the ordinary Printed Paper rate is unremunerative, it follows that this reduced rate must entail a loss, and for this reason it is not proposed to adopt it as far as this country is concerned.

(*b*) The Congress decided (Article 34, sub-section 9) that packets prepaid at the letter rate may contain dutiable articles if the country of destination agrees to admit such packets. The packets must bear either a special label (D ter) giving particulars of the contents, or a label (D quater) and, in that

* No. 683. † No. 687. ‡ No. 688. § Not reprinted

case, be accompanied by a separate Customs declaration form. The Postmaster-General considers that the Letter Post is not the proper medium for the importation of dutiable articles, and in these circumstances letter packets containing dutiable articles will not be admitted into Great Britain, although such packets will be forwarded from this country to those countries which do not object to the importation of dutiable articles in letters.

I have, &c.,
L. S. AMERY.

20769

No. 691.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. Confidential.) } Dominions No. 288. Confidential.)

[My Lord,] [Sir,] Downing Street, 11th July, 1925.

With reference to my despatch [Dominions No. 287] [No. 235] of even date,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of the printed Confidential report† of the British Delegation to the Eighth Congress of the Universal Postal Union held at Stockholm.

2. I would invite special reference to paragraphs 13 to 23 of the Report, dealing with the proposals and discussions with regard to Dominion and Colonial votes.

I have, &c.,
L. S. AMERY.

Enclosure in No. 691.

EXTRACT FROM THE REPORT OF THE BRITISH DELEGATION TO THE EIGHTH CONGRESS OF THE UNIVERSAL POSTAL UNION, HELD AT STOCKHOLM.

* * * * * * *

13. The voting of Dominions, Colonies, etc., has been regulated heretofore by the provisions of a Special Article in the Convention. In the Stockholm draft Convention this was Article 8, and consequently was due for discussion at an early stage of the proceedings; but, owing to representations which were made by the Delegation of the Soviet Republics and others, it was deferred in order that alternative proposals to those already submitted might be formulated.

14. At the outset, the Congress had before it a proposal of Mexico to deprive Dominions, Colonies and Protectorates of their votes, and to limit voting power to Metropolitan countries. Having regard to what had happened at the Madrid Congress when the question of Colonial votes was under consideration, it was anticipated that this proposal would be largely supported by the Latin-American States.

15. On the other hand, Great Britain was claiming a vote for the Irish Free State, the French Colonies were claiming a vote for French Colonies in Continental Africa, and Portugal was asking for a separate vote for the Colony of Mozambique.

16. Before the whole question was considered at Stockholm, the Mexican Delegation had withdrawn its original proposal and replaced it by one which would permit those Dominions which already had a vote, and in addition, the Irish Free State, to exercise separate votes, but would deprive British India of its vote. France also claimed an additional vote for the group formed by the mandated territories of Syria and Lebanon. The Swiss Delegation proposed an amendment to the Mexican proposal which would in effect leave the British Empire votes intact, but would deprive the United States of America, Spain, France, Japan, the Netherlands and

* No. 690. † Extract only printed here.

Portugal of one Colonial vote each. Canada, in order to avoid difficulty in the future, proposed that the names of the British Dominions and India should no longer be included in Article 8 of the Convention, but should simply be shown in the Preamble as contracting countries. The Soviet Delegation stated that the Union of Soviet Socialist Republics was composed of four separate Republics and demanded a vote for each. They further proposed to suppress all Colonial votes with the exception of those allocated to the four British Dominions of Australia, Canada, New Zealand and South Africa, and to grant a vote to the Irish Free State.

17. The debate was ably opened by the Mexican Delegate, and those countries who were being attacked energetically defended their position. It soon became clear, however, that although the general opinion was adverse to reduction in existing votes, it was equally opposed to any increase, and eventually the proposals made for additional votes in the French and Portuguese interests were withdrawn.

18. The Swiss proposal for the re-grouping of the Colonies was first put to the vote and was rejected by 28 votes to 6.

19. The Canadian proposal to assimilate British India and the Dominions of Australia, Canada, New Zealand and South Africa to Metropolitan countries as regards their status in the Union was then carried without objection.

20. The principle of suppressing certain existing Colonial votes embodied in the proposals of Mexico, Switzerland and the Soviet Republics was then considered, and was rejected by 27 votes to 9.

21. A separate vote was then granted without opposition to the Irish Free State; but the proposal of the Soviets to grant four separate votes to the Union of Soviet Republics was rejected by 23 votes to 1.

22. The vote already allocated by the Union to the group of "Les autres Dominions et l'ensemble des autres colonies et protectorats britanniques" and exercised since the Congress of Rome by the Delegate of New Zealand was definitely allocated to New Zealand; and the representation of the smaller Colonies, etc., will in future be undertaken in form, as well as in fact, by Great Britain.

23. Thus, the final result of the discussion of this important subject has been to maintain intact the voting power of the Empire, to render, in all probability, the Dominions and India immune from further attack on their votes, to grant a separate vote to the Irish Free State, and to indicate clearly the strong antipathy manifested by the Congress to the multiplication of Colonial votes which are in effect simply additions to the voting strength of the Metropolitan countries concerned.

* * * * * * *

35121

No. 692.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 2.35 p.m., 7th August, 1925.)

TELEGRAM.

[*Answered by No.* 696.]

YOUR telegram 14th May,* Stockholm Postal Convention. As desired by your Ministers His Majesty's Minister at Stockholm was instructed to arrange with Swedish Government for signature of Convention, Regulations and Protocols on behalf of Commonwealth of Australia. He now reports that Swedish Government consider that all that is required for adhesion of Commonwealth under Article XI of Final Protocol is a note from him stating on behalf of Commonwealth Government that they have decided to adhere. Note would be acknowledged by Swedish Government who would notify adhesion to all members of the Postal Union. Unless your Ministers see any objection it is proposed to instruct His Majesty's Minister to proceed accordingly. Should be glad to receive telegraphic reply as adhesion must be notified not later than 1st of September.—AMERY.

---

* No. 685.

36649

591

No. 693.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10th August, 1925.)

(No. 379.)

SIR, Governor-General's Office, Cape Town, 23rd July, 1925.

I HAVE the honour to transmit to you herewith, reference to your despatch No. 118 of the 18th June, 1925,* copy of Minute from Ministers regarding the Universal Postal Convention signed at Stockholm on 28th August, 1924.

I have, &c.,
ATHLONE,
Governor-General.

Enclosure in No. 693.

Prime Minister's Office, Cape Town, 21st July, 1925.

(Minute No. 636.)

WITH reference to Minute No. 43/871 of the 15th instant, Ministers have the honour to inform His Excellency the Governor-General that ratification of the Convention of Stockholm was transmitted directly to the Swedish Government early in June last.

Similar action will be taken forthwith in regard to the addition to the Final Protocol of the Convention.

J. B. M. HERTZOG.

36281

No. 694.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 224.)

MY LORD, Downing Street, 15th August, 1925.

WITH reference to my telegram of the 7th of August,† I have the honour to transmit to Your Excellency, for the information of your Ministers, the accompanying copy of a despatch from His Majesty's Minister at Stockholm regarding the adhesion of the Commonwealth of Australia to the Universal Postal Convention signed at Stockholm on the 28th of August, 1924.

I have, &c.,
L. S. AMERY.

Enclosure in No. 694.

(No. 234.)

SIR, Stockholm, 30th July, 1925.

WITH reference to my telegram No. 13 of to-day on the subject of the adhesion of the Commonwealth of Australia to the Universal Postal Convention signed at Stockholm on 28th August last, I have the honour to report that in accordance with the instructions contained in your despatch No. 169 of the 26th June, I asked the Swedish Government to appoint a time when I might sign the Convention on behalf of the Commonwealth of Australia.

2. I have now the honour to transmit to you a copy of a letter sent me by the acting head of the Political Department of the Ministry for Foreign Affairs, informing me of the practice of the Swedish Government in cases of this kind. You will observe that they do not regard it as necessary that I should sign the Convention on any of the documents relative thereto, but that all that is required is that I should notify them of the desire of the Commonwealth to adhere to them.

---

* No. 689. † No. 692.

3. I should be glad to be informed in due course as to whether I should follow the procedure suggested by the Swedish Government.

I have, &c.,
A. C. GRANT DUFF.

The Right Honourable
Austen Chamberlain, M.P.,
&c., &c., &c.

Ministère des Affaires Etrangères.

MONSIEUR LE MINISTRE, Stockholm, 28th July, 1925.

DURING yesterday's telephone conversation between Mr. Dodds and M. Hallenborg concerning the accession of Australia to the Universal Postal Convention signed at Stockholm on 28th August, 1924, Mr. Dodds said that you would like to have a statement regarding the practice of the Ministry for Foreign Affairs as to the procedure to be followed for accessions of this kind.

As you will find from the enclosed copy of a letter from the late M. Decoppet, President of the Postal Union, to the Swedish Postmaster-General the term of "Protocole laissé ouvert" which is used in the Final Protocol to the Convention, has nothing to do with the *form* of the accession. It only signifies the fact that accession may take place. The rule laid down in Article XI of the Final Protocol prescribes that "les adhésions prévues à l'article IX ci-dessus devront être notifiées au Gouvernement du Royaume de Suède—en la forme diplomatique."

In conformity with the said rule the Swedish Government have hitherto maintained the practice that accessions to the Postal agreements should be effectuated by way of a note from the diplomatic representative of the country concerned containing a declaration that his government have decided to adhere to the agreement in question. The receipt of such a note is acknowledged by this Ministry and thereupon the accession is notified in the usual diplomatic way to all the members of the Universal Postal Union.

I have, &c.,
ERIC GYLLENSTIERNA.

(No. 7038.)

Bureau International de l'Union Postale Universelle,

CHER MONSIEUR JUHLIN, Berne, le 3 décembre, 1924.

JE m'empresse de répondre à la lettre que vous m'avez adressée, en date du 28 novembre, et dans laquelle vous me faites part de l'intention d'un pays de l'Union d'adhérer à deux Arrangements conclus à Stockholm mais non signés par ses délégués. Vous me demandez quelles sont les formalités à remplir en pareil cas.

A la lumière des textes quelqu'incomplets qu'ils soient, aussi bien que les cas dans lesquels, à l'occasion des Conventions antérieures, le Bureau International a eu à donner son avis, la question me paraît devoir être résolue comme suit :

Ce sont les dispositions du Protocole final qui, jusqu'au moment de l'entrée en vigueur de la Convention de Stockholm, doivent être prises en considération et, dans le cas qui vous occupe, c'est en vertu de l'article X de ce Protocole que les adhésions complémentaires devront être notifiées. Cet article X, il est vrai, par suite, selon moi, d'une erreur que n'avait pas commise la Convention de Lisbonne, mais qui a son origine dans celle de Vienne et qui dès lors s'est constamment reproduite, cet article X, disje, est muet en ce qui concerne la forme de ces adhésions complémentaires et le délai dans lequel elles doivent intervenir. Or, ainsi que le Bureau International en jugeait, après le Congrés de Rome en particulier, il y a lieu de décider par analogie que ces adhésions doivent être faites par voie diplomatique auprès du Gouvernment suédois, dans la forme et dans le délai prévus à l'article XI.

C'est donc à votre Gouvernement que l'Etat dont vous me parlez doit adresser sa déclaration d'adhésion jusqu'au 1er septembre 1925. Passé ce terme, il devrait, en vertu des art. 2 et 3 in fine de la Convention, se tourner vers le Conseil fédéral suisse.

Telles sont les conclusions auxquelles je suis arrivé et qui conformes aux avis précédement donnés par mon Bureau, permettent de suppléer à l'insuffisance des textes.

Les déclarations d'adhésion ont été jusqu'ici soumises à certaines conditions de formes qui peuvent varier suivant les Arrangements auxquels elles se rapportent. Aussi le Conseil fédéral suisse prend-il la précaution, lorsqu'il est nanti de déclarations de cette nature, de les soumettre préalablement à toute décision à l'examen de mon Bureau. Je vous fais part de cette pratique pour le cas où il vous conviendrait ainsi qu'à votre Gouvernement de me communiquer les adhésions qui seraient notifiées à ce dernier afin que, le cas échéant, je puisse vous faire part de mes observations.

Veuillez agréer, &c.,
Le Directeur,
CH. DECOPPET.

Monsieur le Dr. Julius Juhlin,
Ancien Ministre de l'Intérieur,
Directeur général des postes,
Stockholm.

37950

No. 695.

NEW ZEALAND.

THE GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 19th August, 1925.)

[*Answered by No.* 697.]

(No. 155.)

SIR, Government House, Wellington, 15th July, 1925.

WITH reference to your despatch Dominions Treaty No. 9 of the 10th February,* I have the honour to transmit to you, at the instance of my Ministers, the accompanying instrument of ratification setting forth New Zealand's formal acceptance of the Universal Postal Union Convention of Stockholm, 1924. The instrument setting forth New Zealand's formal acceptance of the Agreement for the Exchange of Insured Letters and Boxes concluded at Stockholm on the 28th August, 1924, is also enclosed.

2. My Ministers would be glad if these instruments could be deposited at Stockholm not later than the 1st September next.

I have, &c.,
CHARLES FERGUSSON,
Governor-General.

Enclosure 1 in No. 695.

WHEREAS a Convention of the Universal Postal Union was concluded and signed at Stockholm on the twenty-eight day of August in the year of Our Lord one thousand nine hundred and twenty-four superseding the Convention signed at Madrid on the thirtieth day of November in the year of Our Lord one thousand nine hundred and twenty.

And whereas the Convention concluded at Stockholm is word for word as follows in the paper attached hereto marked "A."†

And whereas a Final Protocol was likewise signed at Stockholm on the same day by the Plenipotentiaries of the Governments above mentioned, which Protocol is word for word as follows in the paper attached hereto marked "B."†

Now we, Charles Fergusson, Baronet, the Governor-General of the Dominion of New Zealand,

In virtue of the power which has been entrusted to us

Do declare by these presents that we approve and confirm the foregoing Convention and Final Protocol together with the Detailed Regulations and Final Protocol thereof made thereunder, which Detailed Regulations are word for word as follows in the paper attached hereto marked "C"† and which Final Protocol is word for word as follows in the paper attached hereto marked "D."†

* No. 683. † Not printed here.

In witness thereof we have signed these presents which we have sealed with our seal of office.

Done in Wellington the second day of July, 1925.

CHARLES FERGUSSON,
Governor-General.

Enclosure 2 in No. 695.

WHEREAS an Agreement for the Exchange of Insured Letters and Boxes was concluded and signed at Stockholm on the twenty-eighth day of August in the year of Our Lord one thousand nine hundred and twenty-four superseding the Agreement signed at Madrid on the thirtieth day of November in the year of Our Lord one thousand nine hundred and twenty.

And whereas the Agreement concluded at Stockholm is word for word as follows in the paper attached hereto marked "A."*

And whereas a Final Protocol was likewise signed at Stockholm on the same day by the Plenipotentiaries of the Governments above mentioned, which Protocol is word for word as follows in the paper attached hereto marked "B."*

Now we, Charles Fergusson, Baronet, the Governor-General of the Dominion of New Zealand,

In virtue of the power which has been entrusted to us

Do declare by these presents that we approve and confirm the foregoing Agreement and Final Protocol together with the Detailed Regulations made thereunder, which Detailed Regulations are word for word as follows in the paper attached hereto marked "C."*

In witness thereof we have signed these presents which we have sealed with our seal of office.

Done in Wellington the second day of July, 1925.

CHARLES FERGUSSON,
Governor-General.

38477

No. 696.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.5 a.m., 22nd August, 1925.)

TELEGRAM.

22ND AUGUST. Your telegram of 7th August.† Stockholm Postal Convention. Commonwealth Government has decided to adhere to the Convention Regulations and Protocol. Glad if you would inform the Swedish Government.—FORSTER.

37950

No. 697.

NEW ZEALAND.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 12.55 p.m., 22nd August, 1925.)

TELEGRAM.

[*Answered by No.* 698.]

YOUR despatch 15th July, 155.‡ Should be glad to be informed whether document of confirmation and approval on behalf of New Zealand in respect of amended text of final Protocol of Universal Postal Convention signed at Stockholm —see my despatch 18th June, 111§—is being sent by mail.—AMERY.

---

* Not printed here. † No. 692. ‡ No. 695. § No. 680.

39675

593

No. 698.

NEW ZEALAND

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6.30 a.m., 31st August, 1925.)

TELEGRAM.

31ST AUGUST. Your telegram of 22nd August.* Document of confirmation and approval on behalf of New Zealand in respect of the amended text of the final Protocol of the Universal Postal Convention signed at Stockholm is enclosed in my despatch 29th August, No. 190,† which left here to-day. Your despatch 18th June, No. 111,‡ only reached me 30th July.—FERGUSSON.

41602

No. 699.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 12th September, 1925.)

(No. 83.)

SIR, Government House, St. John's, 28th August, 1925.

I HAVE the honour to acknowledge the receipt of your despatch No. 56 of the 4th June last,§ on the subject of the International Postal Congress at Stockholm, and to transmit herewith a formal document conveying the confirmation and approval of the Universal Postal Convention (including the final Protocol, detailed Regulations, and Final Protocol to the Regulations) and of the Agreement concerning Insured Letters and Boxes. This formal document completes the action which was taken in June of last year, when the delegation representing Great Britain was authorized to act also on behalf of Newfoundland at the Congress to be held at Stockholm.

I have, &c.,
W. L. ALLARDYCE.

Enclosure in No. 699.

(Sgd.) W. L. Allardyce,
Governor.

BY His Excellency Sir William Lamond Allardyce, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over the Colony of Newfoundland.

Whereas by formal letter of authority under date 26th June, 1924, I did authorize and appoint certain persons to represent Newfoundland at the Congress of Representatives of the countries constituting the Universal Postal Union meeting at Stockholm in August, 1924, giving them jointly and severally full powers to discuss, settle and sign on behalf of Newfoundland, subject to the confirmation and approval of the Governor of Newfoundland, any Agreement or Convention drawn up at the said Conference;

And Whereas the said persons, on behalf of Newfoundland, signed at Stockholm, on the 28th August, 1924, the Universal Postal Convention and the Agreement concerning Insured Letters and Boxes;

I do, by and with the advice of my Executive Council, hereby formally confirm and approve the action of the representatives of Newfoundland in respect of the said Universal Postal Convention and Agreement, and I also hereby formally confirm and approve the Universal Postal Convention (including the Final Protocol, detailed Regulations and Final Protocol to the Regulations) signed at Stockholm

---

* No. 697. † 44668/25: not printed; it enclosed a document expressing formal approval of Article XII of the Final Protocol. ‡ No. 689. § No. 687.

on the 28th August, 1924, and the Agreement concerning Insured Letters and Boxes, signed at Stockholm on the same date.

Given under my Hand and Seal at the Government House, St. John's, Newfoundland, this twenty-first day of August A.D. 1925.

By His Excellency's Command.

J. R. BENNETT,
Colonial Secretary.

45247

No. 700.

SOUTHERN RHODESIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 7th October, 1925.)

(No. 273.)

Governor's Office, Salisbury, Southern Rhodesia,
25th August, 1925.

SIR,

WITH reference to your despatch No. 187 of the 4th of June,* under cover of which you transmitted copies of the Universal Postal Convention and of an Agreement concerning Insured Letters and Boxes signed at Stockholm on the 28th of August, 1924, I have the honour to enclose a document dated the 21st August, 1925, notifying the adherence of Southern Rhodesia to the Convention.

2. My Government have deferred a decision as to adherence to the Agreement concerning Insured Letters and Boxes, in regard to which correspondence with the Postal Department of the Union of South Africa is proceeding.

I have, &c.,
J. R. CHANCELLOR,
Governor.

Enclosure in No. 700.

PRINCIPAL CONVENTION OF THE UNIVERSAL POSTAL UNION.

Signed at Stockholm on the 28th day of August, 1924.

Approval and confirmation by His Excellency the Governor on behalf of the Colony of Southern Rhodesia.

WHEREAS a Convention of the Universal Postal Union was concluded and signed at Stockholm on the Twenty-eighth day of August in the year of Our Lord One Thousand nine hundred and twenty-four superseding the Convention concluded at Madrid on the Thirtieth day of November in the year of Our Lord One Thousand nine hundred and twenty. And whereas the Convention concluded at Stockholm is word for word as follows:—

* * * * * * *

Now I, John Robert Chancellor, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight Grand Cross of the Royal Victorian Order, Companion of the Distinguished Service Order, Lieutenant-Colonel in the Reserve of Officers of the Corps of Royal Engineers, Governor and Commander-in-Chief in and over the Colony of Southern Rhodesia;

In virtue of the powers which have been entrusted to me do declare by these presents on behalf of the Colony of Southern Rhodesia, that I approve and confirm the foregoing Convention.

Given under my Hand Seal in duplicate at Salisbury this Twenty-first day of August One Thousand nine hundred and twenty-five.

J. R. CHANCELLOR,
Governor.

---

* No. 688.

45668

594

No. 701.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2.40 p.m., 9th October, 1925.)

TELEGRAM.

[*Answered by No.* 702.]

9TH OCTOBER. My predecessor's telegram of the 22nd August.* Stockholm Postal Convention. Glad if you would advise if notification(?) that Commonwealth Government adheres to the Convention made to the Swedish Government before the 1st September.—STONEHAVEN.

45668

No. 702.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 11.45 a.m., 10th October, 1925.)

TELEGRAM.

YOUR telegram 9th October.† Notification of adhesion of Commonwealth Government to Stockholm Postal Convention, Final Protocol, Regulations and final protocol to Regulations made to Swedish Government 26th August. Notification acknowledged by latter in note of 31st August, with intimation that members of Postal Union and International Bureau would be informed accordingly. Despatch follows.—AMERY.

43212

No. 703.

NEW ZEALAND.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 190.)

Downing Street, 19th October, 1925.

SIR,

WITH reference to Your Excellency's despatch No. 155 of the 15th of July,‡ I have the honour to transmit to you, for the information of your Ministers, the accompanying copies of a note addressed to the Swedish Minister for Foreign Affairs by His Majesty's Minister at Stockholm forwarding documents of confirmation and approval on behalf of New Zealand of the Universal Postal Convention and Final Protocol and of the Agreement for the exchange of insured letters and boxes and Final Protocol thereto, signed at Stockholm on the 28th of August, 1924, together with a copy of the Swedish Government's reply.

2. With reference to the second paragraph of Sir A. Grant Duff's note, I have to state that the document of approval of Article XII of the Final Protocol, forwarded in your despatch No. 190 of the 29th of August,§ has now been sent to His Majesty's Minister for deposit with the Swedish Government.

I have, &c.,
L. S. AMERY.

Enclosure 1 in No. 703.

YOUR EXCELLENCY,

Stockholm, 31st August, 1925.

I HAVE the honour to transmit to Your Excellency herewith, in accordance with instructions which I have received from His Majesty's Principal Secretary of State for Foreign Affairs, documents of confirmation and approval,‖ signed by the Governor-General of New Zealand on behalf of New Zealand, of the Universal Postal Convention and the Final Protocol thereto and of the Agreement for the exchange

---

* No. 696. † No. 701. ‡ No. 695. § 44668/'25: not printed; it enclosed a document expressing formal approval of the Article. ‖ Enclosures 1 and 2 in No. 695.

of insured letters and boxes and the Final Protocol thereto, signed at Stockholm on 28th August, 1924.

I have the honour to draw to Your Excellency's attention the fact that the original and not the amended text of the Final Protocol to the Convention has been inserted in the New Zealand document of confirmation and approval. Steps have been taken to ascertain whether a further document of confirmation and approval in respect of the amended Protocol is being sent by the Government of New Zealand. In order, however, to avoid delays which might otherwise occur in placing on formal record the confirmation by the Government of New Zealand of the Main Convention, I have been instructed by Mr. Chamberlain, in transmitting to Your Excellency the enclosed documents, to furnish you with an explanation in the above sense and to add that the document in respect of the amended Protocol, which it is anticipated will be furnished by the Government of New Zealand will on its receipt by His Majesty's Government be forwarded to me for deposit with the Swedish Government.

I avail, &c.,
A. C. GRANT DUFF.

His Excellency
Monsieur Sandler,
Minister for Foreign Affairs.

Enclosure 2 in No. 703.

(Ministère des Affaires Etrangères.)

MONSIEUR LE MINISTRE, Stockholm, le 31 août, 1925.

J'AI l'honneur de vous accuser réception de la lettre d'aujourd'hui, par laquelle vous avez bien voulu me faire parvenir les instruments de ratification de la Nouvelle-Zélande de la Convention postale universelle et de l'Arrangement concernant les lettres et les boîtes avec valeur déclarée, signés à Stockholm le 28 août, 1924, avec les deux Protocoles finals y relatifs.

Veuillez agréer, &c.,
Pour le Ministre,
HAMILTON.

Sir Arthur Grant Duff,
Envoye Extraordinaire et Ministre Plenipotentiaire,
de S.M. Britannique, etc., etc., etc.

46501

No. 704.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 1.20 p.m., 31st October, 1925.)

TELEGRAM.

[*Answered by No.* 706.]

MY telegram 10th October.* Postal Convention. Further copy of document amending final Protocol, certified copy of which was enclosed in my despatch of 18th June, No. 172,† now received from Swedish Government with request that it may be signed by Commonwealth delegates at Congress. Seeing that first and second paragraphs of document contemplate that it should be signed by persons who had already signed final Protocol, and that latter document was not in fact signed on behalf of Commonwealth, signature of present document would appear to be inappropriate. It is observed that your telegram of 14th May,‡ asking that arrangements should be made for signature of Convention, Final Protocol, etc., was sent before amendment to Protocol was received by your Ministers, but it is presumed that they would wish that adhesion notified in accordance with your telegram 22nd of August§ should be regarded as involving adhesion to Protocol in its amended form. If your Ministers agree, Swedish Government will be informed in sense of the above.—AMERY.

---

* No. 702. † No. 689. ‡ No. 685. § No. 606.

46501

595

No. 705.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 315.)

MY LORD, Downing Street, 2nd November, 1925.

WITH reference to my telegrams of the 10th of October* and 31st of October† and previous correspondence regarding the Universal Postal Convention signed at Stockholm on the 28th of August, 1924, I have the honour to transmit to Your Excellency, for the information of your Ministers, the accompanying copy of a Note addressed to the Swedish Minister for Foreign Affairs by His Majesty's Minister at Stockholm, notifying the desire of the Commonwealth Government to accede to the Convention, the Final Protocol to the Convention, the detailed Regulations for the execution of the Convention and the Final Protocol to the Regulations. A copy of the reply from the Swedish Government, dated the 31st of August, is also enclosed.

I have, &c.,
L. S. AMERY.

[43212]

Enclosure 1 in No. 705.

YOUR EXCELLENCY, Stockholm, 26th August, 1925.

WITH reference to my note of 25th July and to the letter which Monsieur Gyllenstierna was good enough to address to me on 28th July regarding the accession of Australia to the Universal Postal Convention signed at Stockholm on 28th August, 1924, I have now the honour to inform Your Excellency, in accordance with instructions which I have received from His Majesty's Principal Secretary of State for Foreign Affairs, that the Government of the Commonwealth of Australia desire to accede to the Convention in question as well as to the final protocol thereto, to the detailed regulations for the executions of the Convention and to the final protocol to the latter.

I avail, &c.,
A. C. GRANT DUFF.

His Excellency
Monsieur Sandler,
Ministry for Foreign Affairs.

[43212]

Enclosure 2 in No. 705.

Ministère des Affaires Etrangères.

MONSIEUR LE MINISTRE, Stockholm, le 31 août, 1925.

J'AI l'honneur de vous accuser réception de la lettre du 26 de ce mois, par laquelle vous avez bien voulu me faire savoir que le gouvernement de la Commonwealth de l'Australie a adhéré à la Convention postale universelle conclue à Stockholm le 28 août, 1924, ainsi qu'au Protocole final, au Règlement et au Protocole final du Règlement.

Conformément au Articles IX et XI du Protocole final de la Convention postale universelle, cette adhésion sera notifiée par le Gouvernement du Roi à tous les membres de l'union postale universelle ainsi qu'au Bureau international de l'Union.

Veuillez agreer, etc.,
Pour le Ministre,
HAMILTON.

Sir A. Grant Duff,
Envoyé Extraordinaire et Ministre Plénipotentiaire.
de S.M. Britannique, etc., etc., etc.

---

* No. 702. † No. 704.

51096

No. 706.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.50 a.m., 13th November, 1925.)

TELEGRAM.

13TH NOVEMBER. Your telegram of 31st October.* Stockholm Postal Convention. Act of adhesion of Commonwealth of Australia included adhesion to final protocol in its amended form. My Ministers desire that the Swedish Government be so informed.—STONEHAVEN.

51384

No. 707.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 16th November, 1925.)

(No. 255.)

SIR, Governor-General's Office, Melbourne, 12th October, 1925.

WITH reference to my telegram of 22nd August† regarding the adhesion of the Government of the Commonwealth of Australia to the Convention, Regulations and Protocols drawn up at the Stockholm Postal Conference, I have the honour to transmit to you, herewith, six copies of an Order for such adhesion which was made by my predecessor and which was published in the *Commonwealth of Australia Gazette* dated 27th August, 1925, No. 67.

I have, &c.,
STONEHAVEN,
Governor-General.

Enclosure in No. 707.

(Extract from *Commonwealth of Australia Gazette*, No. 67, dated 27th August, 1925.)

ORDER.

Commonwealth of Australia to wit.

FORSTER,
Governor-General.

By His Excellency the Governor-General of the Commonwealth of Australia.

WHEREAS a Congress of the Universal Postal Union met at Stockholm on the fourth day of July in the year One thousand nine hundred and twenty-four:

And whereas a Convention, with Final Protocol thereto (as amended by the addition of Article XII), and Regulations for the execution of the Convention, with Final Protocol thereto, were drawn up and agreed to by the Congress on the twenty-eighth day of August, in the year One thousand nine hundred and twenty-four:

And whereas by Article IX of the Final Protocol to the Convention it is provided that such Final Protocol shall remain open to the Commonwealth of Australia in order that it may adhere to the said Convention and Agreements:

And whereas the Commonwealth of Australia is a member of the said Universal Postal Union:

And whereas it is desirable that the said Convention and Agreements concluded at the said Congress should be adhered to by the Commonwealth of Australia:

* No. 704. † No. 666.

Now therefore I, Henry William, Baron Forster, the Governor-General aforesaid, acting with the advice of the Federal Executive Council, do hereby confirm and approve the said Convention and Final Protocol, and the said regulations and Final Protocol, and order that His Majesty's Government be moved to notify the Government of the Kingdom of Sweden of the adhesion thereto of the Commonwealth of Australia.

Given under my Hand and the Seal of the Commonwealth, at Sydney, this twentieth day of August, in the year of our Lord One thousand nine hundred and twenty-five, and in the sixteenth year of His Majesty's reign.

(L.S.)

By His Excellency's Command.
C. W. C. MARR, for Prime Minister.

God save the King!

49999

No. 708.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL AND GOVERNOR.

(New Zealand. No. 210.)
(Southern Rhodesia. No. 450.)

SIR, Downing Street, 25th November, 1925.

[*To New Zealand:* WITH reference to paragraph 2 of my despatch No. 190 of the 19th of October,*] [*To Southern Rhodesia:* your despatch No. 273 of the 25th of August,†] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a Note addressed to the Swedish Minister for Foreign Affairs by His Majesty's Representative at Stockholm forwarding the instrument of confirmation and approval [*To New Zealand:* on behalf of New Zealand of the amendment to the Final Protocol of the Stockholm Universal Postal Convention,] [*To Southern Rhodesia:* on behalf of Southern Rhodesia of the Universal Postal Convention and Final Protocol thereto, signed at Stockholm on the 28th of August, 1924,] together with a copy of the Note received from the Minister in reply.

I have, &c.,
L. S. AMERY.

Enclosure 1 in No. 708.

SIR A. GRANT DUFF to MINISTER FOREIGN AFFAIRS.

YOUR EXCELLENCY, British Légation, Stockholm, 17th October, 1925.

WITH reference to my notes of 31st August and 25th September, I have the honour, in accordance with instructions which I have received from His Britannic Majesty's Secretary of State, to transmit to Your Excellency herewith, for deposit with the Royal Swedish Government, instruments of confirmation and approval of (1) the Universal Postal Convention and Final Protocol thereto signed at Stockholm, 28th August, 1924, on behalf of Southern Rhodesia; and (2) the amendment to the Final Protocol on behalf of New Zealand.

I avail myself, &c.,
A. C. GRANT DUFF.

Enclosure 2 in No. 708.

Ministère des Affaires Etrangères, Stockholm,
le 21 octobre, 1925.

MONSIEUR LE CHARGÉ D'AFFAIRES,

J'AI l'honneur de vous accuser réception de la note du 17 de ce mois, par laquelle Sir Arthur Grant Duff a bien voulu me faire parvenir les instruments de ratification de la Rhodésie du Sud sur la Convention postale universelle du 28 août

* No. 703. † No. 700.

1924 et de la Nouvelle-Zéalande sur la rectification apportée au Protocole final de la dite Convention.

Veuillez agréer, &c.,
WESTMAN.

Monsieur Dodds,
&c., &c., &c.

REPARATION.
Conference of Financial Experts in Paris, (Cmd. 2339).

429

No. 709.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 4.10 p.m., 3rd January, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)

3RD JANUARY. Confidential. [*Not to Irish Free State:* My telegram of 15th October*] [*To Irish Free State:* My despatch of 18th of October, Confidential.†] Following message sent at request of Chancellor of Exchequer who is going to Paris 6th January to attend Conference of Finance Ministers:—

Begins: It is hoped not to re-open Spa percentages of distribution of reparation payments already fixed between Allies, and in any case the percentages of distribution between Great Britain and Dominions of British Empire share will not be altered. Main question is what proportion of German annuities should go to reparations and what proportions to other Treaty charges, such as Army of Occupation costs, Belgian war debt, Restitution, which have also to be met out of the German annuities under Dawes Plan. British Government policy is to reduce non-reparation charges especially Army costs as much as possible so as to secure maximum for reparations. This policy represents interest of British Empire as a whole. Further main point is claim of United States to share in reparations. British Government is advised that this claim is unfounded in law and proposes to resist it, offering arbitration unless United States accept settlement on a basis so favourable to other Allies as not seriously to affect our interests. Other questions relate to detail of accounts as to Ruhr receipts, Belgian priority, interest charges, &c. British Government hope to secure about £10,000,000 as British Empire share of first year's payments, and any solution adopted on detailed points is not likely to modify this by more than £1,000,000.—*Ends.*

—AMERY.

429

No. 710.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 4.10 p.m., 3rd January, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)

3RD JANUARY. Confidential. My telegram of to-day.‡ Conference of Allied Finance Ministers. Questions referred to have been studied by a preliminary

* No. 573 in Dominions No. 93. † 49226/24: not printed; it enclosed copy of No. 573 in Dominions No. 93. ‡ No. 709.

Committee of Experts whose report has been communicated to High Commissioners. Chancellor of the Exchequer has also discussed principal questions with High Commissioners and proposes to keep in touch with them during course of negotiations.—AMERY.

1373

No. 711.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 8 p.m., 9th January, 1925.)

TELEGRAM.

[Answered by No. 715.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)

9TH JANUARY. Confidential. My telegram of 3rd January.* Chancellor of Exchequer is quite satisfied with the way in which the Conference of Finance Ministers has begun, and with general atmosphere which prevails. Formal meetings were held on 7th and 8th January but solutions of the more important questions are to be sought in private conversations between the representatives of the Powers mainly interested and plenary Conference will not meet again till 12th January.

Chancellor of Exchequer has discussed privately with United States of America Delegates the claim of the United States of America to share in Dawes Annuities for reparation as well as for cost of occupation. United States of America are already entitled to about 4½ million pounds a year for twelve years for cost of occupation. They are now prepared to accept about 5 million pounds a year for sixteen to nineteen years (under various alternative schemes) to cover both reparation and cost of occupation. Having regard to the small dimensions to which the financial issues are now reduced, and of advantage in getting United States of America fully interested in extraction of Dawes Annuities from Germany, His Majesty's Government have authorised Chancellor of Exchequer to settle on these or such better terms as he can obtain.—AMERY.

1373

No. 712.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 8 p.m., 9th January, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)

9TH JANUARY. Confidential. My telegram of to-day.† Finance Ministers Conference. It will be observed that if annual payments to United States of America are increased from 4½ to 5 million pounds, Canada and Australia lose about £5,000 a year each and other Dominions less; His Majesty's Government, having had to take an immediate decision, have felt justified in assuming that Dominions would agree with them in regarding the small financial sacrifice involved as outweighed by political advantages of a settlement. AMERY.

* No. 709. † No. 711.

1736

No. 713.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 4.50 p.m., 12th January, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)

12TH JANUARY. Confidential. My telegram of 9th January.* Finance Ministers' Conference.

Chancellor of Exchequer has reached an amicable settlement as regards the United States claim, which only awaits confirmation by the United States Government.

As regards other questions all points of principle have been settled in a manner which, in the Chancellor's opinion, fully safeguards financial interests of the British Empire and is not far below maximum at which he originally aimed.

Draft agreement is being drawn up and will be submitted to next meeting of Conference to-morrow morning.

Chancellor anticipates that this draft will be accepted and that he will be able to leave Paris on Wednesday.—AMERY.

2320

No. 714.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 9.25 p.m., 15th January, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)

15TH JANUARY. Confidential. My telegram 12th January.† Conference of Finance Ministers. English text of the Protocol signed 14th January is now being prepared in Paris and a copy will be sent by mail.

The distribution of the Dawes Annuities is to be on following principles. Figures are approximate. (*a*) Service of German External Loan, £4 millions. (*b*) Cost of Reparation Commission, Agent-General, Rhineland Commission and Commission of Control £1,370,000, with provision for reductions after first year. (*c*) Rhineland Armies of Occupation, £8 millions. (*d*) French and British arrears of Armies of Occupation, £750,000 in first year (and small annual sums till arrears are repaid). This leaves £36 millions out of first annuity for reparation in first year. Of this, 1 per cent., viz., £360,000, is to go to Restitution, 5 per cent., viz., £1,800,000, to Belgian War Debt, and 2½ per cent., viz., £760,000, for United States reparation claims, leaving £33 millions to be distributed in Spa percentages, of which British Empire share (22 per cent.) is £7¼ millions.

United States of America Army Costs (about £50 millions) will be paid off without interest by Annuities payable out of cash receipts beginning 1st September, 1926, of £2¾ millions. For reparation claims United States of America is to receive 2½ per cent. of part of Dawes Annuities available for reparation, not to exceed £2½ millions in any year. The general effect of the compromise reached is that the annual payments to United States of America will not be appreciably greater than under the Wadsworth Agreement of May, 1923, Cmd. 1973 (which is now superseded), but will continue for a longer period.

* No. 711. † No. 713.

The annual cost of the Allied Armies of Occupation even as limited by previous agreements is from £13 to £15 millions: under new agreement only £8 millions can be charged direct to Dawes Annuity and balance will be added to arrears due to Powers concerned from reparation pool.

Whole question of provision for Armies to be reviewed before next September.

As regards settlement of past accounts a compromise favourable on the whole to British views was reached, especially in that only the extra cost of Ruhr troops, over and above their cost in home garrisons, is to be deducted from receipts down to 1st September, 1924, and thereafter nothing is to be allowed for Ruhr troops. Belgian Priority will be satisfied at some date between 1st September, 1925, and 31st August, 1926, and Belgium's percentage will then be reduced from 8 per cent. to 4½ per cent. the 3½ per cent. thus released going to France and British Empire in proportions 52 to 22.

Italy and Serbia begin repaying their debts to reparation pool by instalments from 1926.

Reparation Commission is to draw up an account showing net reparation receipts of each Power concerned as on 1st September, 1924, and distribution of British Empire receipts between parts of the Empire can then be dealt with, together with arrangements for distributing British Empire portion (viz., £7¼ millions) of first Dawes Annuity and future annuities.—AMERY.

5226

No. 715.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 3rd February, 1925.)

(Confidential (3).)

SIR, Governor-General's Office, Pretoria, 14th January, 1925.

I HAVE the honour to transmit to you herewith, with reference to your telegram of the 9th January, 1925,* copy of Minute from Ministers on the subject of the Conference of Allied Finance Ministers.

I have, &c.,
ATHLONE,
Governor-General.

Enclosure in No. 715.

(P.M. 51/8B.)
(Confidential.)

Prime Minister's Office, Pretoria, 14th January, 1925.

MINUTE No. 34.

MINISTERS have the honour to acknowledge the receipt of His Excellency the Governor-General's Minute No. 37/427 of the 10th January, 1925, in regard to the Conference of Allied Finance Ministers; and in connexion with the increase of the annual payments to the United States of America, Ministers desire to inform His Excellency that they have no objection to His Majesty's Government having acquiesced therein.

J. B. M. HERTZOG.

6845

No. 716.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada. / Commonwealth of Australia. / New Zealand. / Union of South Africa. / Irish Free State. / Newfoundland.) Dominions No. 70.)

[MY LORD,] [SIR,] Downing Street, 19th February, 1925.

I HAVE the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of a Parliamentary Paper, Cmd. 2339, containing the

* No. 711.

Agreement regarding the distribution of the Dawes Annuities, signed at Paris on the 14th of January, 1925.

[*Not to New Zealand and Irish Free State:* 2. Further copies are being sent in Library despatch.]

I have, &c.,
L. S. AMERY.

6845

No. 717.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

(No. 84.)

SIR, Downing Street, 11th March, 1925.

I HAVE the honour to transmit to you, for the information of your Ministers, copies of Parliamentary Papers, Cmd. 2339, containing the Agreement regarding the distribution of the Dawes Annuities signed at Paris on the 14th January, 1925, and Cmd. 1616, containing the financial Agreement between Belgium, France, Great Britain, Italy and Japan, signed at Paris on the 14th March, 1922, which is referred to therein.

I have, &c.,
L. S. AMERY.

SIAM.

General Treaty and Commercial Treaty, 1925.

(*Treaty Series* 1926, *Nos.* 7, 8 *and* 9.)

10743

No. 718.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 2.30 p.m., 14th March, 1925.)

TELEGRAM.

[*Answered by Nos.* 720, 721, 722 *and* 726.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

14TH MARCH. Confidential. My despatch 20th January, Dominions 28, Confidential.* Sayre, Political Adviser to Government of Siam, who is at present in England, has discussed with representatives of His Majesty's Government question of revision of existing Treaties with Siam and represented that any such revision should accord to Siam (1) full fiscal autonomy and (2) autonomy in matters of jurisdiction.

As regards first point, as United States of America, France and Japan have in recent treaties with Siam admitted principle of Siamese autonomy in fiscal matters, it does not seem possible for His Majesty's Government to refuse to do same provided that adequate safeguards for important trade of United Kingdom with Siam can be secured.

As regards second point, understood that Siamese Government would be willing to extend to British subjects same privileges as were granted to United States citizens by Treaty with United States (see League of Nations Treaty Series, Volume 6, page 302), i.e., in place of existing limited right of evocation (for details of which

* 1422/25: not printed: it enclosed copies of Foreign Office prints dealing with the proposed Treaty revision.

see correspondence enclosed in my despatch of 9th July, 1924, Dominions 308*) which expires on publication of last Siamese code to allow right of evocation in all cases during period continuing until five years after publication of last code provided that Treaty right of British subjects to presence in certain cases of European judicial adviser in Court were abandoned. This would in some respects be more favourable to British subjects than present system, and would be regarded by His Majesty's Government as satisfactory provided that assurance could be obtained from Siamese Government that they have no intention of abandoning in near future practice of appointing certain number of European judicial advisers of whom reasonable proportion would be British.

Accordingly proposed that in place of draft Treaty enclosed in my despatch 10th March, 1923, Dominions 80, Confidential,† endeavour should be made to negotiate two new Treaties. First of these would be General Treaty which would include (*a*) abrogation of Treaties of 1826, 1855 and 1883, and Articles 5 to 8 and Annexes 2 and 4 of 1909 Treaty, (*b*) recognition that principle of national autonomy should apply to Siam in all that pertains to import and export duties drawbacks and transit and all other taxes and impositions. It would also contain in Protocol, provisions as to jurisdiction similar to those in Protocol to United States Siamese Treaty. Second would be Commercial Treaty based on model draft with usual clauses as to accession of Dominions and containing also provision whereby (*a*) Siam would undertake not to increase beyond specified figure import duties on cotton goods, iron and steel and manufactures thereof, machinery and gunny bags, and (*b*) as long as Siamese rice and teak are admitted free to any parts of Empire to which Treaty made applicable Siam would in respect of such parts impose no export duty on teak and limit export duty on rice to specified figure. Similar arrangement might be made in respect of tin.

Discussions with Sayre are continuing and prospect of agreement being reached at early date. Hence should your Ministers have any observations on above proposals His Majesty's Government would be glad to receive them as soon as possible.

Similar message sent to other Dominions.—AMERY.

10743

No. 719.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Confidential.)

SIR, Downing Street, 14th March, 1925.

WITH reference to my Confidential despatch of the 13th March, Dominions No. 110,‡ I have the honour to transmit to Your Excellency, to be laid before your Ministers, copy of a telegram§ to the other self-governing Dominions regarding the proposed revision of the existing Treaties with Siam. The draft Treaty enclosed in the Secretary of State's despatch of the 10th March, 1923,† to which reference is made, was that enclosed in my predecessor's Confidential despatch of the 9th July, 1924.‖

2 It will be seen that it is stated in the telegram enclosed that there is a prospect of agreement being reached at an early date. Hence, should your Ministers have any observations on the proposals described, His Majesty's Government would be glad to receive them as soon as possible.

I have, &c.,
L. S. AMERY.

13172

No. 720.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 11.30 p.m., 20th March, 1925.)

TELEGRAM.

20TH MARCH. Confidential. Your telegram of 14th March.§ Revision of Treaties with Siam. My Ministers have no observations to make.—ALLARDYCE.

---

* No. 646 in Dominions No. 93. † 7028/23: not printed: it enclosed a copy of the draft Treaty which was subsequently superseded. ‡ 9379/25: not printed: it enclosed a copy of a draft Treaty which was subsequently superseded. § No. 718. ‖ No. 647 in Dominions No. 93.

13498

No. 721.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 3.9 p.m., 23rd March, 1925.)

TELEGRAM.

23RD MARCH. Confidential. Your telegram 14th March. Confidential.* Revision of Treaties with Siam. Ministers do not desire to offer any observations on proposal(s) set forth in telegram.—ATHLONE.

16694

No. 722.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4.55 a.m., 11th April, 1925.)

TELEGRAM.

CONFIDENTIAL. 11th April. Your telegram of 14th March.* New Zealand Government is satisfied to leave the whole subject of the status of Siam and treaties with that country to His Majesty's Government to determine, subject to condition that if most-favoured-nation treatment is granted by Great Britain to Siam such provision shall be so worded as not to affect New Zealand's policy of preferential duties in favour of the British Empire.—FERGUSSON.

16128

No. 723.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.

Dominions No. 181. Confidential.)

[MY LORD,] [SIR,]

Downing Street, 27th April, 1925.

WITH reference to my [*Not to Irish Free State:* telegram] [*To Irish Free State:* Confidential despatch] of the 14th March,† I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, copies of the drafts‡ of

(*a*) a General Treaty of Friendship, and
(*b*) a Commercial Treaty with Siam to replace certain of the existing treaties with that country.

2. I also enclose a copy of a despatch to His Majesty's Minister at Bangkok forwarding the draft Treaties for his observations.

I have, &c.,
(for the Secretary of State),
W. ORMSBY-GORE.

Enclosure in No. 723.

(No. 64.)
(Confidential.)

SIR,

Foreign Office, S.W.1, 2nd April, 1925.

WITH reference to Mr. John's telegram No. 2 of 28th February, I transmit to you herewith the drafts‡ of two treaties, one a General Treaty of Friendship, the other a Treaty of Commerce and Navigation, which it is now proposed to

* No. 718. † Nos. 718 and 719. ‡ Not printed; *see* Treaty Series 1926, Nos. 7 and 8 for the final texts of the Treaties.

conclude with the Siamese Government. It is also proposed to conclude a Treaty of Arbitration; the text of which will be forwarded later.

2. The General Treaty and the Commercial Treaty are interdependent: that is to say, His Majesty's Government would be reluctant to sign the former, under which Siam will obtain full fiscal and juridictional autonomy, unless the Siamese Government on their side were prepared simultaneously to sign the latter, under which it is apprehended that British commercial interests will be adequately safeguarded. A further safeguard of British interests will be contained in the letter which it is proposed that the Siamese Government should, upon the conclusion of the treaties, address to His Majesty's Government as regards the continued employment of European judicial advisers. The provisional text of this letter is enclosed herein. It should be treated for the present as highly confidential.

3. The two present drafts are the result of a process, first, of consultation between the departments of His Majesty's Government concerned, and, secondly, of negotiation with Doctor Sayre, who has provisionally accepted their terms, subject to reference to the Siamese Government. It is understood that he has forwarded them to Bangkok, with a recommendation that, if they are found to be satisfactory, the Siamese Government will authorize their Minister here to conclude treaties on these lines. I should accordingly be glad if you would examine the drafts and telegraph your observations as soon as possible; after such unofficial consultation with the British community at Bangkok as you may think desirable. In this connexion I would draw your particular attention to Article 16 of the commercial treaty which has been inserted in order to meet the principal difficulties anticipated by British traders in Siam, in view of the fact that Dr. Sayre was unable to agree to an article embodying the first sentence of paragraph 3 of Article 8 of the Anglo-Siamese Treaty of 1855.

4. You will observe that the original idea of conducting the actual negotiations at Bangkok after a preliminary discussion of principles with Doctor Sayre has been abandoned. The reason lies in the accommodating spirit displayed by Doctor Sayre, which at once made it seem probable that treaties negotiated by him and backed by the influence which he apparently is able to exert on the Siamese Government could be brought to a more satisfactory and more speedy conclusion than would have been possible if negotiations had been carried on direct with native officials at Bangkok.

5. The British delegation has received invaluable help from Mr. Lyle, lately His Majesty's Consul-General at Bangkok, and, as regards the commercial treaty, it has had the advantage of consultation with Mr. Hendrick, the London Manager of the Anglo-Siam Corporation.

I have, &c.,
(For the Secretary of State),
S. P. WATERLOW.

R. H. Greg, Esq.,
&c., &c., &c.

DRAFT.

IN connexion with the jurisdictional autonomy of Siam resulting from the Treaty between our respective countries signed on , 1925, I have the honour to state that my Government is happy to give to Your Excellency the assurance that the intention of the Royal Siamese Government is not to discontinue the use of European judicial advisers upon the ratification of the new Treaty, but to continue to employ them until such time after the promulgation of the Codes as it may be convinced that the administration of justice by Siamese judges shows the further services of such European advisers to be unnecessary. In connexion with the employment of European judicial advisers it is the intention of the Royal Siamese Government that the proportion of British to other foreign judicial advisers shall, as in the past, be commensurate with British interests in Siam.

I have, &c.

16128

No. 724.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

(Confidential.)

SIR, Downing Street, 27th April, 1925.

I HAVE the honour to request you to inform your Ministers that the question of the revision of the existing Treaties with Siam has been for some time under consideration.

2. Dr. Sayre, the Political Adviser to the Government of Siam, who is at present in England, has recently discussed the matter with representatives of His Majesty's Government, and represented at the outset that any such revision should accord to Siam

(1) full fiscal autonomy; and

(2) autonomy in matters of jurisdiction.

3. As regards the first point, the United States of America, France and Japan have in recent Treaties with Siam admitted the principle of Siamese autonomy in fiscal matters, and consequently it seemed to His Majesty's Government that it would not be possible for them to refuse to do the same, provided that adequate safeguards for the important trade of this country with Siam could be secured.

4. As regards the second point, it was indicated that the Siamese Government would be willing to extend to British subjects the same privileges as had been granted to United States citizens by the Treaty between the United States and Siam. This arrangement would in some respects be more favourable to British subjects than the present system, and it appeared to His Majesty's Government that it would be satisfactory, provided that an assurance could be obtained from the Siamese Government that they have no intention of abandoning in the near future the practice of appointing a certain number of European Judicial Advisers, of whom a reasonable proportion would be British.

5. The discussions with Dr. Sayre have proceeded on the above basis and, as a result, drafts have been prepared of

(*a*) a General Treaty of Friendship, and

(*b*) a Commercial Treaty.

These Treaties would replace the existing Treaties with Siam of the 20th June, 1826, the 18th April, 1855, the 6th April, 1883, and the 3rd September, 1883, and certain provisions of the Treaty of the 10th March, 1909.

6. I enclose copies of the draft Treaties,* together with a copy of a despatch† to His Majesty's Minister at Bangkok forwarding them for his observations.

I have, &c.,
(For the Secretary of State),
W. ORMSBY-GORE.

15943

No. 725.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 2.35 p.m., 12th May, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

12TH MAY. Confidential. My telegram 14th March.‡ As a result of discussions with Sayre on provisions of proposed Commercial Treaty dealing with Siamese import and export duties, it became evident that Siamese Government very anxious to be free from every restriction in regard to levy of Customs duties but with considerable difficulty it was found possible to secure provisional agreement on

* Not printed; see Treaty Series 1926, Nos. 7 and 8 for the final texts of the Treaties. † Enclosure in No. 723. ‡ No. 718.

a clause whereby

(1) Siam would agree not to impose on cotton goods, iron and steel and manufactures thereof and machinery manufactured in United Kingdom import duty in excess of 5 per cent. during first ten years after Treaty comes into force.

(2) Benefits under (1) would be enjoyed only so long as Siamese rice, teak and tin admitted to United Kingdom free of duty.

(3) If Siam should impose any export duty on teak or tin or duty on rice exceeding quarter of tical per picul, import duty could be imposed on article in question in United Kingdom without affecting provisions of (1).

Copies of draft Treaty enclosed in my despatch of 27th April, Dominions 181, Confidential.*

22542

No. 726.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.0 a.m., 18th May, 1925.)

TELEGRAM.

18TH MAY. Your Confidential telegram of 14th March.† Revision of treaties with Siam. My Ministers have no observations to offer in regard to proposal(s).—FORSTER.

20218

No. 727.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 728.]

(Confidential.)

SIR, Downing Street, 18th May, 1925.

WITH reference to my Confidential despatch Dominions No. 181 of the 27th of April,* I have the honour to transmit to Your Excellency, for the information of your Ministers, the accompanying copies of a telegram‡ to the other self-governing Dominions on the subject of the proposed Commercial Treaty with Siam.

I have, &c.,
L. S. AMERY.

27344

No. 728.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 16th June, 1925.)

(Confidential.)

SIR, Vice Regal Lodge, Dublin, 15th June, 1925.

I HAVE the honour to refer to your Confidential despatch of the 18th of May,§ and to previous correspondence regarding the proposed Commercial Treaty with Siam, and to inform you that my Ministers have no observations to offer on the terms of the proposed Treaty.

I have, &c.,
T. M. HEALY.

---

* No. 726. † No. 718. ‡ No. 725. § No. 727.

27976

No. 729.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. Confidential.)

Dominions No. 293. Confidential.)

[My Lord,] [Sir,] Downing Street, 15th July, 1925.

With reference to my Confidential despatch of the 27th of April Dominions No. 181* [*Not to Irish Free State and Southern Rhodesia:* and my telegram of 12th May,†], regarding the revision of the existing Treaties with Siam, I have the honour to request [Your Excellency] [you] to inform your Ministers that the observations of His Majesty's Minister at Bangkok have been received and the matter has been further discussed with Dr. Sayre. As a result, the draft Treaties enclosed in my despatch have been further modified. I enclose copies of the draft Treaties‡ in their revised form.

2. It will be observed that Article 10 of the draft Commercial Treaty has been modified

(*a*) by substituting "any of His Britannic Majesty's territories to which this Treaty applies" for "the United Kingdom";

(*b*) by omitting the original second and third paragraphs;

(*c*) by inserting two new paragraphs defining more clearly the articles to which the first paragraph applies and providing for the possible imposition of specific Customs duties.

3. As regards the second of these amendments, it appeared from the discussions with Dr. Sayre that the Siamese Government did not attach importance to the original second paragraph, which had been inserted to meet the wishes of Dr. Sayre, while the original third paragraph afforded no real guarantee against the imposition of prohibitive export duties by the Siamese Government on rice, teak and tin. It was therefore considered that these paragraphs could be omitted, but it is hoped that it may be possible to obtain from the Siamese Government, at the time of signature of this Treaty, a declaration that it is not their present intention to impose any new, or increase any existing export duties on rice, teak and tin.

4. It will also be observed that the third paragraph of Article 37 of the draft Commercial Treaty differs from the provision normally inserted in Commercial Treaties since it provides that, in the event of India or any of the Colonies not possessing responsible Government or Protectorates acceding to the Treaty, notice of separate termination in respect of India or any such Colony or Protectorate cannot be given until the expiration of nine years from the coming into force of the Treaty, this being the earliest date at which notice of termination of the Treaty as a whole can be given under the first paragraph of the Article. This change was made in order to meet the views of the Government of India, and a similar change has been made in the third paragraph of Article X of the draft General Treaty.

5. I take this opportunity to enclose a copy of a telegram to His Majesty's Minister at Bangkok regarding the terms of notes which it is proposed should be exchanged with the Siamese Government at the time of signature of the Treaties, regarding the employment in Siam of European legal advisers and other kindred matters.

6. It is hoped that it will be possible to arrange for the signature of the Treaties at a very early date.

I have, &c.,
L. S. AMERY.

---

* No. 723. † No. 725. ‡ Not printed; *see* Treaty Series 1926, Nos. 7 and 8 for the final texts of the Treaties.

602

Enclosure in No. 729.

No. 8 (R).)

TELEGRAM TO MR. GREG (BANGKOK) FROM THE FOREIGN OFFICE.

(Sent 8.30 p.m., 16th June, 1925.)

CONSIDERATIONS urged in your telegrams Nos. 5 and 6 of 19th May, New Siamese Treaties, are fully appreciated, and we have tried to meet them in negotiations with Dr. Sayre on the following lines.

New draft of notes to be exchanged has been agreed as follows, subject on our side to your observations, and on Sayre's side to approval of the Siamese Government, to whom he has telegraphed.

British note, after stating nature of British interests in Siam, and expressing confidence that Siamese Government "are not likely to take any steps calculated to prejudice" them, runs as follows:—"His Majesty's Government, without wishing to make any suggestion which might constitute an interference in the internal affairs of Siam, or to make the grant of the rights acquired by Siam under the new treaties subject to any conditions or restrictions, feel nevertheless in view of the magnitude of the interests involved that it may be useful to state frankly certain apprehensions," due to possibility that trained Siamese judges will not be available when codes are promulgated, and to the fact that the codes are based on Roman law. "It therefore occurs to His Majesty's Government that the Siamese Government may well wish, should it be necessary in order to avoid possible future injury to the interests common to both countries, for a reasonable time after the coming into force of the various codes, and even, if necessary, after the disappearance of the right of evocation, to continue to employ a reasonable number of European legal advisers, of whom a proportion commensurate with British interests will be of British nationality; to continue to employ them in general in the same posts and in the same judicial capacities as at present, and to arrange that they shall exercise their powers in the same general manner as they have hitherto done (except in so far as the termination of the 1909 Treaty may result in their judgments no longer prevailing in the cases provided for under that Treaty); to retain the post of judicial adviser, which it will probably be impracticable to fill with a lawyer of other than British nationality; to employ as a teacher in the law school an English lawyer, preferably a barrister familiar with the Indian codes; and to continue to employ a British subject as adviser in the customs."

Reply of Siamese Government will state that they have "taken very careful note of the matters set forth in this communication, and they will endeavour, in respect of the several points set out in the letter from His Majesty's Government, to do everything possible to safeguard British interests in Siam, so far as this can be done without injury to the interests of the Siamese Government. In particular, the Siamese Government readily give an assurance that it is not their intention to dispense with the services of European legal advisers upon the ratification of the new Treaty, but to continue to employ them until such time after the promulgation of the codes as they may be convinced that the administration of justice shows the further services of such European advisers to be unnecessary." Then follows assurance that, until the promulgation of the codes, the Siamese Government will continue to act on the principle as to the use of British law in commercial cases where no Siamese law exists which was stated in Westengaard's letter to Beckett of 19th May, 1909.

36115

No. 730.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNORS.

[*Answered by No.* 733.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. Confidential.)

Dominions No. 376. Confidential.)

[My Lord,] [Sir,] Downing Street, 28th August, 1925.

With reference to my Confidential despatch [Dominions No. 293 of the 15th of July,*] [of the 15th of July,*] I have the honour to transmit to [Your Excellency,]

* No. 729.

[you,] for the information of your Ministers, copies of the new General and Commercial Treaties* with Siam, signed in London on the 14th of July, together with copies of notes† exchanged with the Siamese Minister on the 14th of July and subsequently.

I have, &c.,
L. S. AMERY.

51167

No. 731.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 12.5 p.m., 21st November, 1925.)

TELEGRAM.

[*Answered by Nos.* 733 *and* 734.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

21ST NOVEMBER. My despatch 28th August, Dominions 376, Confidential.† Siamese Minister is pressing for very early ratification of General Treaty and Commercial Treaty. It would appear to be in accordance with Resolution of Imperial Conference of 1923 that in case of former Treaty, as well as latter, ratification should be effected at instance of His Majesty's Government and accordingly it is proposed that instruments of ratification should be prepared forthwith.—AMERY.

51167

No. 732.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Confidential.)

SIR, Downing Street, 23rd November, 1925.

WITH reference to my Confidential despatch Dominions No. 376 of the 28th August,† I have the honour to request Your Excellency to inform your Ministers that the Siamese Minister is pressing for the very early ratification of the General Treaty and the Commercial Treaty signed on the 14th July last.

2. It would appear to be in accordance with the Resolution of the Imperial Conference of 1923 on the subject of the Negotiation, Signature and Ratification of Treaties that the ratification in the case of the former of these Treaties as well as of the latter, should be effected at the instance of His Majesty's Government, and accordingly it is proposed that the instruments of His Majesty's ratification should be prepared forthwith.

3. The Governments of the other Dominions are being informed accordingly by telegraph.

I have, &c.,
L. S. AMERY.

55863

No. 733.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4.47 p.m., 12th December, 1925.)

TELEGRAM.

12TH DECEMBER. Confidential. Your despatch 28th August, Dominions 376, Confidential,† and your telegram 21st November.‡ New General and Commercial

* Not printed here; *see* Treaty Series 1926, Nos. 7, 8 and 9. † No. 730. ‡ No. 731.

Treaties with Siam. Canadian Government agree that in accordance with Resolution of Imperial Conference of 1923 ratification should be effected by His Majesty at the instance of the British Government. Question of adherence by Canada will be considered later.—BYNG.

56879

No. 734.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.12 a.m., 19th December, 1925.)

TELEGRAM.

19TH DECEMBER. Your telegram of 21st November.* New Zealand Government agree to ratification of the General Treaty and Commercial Treaty with Siam. Ministers are content that the plenipotentiary of His Majesty should execute the instrument of ratification for New Zealand, but if His Majesty's Government prefer that a New Zealand Officer should execute ratification the High Commissioner for New Zealand will be instructed accordingly. Would be glad to learn which course His Majesty's Government prefer.—FERGUSSON.

SPAIN.

Commercial Agreement with Canada, 1925.

10798

No. 735.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9th March, 1925.)

[*Answered by No.* 736.]

(No. 84.)

SIR, Government House, Ottawa, 25th February, 1925.

I HAVE the honour to enclose, herewith, copies of an approved Minute of the Privy Council for Canada submitting a draft trade agreement which it is proposed to enter into with the Government of Spain.

My Government will be grateful if His Majesty's Ambassador at Madrid may be authorized to sign the said agreement on behalf of the Government of Canada.

I have, &c.,
BYNG OF VIMY.

Enclosure in No. 735.

(P.C. 247.)

CERTIFIED COPY OF A MINUTE OF A MEETING OF THE COMMITTEE OF THE PRIVY COUNCIL, APPROVED BY HIS EXCELLENCY THE GOVERNOR-GENERAL ON THE 17TH FEBRUARY, 1925.

THE Committee of the Privy Council have had before them a Report, dated 13th February, 1925, from the Secretary of State for External Affairs, representing that the Acting Minister of Finance and the Minister of Trade and Commerce have been conducting negotiations with the Government of Spain looking to the conclusion of a convention of commerce between the two countries.

The Minister states that it has not been found possible to conclude a permanent agreement immediately, and, pending the conclusion of such a permanent agreement, it is considered desirable to enter into a provisional trade agreement with the Government of Spain whereby Spain shall grant to Canada the benefits of her second tariff duties and Canada shall grant to Spain the benefits of the Intermediate Tariff.

* No. 731.

The Minister, therefore, with the concurrence of the Acting Minister of Finance, recommends that Your Excellency, under the authority of Section 4 of the Customs Tariff, 1907, in consideration of benefits satisfactory to Your Excellency, be pleased to extend the benefit of the Intermediate Tariff to goods the produce or manufacture of Spain when conveyed without transhipment from a port of Spain or from a port of a country enjoying the benefit of the Preferential or Intermediate Tariff into a sea or river port of Canada upon the terms and conditions of an agreement to be entered into between the Government of the Dominion of Canada and the Government of the Kingdom of Spain substantially in the form of the draft agreement annexed hereto; and that the benefits of the Intermediate Tariff shall be so granted to goods the produce or manufacture of Spain on and after a day to be fixed by proclamation which shall be published in the *Canada Gazette*.

The Minister also recommends that His Britannic Majesty's Ambassador at Madrid be authorized to sign the said agreement on behalf of the Government of the Dominion of Canada, and that Your Excellency may be pleased to cause a despatch to be sent to the Secretary of State for the Colonies for transmission to the Foreign Secretary requesting that he authorize the British Ambassador at Madrid to sign the said agreement on behalf of the Government of Canada.

All of which is respectfully submitted for Your Excellency's approval.

E. J. LEMAIRE,
Clerk of the Privy Council.

AGREEMENT entered into this day of 1925, between representing herein the Government of the Dominion of Canada, Party of the first part, and representing herein the Government of the Kingdom of Spain, Party of the other part:

It is hereby respectively agreed on behalf of the Government of the Dominion of Canada and of the Government of the Kingdom of Spain, that—

1. The Government of the Dominion of Canada shall, under the authority of section 4, sub-section (*c*), of the Act of Parliament of Canada "The Customs Tariff, 1907," on and after a day to be fixed by proclamation of the Governor in Council of Canada, which proclamation shall be published in the *Canada Gazette*, extend the benefit of the Intermediate Tariff to goods the produce or manufacture of Spain when conveyed without transhipment from a port of Spain or from a port of a country enjoying the benefit of the preferential or intermediate tariff into a sea or river port of Canada;

2. The Government of the Kingdom of Spain shall concede to goods the produce or manufacture of Canada, upon their importation into Spain, on and after the same day as that mentioned in the proclamation referred to in section 1 of this agreement, the second tariff duties;

3. This agreement is a provisional one, and the question of a general convention for the regulation of commercial relations between Canada and Spain shall be deferred for consideration at a time which may be found mutually convenient;

4. Either of the principals herein represented may, if it is deemed desirable, terminate or cancel the respective concessions granted in pursuance hereof on giving to the other three months' notice of intention so to terminate or cancel.

Done in duplicate at the City of Madrid.

In testimony whereof the said parties have hereunto ascribed their names on the day first above mentioned.

18489

No. 736.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 206.)

MY LORD, Downing Street, 29th April, 1925.

WITH reference to Your Excellency's despatch No. 84 of the 25th of February,* I have the honour to transmit to you, to be laid before your Ministers,

* No. 735.

the accompanying copy of a despatch from His Majesty's Ambassador at Madrid regarding the provisional trade agreement between Canada and Spain.

I am, &c.,
(for the Secretary of State),
W. ORMSBY-GORE.

Enclosure in No. 736.

(No. 174.)

British Embassy, Madrid,
SIR, 11th April, 1925.

WITH reference to previous correspondence ending with your despatch No. 200 of the 8th instant, I have the honour to transmit to you herewith a copy of the Spanish Note, together with a translation, which I received yesterday from the Acting President of the Directorate, setting forth the conditions on which the Spanish Government are prepared to conclude a Commercial *Modus Vivendi* with Canada. A copy of my Note acknowledging this communication and recapitulating the conditions in question is likewise enclosed. The *Modus Vivendi* is considered as concluded by means of this exchange of Notes, and it will go into force on the 20th instant. The original of the Spanish Note has been handed to Mr. Clarke for transmission to his Government.

In company with Mr. Clarke (the Canadian Trade Delegate) and Captain Charles, I attended all the meetings of the Treaty Commission at which we discussed the possibility of concluding a *Modus Vivendi* between Spain and Canada. There have been five such meetings, the first taking place on 19th December last, and the final meeting having been held on the 28th ultimo.

The Canadian Government put forward two alternative proposals, the second of which they have succeeded in obtaining. Briefly, this provides for the application of the Canadian Intermediate Customs Tariff to Spanish goods in return for the application of the duties in the second column of the Spanish Customs Tariff to Canadian goods.

This *Modus Vivendi* will come into force on the 20th instant and will cease to be in force three months after its denunciation by either contracting party. The contracting parties undertake to commence without undue delay the necessary negotiations for the conclusion of a more general and definite Convention for the regulation of a Commercial Agreement between Spain and Canada.

An Agreement in principle with regard to the *Modus Vivendi* was reached at the fourth meeting of the Spanish Treaty Commission on 6th February. The Spanish Treaty Commission, however, raised objections to two points at the last minute. These were the stipulations that Spanish goods subject to the Intermediate Customs Tariff must be imported into a "sea or river port of Canada without transhipment from a Spanish port."

The Spanish Authorities pointed out that, whereas on the basis of Mr. Clarke's calculations twenty-two per cent. of the Spanish exports to Canada are not subject to any duty and can be imported into Canada via the United States, the advantages of the *Modus Vivendi* only extended to seventy-eight per cent. of the Spanish exports to Canada, which must be imported direct into a sea or river port of Canada. They, therefore, had to consider whether the Tariff advantages, which it was proposed to extend to that seventy-eight per cent., were sufficient compensation for the extension of the Second Column of the Spanish Customs Tariff to Canadian products. After some delay the Spanish Treaty Commission decided in the affirmative.

It only remains for me to add that Mr. Clarke, at my request, consulted the Canadian Government with regard to the Spanish suggestion that the *Modus Vivendi* should be considered as concluded by an exchange of Notes, and received a reply approving the signature of the Agreement if it embodied all the essential points of the Canadian draft and if he himself was quite satisfied. I have been in the closest touch with Mr. Clarke during the negotiations, and Captain Charles has been of great assistance to him.

I have, &c.,
HORACE RUMBOLD.

The Right Honourable
Austen Chamberlain, M.P.,
&c., &c., &c.

Translation.

Ministry of State, Commerce.

(No. 104.)

YOUR EXCELLENCY, Madrid, 10th April, 1925.

WITH reference to the Note which Your Excellency has been good enough to address me regarding the negotiations for a Commercial Agreement between Spain and Canada, and especially with reference to the Note No. 76 of 25th February last, under cover of which a Draft *Modus Vivendi* to be drawn up between the two countries was enclosed, and in view of the report on the question from the corresponding Departments, I have the honour to inform Your Excellency that the Government of His Catholic Majesty has agreed to draw up a *Modus Vivendi* in accordance with the following clauses:—

(1) The Government of the Dominion of Canada will apply the duties of her Intermediate Customs Tariff to goods the produce or manufacture of Spain on their importation by a sea or river port of Canada without transhipment from a Spanish port or from a port of any country which may enjoy in Canada the benefits either of her preferential tariff or of her intermediate tariff.

(2) The Government of His Catholic Majesty will apply to goods the produce or manufacture of Canada on their importation into Spain the duties of the second column of the Customs Tariff in force at any time.

(3) The present *Modus Vivendi* will come into force on the 20th April, 1925, and will cease to be in force three months after its denunciation by either contracting party.

In view of the provisional character of this arrangement both Governments agree to commence without undue delay the necessary negotiations for the conclusion of a more general and definite Convention for the regulation of the commercial relations between Spain and Canada. The Government of His Catholic Majesty considers that the present *Modus Vivendi* will be concluded by means of the exchange of this Note and the similar Note which Your Excellency will be good enough to address to me.

I avail, &c.,
EL MARQUÉS DE MAGAZ.

His Excellency
Sir Horace Rumbold,
H.B.M. Ambassador,
Madrid.

(No. 133.)

British Embassy, Madrid.
YOUR EXCELLENCY, 11th April, 1925.

I HAVE the honour to acknowledge the receipt of your Note No. 104 of 10th April, in which Your Excellency is so good as to inform me that the Government of His Catholic Majesty are prepared to conclude a Commercial *Modus Vivendi* with the Government of the Dominion of Canada, on the following basis:—

1. The Government of the Dominion of Canada will extend the benefits of the intermediate Tariff to goods the produce or manufacture of Spain when conveyed without transhipment from a port of Spain or from a port of a country enjoying the benefits of the preferential or intermediate tariff into a sea or river port of Canada.

2. The Government of His Catholic Majesty the King of Spain will apply to goods the produce or manufacture of Canada on their importation into Spain the duties under the Second Column of the Spanish Customs Tariff in force at any time.

3. The present *Modus Vivendi* will come into force on 20th April, 1925, and will cease to be in force three months after its denunciation by either Contracting Party.

In view of the provisional character of this arrangement the Governments of both Contracting Parties agree to commence without undue delay the necessary negotiations for the conclusion of a more general and definite Convention for the regulation of the Commercial relations between Canada and Spain.

I have been authorized to assure Your Excellency that the Government of the Dominion of Canada accept the above arrangement which they will regard as completed by the present Note, and that which I have had the honour to receive from Your Excellency, and that the necessary proclamation will be published in the *Canada Gazette*, bringing it into effect in Canada as from the 20th April next.

I avail, &c.,
HORACE RUMBOLD.

His Excellency
The President of the Military Directorate,
Ministry of State,
Madrid.

19555

No. 737.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9.55 p.m., 29th April, 1925.)

TELEGRAM.

[*Answered by Nos. 738 and 740.*]

29TH APRIL. My despatch of 25th February, No. 84,* draft trade agreement with Spain. Canadian Government have been informed that the first stage in these negotiations was concluded 10th April by exchange of notes between the British Ambassador at Madrid and the Spanish Government providing for granting of Canadian intermediate tariff as against Spanish Second Column tariff as a *modus vivendi* pending undertaking of negotiations for more general and definite convention for the regulation of commercial relations between Canada and Spain.

During these negotiations Canadian Government expressed its desire to accede to the Agreement between the United Kingdom and Spain of June, 1924, regulating the treatment of companies under Article II of that Agreement. We are informed that shortly before 12th April British Ambassador at Madrid received a reply from the Spanish Government that, as Canada had not adhered to the Treaty of Commerce and Navigation, and as this Treaty and Companies' Agreement are inter-related, the latter would not be open to Canada's adherence.

Canadian Government would be greatly obliged if the opinion of legal officers of the Foreign Office upon the validity of the Spanish contention could be secured. If it is upheld they would desire that the British Ambassador at Madrid should be requested to inquire of the Spanish Government what procedure in its opinion should be followed to make it possible to come to an agreement so far as Canada is concerned on reciprocal treatment of Companies. Canadian Government desires to add for your information that they would be prepared to negotiate separate agreement on treatment of companies or include it in general trade agreement, and they would desire as early settlement as possible as Spanish taxation of Canadian companies is at present very onerous.

Canadian Government will communicate with you later regarding negotiations for permanent trade agreement.—BYNG.

19555

No. 738.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 216.)

MY LORD, Downing Street, 9th May, 1925.

WITH reference to Your Excellency's telegram of the 29th of April,† I have the honour to transmit to you, to be laid before your Ministers, the accompanying

---

* No. 735. † No. 737.

copy of a despatch from His Majesty's Representative at Madrid forwarding a note from the Spanish Ministry of State regarding the question of the adhesion of Canada to the Anglo-Spanish Companies' Agreement.

2. As a first step, the Secretary of State for Foreign Affairs has been asked to take the opinion of his legal advisers on the point raised.

I have, &c.,
L. S. AMERY.

[19288]

Enclosure in No. 738.

(No. 178.)

His Majesty's Representative presents his compliments to His Majesty's Principal Secretary of State for Foreign Affairs, and has the honour to transmit herewith a translation of a Note from the Ministry of State, regarding the desire of the Canadian Government to participate in the Anglo-Spanish Special Companies' Agreement.

Madrid,
17th April, 1925.

Reference to previous correspondence: Madrid despatch No. 79 of 13th February.

Translation.

Ministry of State, 5—Commerce.

(No. 106.)

Your Excellency, Madrid, 9th April, 1925.

In your Note No. 55, of the 13th February last, Your Excellency forwarded to me a Memorandum in which Mr. Clarke, the Delegate of the Government of the Dominion of Canada for the negotiation of a commercial agreement between Spain and that Dominion, stated that he had received instructions from his Government to inform His Majesty's Government that the Government of Canada is prepared to submit to Parliament a disposition authorizing the adherence of the Dominion to the Agreement regulating the taxation of Commercial Companies, concluded between Spain and the United Kingdom on the 27th June, 1924.

In acknowledging receipt to Your Excellency of your above-mentioned Note, I have the honour to make the following statement:—

The agreement in question, referring to the taxation of Companies, is a consequence of the agreement arrived at between the Spanish and British Governments, in Article I of the Treaty of Commerce of the 31st October, 1922, according to which the future treatment of the Companies of the two parties in the country of the other was to be established by a special agreement. Therefore, the said special agreement arises out of the Treaty referred to, and it is accordingly necessary, whenever this matter is considered, to connect it with the corresponding clause of that Treaty.

Such connexion cannot be established in the case of Canada, for the reason that this country has refused to adhere to the Treaty, which must therefore be considered non-existent as far as the Dominion is concerned; and, as has been stated, the right of the Dominions, Colonies and other British territories to adhere to the special Hispano-British Agreement regarding mercantile companies deriving from the dispositions in regard to this matter in the Treaty of the 31st October, 1922, already mentioned, His Majesty's Government is of the opinion that there is no satisfactory method by which Canada can adhere to the special agreement in question.

I avail, myself, &c.,
El Marqués de Magaz.

His Excellency
Sir Horace Rumbold,
H.B.M. Ambassador.

22435

No. 739.

CANADA.

The GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 18th May, 1925.)

[*Answered by No.* 741.]

(No. 202.)

Sir, Government House, Ottawa, 6th May, 1925.

With reference to my despatch No. 84 of the 25th February,* on the subject of a trade agreement with Spain, I have the honour to enclose, herewith, a copy of an approved Minute of the Privy Council for Canada expressing the willingness of the Canadian Government to proceed with the negotiation of a commercial agreement.

My Government request that the purport of this Minute may be communicated to the Government of Spain.

I have, &c.,
BYNG OF VIMY.

Enclosure in No. 739.

(P.C. 674.)

Certified copy of a Minute of a Meeting of the Committee of the Privy Council approved by His Excellency the Governor-General on the 1st May, 1925.

The Committee of the Privy Council have had before them a Report, dated 29th April, 1925, from the Secretary of State for External Affairs, referring to the Minute of Council approved by Your Excellency on the 17th February, 1925, authorizing the conclusion of a provisional trade agreement with the Government of Spain, and stating that such an agreement was duly concluded at Madrid on the 10th of April, 1925, Article III of which provided:—

"The *modus vivendi* will come into force on 20th April, 1925, and will cease to be in effect three months after its denunciation by either contracting party. In view of the provisional character of this arrangement the Governments of both of the contracting parties agree to commence without undue delay the necessary negotiations for the conclusion of a more general and definite convention for the regulation of the commercial relations between Canada and Spain."

The Committee, on the recommendation of the Secretary of State for External Affairs, advise that Your Excellency may be pleased to request the Secretary of State for the Colonies to cause the Government of Spain to be informed that the Government of Canada is willing to proceed with the negotiation of a commercial agreement between the two countries.

All of which is respectfully submitted for approval.

E. J. Lemaire,
Clerk of the Privy Council.

24169

No. 740.

CANADA.

The SECRETARY OF STATE to the GOVERNOR-GENERAL.

(Sent 6.10 p.m., 5th June, 1925.)

Telegram.

5th June. Your telegram 29th April.† Agreement with Spain regarding treatment of companies. Opinion of Secretary of State for Foreign Affairs is that point of view of Spanish Government appears to be (see my despatch 9th May, 216‡)

---

* No. 735. † No. 737. ‡ No. 738.

that Canada is not entitled to accede to agreement since effect of accession would not be that which was contemplated by accession clause of agreement. This contention seems difficult to resist since Spanish companies would not derive from accession of Canada any benefits under Article II of Agreement as Spanish subjects do not, in fact, enjoy any benefits in Canada under the Treaty of 1922. In the circumstances Secretary of State for Foreign Affairs considers that best course would be for Canadian Government to negotiate separate agreement with Spanish Government as regards treatment of companies. If your Ministers concur in this view, should be glad to learn what communication they would wish to be made to Spanish Government on the subject.—AMERY.

28954

No. 741.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 742.]

(No. 311.)

Downing Street, 8th July, 1925.

MY LORD,

WITH reference to Your Excellency's despatch No. 202 of the 6th of May,* I have the honour to transmit to you, for the information of your Ministers, the accompanying copy of a note addressed to the Spanish Government by His Majesty's Ambassador at Madrid regarding negotiations for the conclusion of a commercial agreement between Canada and Spain.

I have, &c.,
L. S. AMERY.

Enclosure in No. 741.

(No. 205.)

British Embassy, Madrid.
20th June, 1925.

YOUR EXCELLENCY,

I HAVE the honour to refer to my Note No. 133 of 11th April last, regarding the conclusion of a Commercial *modus vivendi* with the Government of the Dominion of Canada.

2. In paragraph 3 of this Note attention was called to the provisional character of this arrangement, and I am now directed by His Majesty's Principal Secretary of State for Foreign Affairs to inform Your Excellency that the Committee of the Privy Council of the Dominion of Canada have informed His Majesty's Government that the Government of Canada is willing to proceed with the negotiation of a commercial agreement between the two countries.

3. I have the honour to request that I may be informed as soon as may be conveniently possible when the Government of His Catholic Majesty will be prepared to commence these negotiations.

I avail, &c.,
HORACE RUMBOLD.

His Excellency
The President of the Military Directorate,
Ministry of State,
Madrid.

46554

No. 742.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 11.30 p.m., 14th October, 1925.)

TELEGRAM.

[*Answered by No.* 743.]

14TH OCTOBER. Your despatch of 8th July, No. 311,† Commercial Agreement between Canada and Spain. My Ministers ask whether any reply has yet been received from the Spanish Government on this subject.—BYNG.

---

* No. 739. † No. 741.

47554

No. 743.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 11.45 a.m., 26th October, 1925.)

TELEGRAM.

26TH OCTOBER. Your telegram of 14th October.* Commercial Agreement between Canada and Spain. No reply yet received from Spanish Government. Further inquiry has been addressed to His Majesty's Ambassador at Madrid.—AMERY.

48752

No. 744.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 12.20 p.m., 31st October, 1925.)

TELEGRAM.

31ST OCTOBER. My telegram 26th October,† Commercial Agreement between Canada and Spain. Note received by His Majesty's Representative at Madrid from Spanish Ministry of State stating that after having heard the opinion of the Treaty Department of the Council of National Economy a draft project will be transmitted to His Majesty's Embassy as soon as possible for transmission to Canadian Government.—AMERY.

TERRITORIAL WATERS.

(1) Discussion at the Imperial Conference, 1923.

15131

No. 745.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1st April, 1925.)

(Confidential.)

Government House, Wellington, 18th February, 1925.

SIR,

WITH reference to your predecessor's Confidential despatch of the 6th November last,‡ relative to the limits of territorial waters in New Zealand, I have the honour to inform you that my Ministers have carefully studied the points raised in that despatch, and they do not desire to press for any of the waters adjoining this Dominion to be recognized as "territorial inlets."

I have, &c.,
CHARLES FERGUSSON,
Governor-General.

Note.—Copy sent to Canada, Commonwealth of Australia, the Union of South Africa, the Irish Free State and Newfoundland by despatch, 25th June, 1925.

---

* No. 742. † No. 743. ‡ No. 683 in Dominions No. 93.

(2) Italy: Extent of Territorial Waters.

4838

No. 746.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNOR.

(Canada. / Commonwealth of Australia. / New Zealand. / Union of South Africa. / Irish Free State. / Newfoundland. — Dominions No. 54. Confidential.)

[My Lord,] [Sir,] Downing Street, 13th February, 1925.

[*Not to Irish Free State:* With reference to the Duke of Devonshire's Confidential despatch Dominions No. 229 of the 27th of June, 1923*], I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a despatch to His Majesty's Ambassador at Rome regarding an Italian notice to Mariners of the 15th of November, 1924, which contains a claim to exercise jurisdiction in waters lying outside the three-mile limit.

I have, &c.,
L. S. AMERY.

Enclosure in No. 746.

(No. 120.)

Sir, Foreign Office, S.W.1, 29th January, 1925.

With reference to your despatch No. 480 of the 24th May, 1923, I transmit to your Excellency herewith a copy of a letter† from the Admiralty enclosing a copy† and translation of an Italian notice to mariners of 15th November, 1924, which prohibits shipping from entering a zone beyond eight miles in width extending along a portion of the Italian coast.

2. The action taken by His Majestys Government in regard to the Italian law of 16th June, 1912, to which the Admiralty refer in the second paragraph of their letter, was as follows:—

3. In May, 1911, the attention of His Majesty's Government was drawn to a Bill then before the Italian Parliament for the extension, in certain cases, of Italian jurisdiction to a distance of ten miles from the shore. In accordance with instructions Sir Rennell Rodd addressed a note to the Italian Government informing them that His Majesty's Government could not recognize a claim to jurisdiction over waters beyond the three-mile limit, or interference with British vessels in the extended area which legislation before the Italian Parliament proposed to substitute for it. In their reply, the Italian Government explained the grounds on which the extension of jurisdiction was proposed, but stated that an exact judgment in respect of the Bill could not then be formed as it was still open to eventual amendment. On 16th June, 1912, however, the Bill became law without His Majesty's Government being afforded an opportunity to renew their objection so far as British ships were concerned. On 1st August, 1912, Sir R. Rodd again informed the Italian Government that His Majesty's Government were unable to recognise any claim to jurisdiction over, or to interference with, British vessels beyond three geographical miles from low water mark, the limit generally recognized among nations. In their reply to these representations, the Italian Government asserted that the limit of three miles from the shore, generally admitted in international theory and practice in the past as the most convenient standard for the delimitation of territorial waters, no longer corresponded to the actual state of affairs, the circumstances which originally justified it having altered. They maintained that the theory and practice of various countries had tended to advance, and to adopt different criteria and standards according to the places over which and the objects for which the limit of territorial jurisdiction over coastal waters had to be determined, and they declined to recognize the old rule as having the character and force of a positive

* No. 381 in Dominions No. 88. † Translation of Decree only printed.

rule of international law universally admitted. The Italian Government considered, therefore, that the law in question did not conflict with any rule of the law of nations in such a manner as to justify remonstrance or the possible failure of any power to observe it. His Majesty's Government were unable to share the views of the Italian Government.

4. As the Admiralty have apparently not received a copy of the Italian law of 16th June, 1912, I shall be glad if you will transmit copies with a translation for the information of the Admiralty and this department.

5. I am therefore concurring in the proposal of the Admiralty not to issue the Italian notice to mariners of 15th November, 1924, in the form of an Admiralty notice to mariners, as is the usual practice; and in their policy of not issuing any foreign notice to mariners which, as in the present case, contains a claim to exercise jurisdiction in the waters lying outside the three-mile limit, which is the only limit of territorial waters recognized by His Majesty's Government.

6. The issue of this notice by the Italian Government appears to be an attempt to further their claim to a wide extension of their territorial waters and for a wide belt of "territorial air." The Italian delegates made a similar attempt at The Hague in 1922 in connexion with the proposal for rules of aerial warfare. I shall be glad if you will now renew to the Italian Government the protests made by His Majesty's Embassy in 1912 and 1923 against the Italian legislation in this matter.

I am, &c.,
(For the Secretary of State).
George Mounsey.

His Excellency
The Right Honourable
Sir Ronald Graham, G.C.V.O., K.C.M.G.,
&c., &c., &c.

Italian Notice to Mariners.

(Translation.)

Mediterranean—Italy—West Coast.

No. 252/557 15-XI-1924, Cape Linaro, Waters Southward of—Firing practice.

In consequence of aircraft firing practice, which will be carried on from dawn till sunset, ships and small craft are forbidden, until further notice, to cross the stretch of water between Cape Linaro and Palo at a distance of less than eight miles from land.

The commencement of firing will be indicated by three red flags, hoisted at the extremities and the centre of the firing-polygon.

Sailing directions for Italian coast, Vol. I (from Ventimiglio to Monte Circeo), page 267.

Extract from Italian law of 16th June, 1912, regulating the passage and stay of merchant vessels along Italian coasts. (Translated.)

"*Article* 1.

The passage and sojourn of national or foreign merchantmen may be prohibited, at any time whatever, and in any determined place whatever, within or without the seas of the State, when it is recognized as necessary in the interests of the national defence.

For the particular purposes of the present law, the seas of the State are understood to be the zone of the sea included within ten marine miles of the shore. As respects gulfs and bays, the zone of ten miles is measured from a straight line drawn across the bend in the part farthest outside where the opening has a breadth not exceeding twenty miles."

8990

No. 747.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.

Dominions No. 100. Confidential.)

[MY LORD,] [SIR,] Downing Street, 9th March, 1925.

WITH reference to my Confidential despatch Dominions No. 54 of the 13th of February,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a Note Verbale from the British Embassy at Rome to the Italian Ministry for Foreign Affairs renewing the protests of His Majesty's Government against Italian legislation in regard to territorial waters.

I have, &c.,
L. S. AMERY.

Enclosure in No. 747.

(No. 43.)

NOTE VERBALE.

His Britannic Majesty's Embassy have the honour, under instructions from His Majesty's Government, to refer to the law entitled "Rules for the passage and sojourn of merchant ships off the coasts of the State" which received the Royal Assent and was published in the *Official Gazette* of 27th June, 1912.

On 1st August, 1912, His Britannic Majesty's Embassy had the honour to address a Note to the Royal Italian Ministry for Foreign Affairs in this connexion to the effect that His Britannic Majesty's Government were unable to recognize any claim to jurisdiction over, or to interference with, British vessels beyond three geographical miles from low water mark.

Subsequently, in connexion with the application of Royal Decree No. 860 of 28th May, 1922, the Royal Ministry contended in Note Verbale of 11th January, 1923, that the limit of Italian territorial waters had been considered as six miles since August, 1914, and that, in view of the increased carrying power of artillery, etc., it should be proportionately increased and should extend even as far as ten miles. His Britannic Majesty's Embassy, in their Note Verbale No. 229 of 24th May, 1923, in reply, then stated that they were authorized to inform the Royal Ministry that His Majesty's Government could not accept the view of the Royal Government in this question.

An Italian notice to mariners of 15th November, 1924, which prohibits shipping from entering a zone beyond eight miles in width extending along a portion of the Italian coast, having been brought to the attention of His Majesty's Government, the Embassy have been instructed again to renew to the Royal Government the protests made by them in 1912 and 1923 against the Italian legislation in this matter.

British Embassy,
Rome,
7th February, 1925.

---

* No. 746.

609

29218

No. 748.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.

Dominions No. 306. Confidential.)

[MY LORD,] [SIR,] Downing Street, 22nd July, 1925.

WITH reference to my Confidential despatch Dominions No. 100 of the 9th of March,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copies of Italian Decrees† of the 16th of January and 16th of March regarding fishing by mechanically propelled vessels in Italian waters, and of a notice† regarding firing practice in the vicinity of Capes Linaro and Palo.

2. I also enclose copies of *notes verbales* on the subject addressed to the Italian Government by His Majesty's Embassy at Rome on the 11th May, 18th May, and 6th of June respectively, together with a copy of a *note verbale* from the Italian Ministry for Foreign Affairs, dated the 11th of June, suggesting the submission of the general question of the limits of territorial waters to the Committee of Jurists established by the League of Nations to consider questions relating to the codification of international law. This note is at present under consideration.

I have, &c.,
L. S. AMERY.

Enclosure 4 in No. 748.

(No. 176.)

NOTE VERBALE.

His Britannic Majesty's Embassy have the honour, under instructions from His Britannic Majesty's Government, to refer to a Ministerial Decree by the Royal Minister for National Economy, dated 16th January, 1925, containing regulations with regard to mechanically propelled fishing vessels in Italian waters. (Gazzetta Ufficiale No. 27 of 3rd February, 1925.)

In view of the restrictions which this decree would impose on fishing to distances of seven and four marine miles from the Italian shore, the Embassy have the honour to inform the Royal Italian Government that His Majesty's Government can only recognise this decree in so far as it does not infringe the rights of British vessels in international law.

British Embassy, Rome.
11th May, 1925.

Enclosure 5 in No. 748.

(No. 192.)

NOTE VERBALE.

His Britannic Majesty's Embassy have the honour, under instructions from His Britannic Majesty's Government, to refer to a Ministerial Decree, dated 16th March, 1925, regulating fishing by mechanically propelled vessels in the waters of Genoa and Savona. (Gazzetta Ufficiale No. 74 of 30th March, 1925.)

The Embassy have the honour to inform the Royal Italian Government that in so far as the decree in question purports to apply to the movements of British fishing vessels outside the three-mile limit, His Majesty's Government are unable to recognize its validity.

British Embassy, Rome.
18th May, 1925.

---

* No. 747. † Not printed here; their effect is stated in Enclosures 4 to 6.

Enclosure 6 in No. 748.

(No. 228.)

NOTE VERBALE.

WITH reference to their Note Verbale No. 43 of 7th February, 1925, His Britannic Majesty's Embassy have the honour, under instructions from His Britannic Majesty's Government, to refer to the Royal Italian Notice to Mariners No. 89/165 of 1925, superseding No. 252/557 of 1924, relative to firing practice in the Southern Approach to Cape Linaro, which alters the limits of the firing zone from eight miles to seven miles, and to renew to the Royal Italian Government the protests previously made by them against the Italian legislation in question.

Rome,
6th June, 1925.

Enclosure 7 in No. 748.

222881/133.
(Translation.)

NOTE VERBALE.

IN reference to Note Verbale No. 43 of the 7th February, the Royal Ministry for Foreign Affairs have the honour to inform His Britannic Majesty's Embassy that, in view of the desirability of reconciling as far as possible the exigencies of naval exercises, with due protection to navigation, the notice to mariners No. 252/557 of 15th November, 1924, has been modified by notice No. 89/165 of 10th April, 1925, published in Bulletin No. 89 of the same date of the Hydrographic Institute of the Royal Navy.

2. As regards the general question of the limit of territorial waters, the Royal Ministry for Foreign Affairs, while taking into the most careful consideration the point of view of His Britannic Majesty's Government, can only confirm the view of the Royal Italian Government already expressed in their previous note verbale No. 201505/13 of the 11th January, 1923.

3. As is known to His Majesty's Embassy the limit of territorial waters, in the absence of a regular obligatory agreement between the nations, has always been defined as "the limit within which a state can exercise its own sovereignty in fact with guns without recourse to shipping."

4. It is natural, therefore, that with the increased range of guns, there should also be a similar increase in the limit of territorial waters, so much so that there are now many States who have adopted limits of territorial maritime jurisdiction far greater than three nautical miles.

5. Given, moreover, the desirability of eliminating as far as possible the differences now existing as to the determination of the extent of territorial waters, the Royal Ministry for Foreign Affairs have the honour to propose, for the consideration of the British Embassy, whether it would not be desirable to submit for examination such a question of principle to the Committee of Jurists established at the League of Nations with a view to their making proposals in regard to the codification of the international law.

6. Thus it might be possible easily to reach an international settlement of this important question.

7. The Royal Ministry would be glad to know the views of His Majesty's Government on the above.

Rome,
11th June, 1925.

32713

No. 749.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland,

Dominions No. 336. Confidential.)

[MY LORD,] [SIR,] Downing Street, 8th August, 1925.

WITH reference to my Confidential despatch Dominions No. 306 of the 22nd of July,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a *note verbale* from the Italian Government in reply to the communications from His Majesty's Embassy at Rome regarding Italian territorial waters.

I have, &c.,
L. S. AMERY.

Enclosure in No. 749.

(Translation.)

NOTE VERBALE.

THE *Note Verbale* (No. 228) which His Britannic Majesty's Embassy were so good as to address to the Royal Ministry of Foreign Affairs on the 6th June, relative to the notice to mariners No. 89/165 of the 10th April last, crossed that of the 11th June, No. 222881/133, in which the Royal Ministry, while stating that the notice above referred to had modified the earlier one, No. 252/557, of 15th November, 1924, explained at the same time the point of view of the Italian Government on the question of principle.

In so far as this last question is concerned, the Royal Ministry of Foreign Affairs, while confirming that the second notice was designed precisely with the object of reconciling as far as possible the exigencies of naval exercises with the safety of navigation, has the honour to revert to the proposal already formulated, namely, that, taking into account the divergencies already existing as regards the fixing of territorial waters, the Government of His Britannic Majesty may be willing to consider whether it would not be opportune to refer the question to the Committee of Jurists established under the League of Nations to make suggestions for the codification of international law. The Italian Government will be glad to learn the views of the British Government on this point.

But with particular reference to the second "notice to mariners," that of 10th April last, No. 89/165, the Royal Ministry of Foreign Affairs cannot refrain from submitting to the courteous consideration of the Embassy the circumstance that international practice in the matter and the admitted exigencies of naval firing, which cannot in practice be left out of consideration, seem to exclude from the regulations of the Italian authorities, to which reference has been made, any feature of a nature to call forth objections on the part of His Britannic Majesty's Government.

Instances are not lacking in which the British Government themselves, on the occasion of similar firing practice, have declared dangerous, and certainly for reasons of absolute necessity, maritime zones extending to seven miles from the coast.

The notice to mariners of 10th April, 1925, the object of the *Note Verbale* No. 228 of 6th June, appears in fact, by a really remarkable and accidental coincidence, to correspond accurately, except for the different bearings and the different names of places, to the analogous notice which appears on page 493 of "The Mediterranean Pilot" (Vol. I, fifth Edition, 1913, a periodical publication issued under authority of the British Admiralty), which refers to artillery practice carried out in Maltese waters.

In confirmation and in explanation of the above, a sheet is annexed on which the two texts are reproduced opposite to each other.

---

* No. 748.

This point is brought up solely to show how the British naval authorities, in face of the necessities resulting from the perfection of naval armaments and of the requirements consequent upon their employment, have rightly been obliged to abandon the strict observance of the old limitations, based as they were on elements of fact which are now obsolete.

The Royal Ministry for Foreign Affairs trust, however, that His Britannic Majesty's Government, with their usual spirit of enlightenment, courtesy and fairness, will be willing to take these considerations into account, and will appreciate favourably the proposals of the Italian Government, which are designed to bring about a practical solution of the question, with a liberal respect for the arguments on both sides, and of a character satisfactory to all from every point of view.

Rome.
6th July, 1925.

"The Mediterranean Pilot." Vol. I. Fifth Edition 1913, page 493.

Artillery Practice—Regulations.

The following regulations govern the artillery practice from any fort on the Islands of Malta and Gozo :—

A blue pennant over a red flag will be displayed at the work from which practice is to take place on the afternoon previous to such practice, and at 7 a.m. on the day on which the practice takes place. The same signal will be displayed from the launch leaving the harbour with targets, whenever artillery practice is to to take place from any of the defence works in the under-mentioned areas. A red flag will also be hoisted fifteen minutes before the commencement of, and kept flying during the continuance of, firing from which practice is to be made.

Limits of fire zone areas :—

(*a*) Between a line drawn 312° true from Fort Madalena and a line drawn 16° true from Madalena tower.
(*b*) .....
(*c*) .....
(*d*) .....
(*e*) .....
(*f*) .....
(*g*) .....
(*h*) .....

The danger limit extends to 14,000 yards from the firing point.

Whenever and so long as a red flag is hoisted at any battery on the shore, between the lines described above, denoting the danger area, fishing is prohibited, and vessels are forbidden to pass through that area unless compelled to do so by stress of weather, in which case the master of the vessel may be called upon to prove that entering the area was unavoidable.

"Pilot of the Italian Coasts." Vol. I, page 277.

Mediterranean—Italy—West Coast.—Cape Linaro, Southern Approach to : Firing Practice.

With reference to notice No. 252/557 of 1924, it is notified that the following routine will govern firing practice in the vicinity of Capes Linaro and Palo.

A red flag will be hoisted from the battery 15 minutes before firing commences, and will be kept close-up during the practice.

The limits of the firing zone are comprised between a line running 220° from Cape Linaro and another running 230° from Palo.

The danger zone extends up to 7 miles from that point of the coast from which firing is being carried on.

When and during the whole time that the red flag is hoisted on the battery then, in the above-described region, forming the dangerous area, fishing is prohibited, and it is equally forbidden for vessels to traverse the danger zone, at least if they are not constrained to do so by bad weather, in which case the master of the vessel may be called upon to prove that his passage through the zone was unavoidable.

Any person infringing the above regulations will be liable to be proceeded against, and will be subject to a fine not exceeding £5 or to a period of detention not exceeding one month, or both punishments simultaneously, and the vessel may be towed out of the prohibited area by Government launches stationed in the vicinity for the purpose.

Any person who contravenes the above regulations will be liable to prosecution, and to the infliction of a fine not exceeding 500 lire, or to a period of detention not exceeding one month, or to both penalties simultaneously, and the vessel may be towed out of the prohibited zone by the Government craft stationed there for that purpose.

45145

No. 750.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
— Dominions No. 458. Confidential.)

[My Lord,] [Sir,] Downing Street, 17th October, 1925.

With reference to my Confidential despatch Dominions No. 336 of the 8th of August,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a despatch to His Majesty's Chargé d'Affaires at Rome, concerning the suggestion by the Italian Government for the reference of the question of the extent of Italian territorial waters to the League of Nations Committee for the Codification of International Law.

2. The despatch of the 10th of July which is referred to communicated a translation of the *note verbale* from the Italian Government of the 6th of July, a copy of which was enclosed in my despatch under reference.

I have, &c.,
L. S. AMERY

Enclosure in No. 750.

(Confidential.)
(No. 1465.)

Sir, Foreign Office, S.W.1, 5th October, 1925.

With reference to Sir Ronald Graham's despatch No. 591 of the 10th July last, I do not consider it desirable that any encouragement should be given to the League of Nations Committee for the Codification of International Law to make a report that the extent of territorial waters is a fitting subject for a codification convention.

2. An intimation of what my views are has been conveyed as a matter of information to the British member of the Committee (which is, of course, unofficial) and he has been warned privately that the Italian delegate will probably try to induce the Committee to make a report that the extent of territorial waters is a fitting subject for a codification convention.

3. The above is for your confidential information and guidance in dealing with any further communications that you may receive from the Italian Government. It is not, however, desirable that any further communication should at present be addressed by you to that government on the subject of territorial waters.

I am, &c.,
(For the Secretary of State),
G. R. Warner.

H. J. Seymour, Esq.,
&c., &c., &c.

---

* No. 749.

(3) Norway. Negotiations relating to the Limits of Norwegian Territorial Waters and proposed Fisheries Convention.

934

No. 751.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6th January, 1925.)

[*Answered by No.* 752.]

(Confidential.)

SIR, Government House, Ottawa, 20th December, 1924.

WITH reference to your Confidential despatch of the 2nd instant, Dominions No. 555,* regarding the appointment of committees of experts by His Majesty's Government and by the Norwegian Government to discuss the question of Norwegian territorial waters in relation to fisheries, I have the honour to inform you that the Department of Marine and Fisheries would be glad to receive, if possible, a copy of any report or recommendations made by these committees as a result of their discussion.

I have, &c.,
BYNG OF VIMY.

1292

No. 752.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada,
(Commonwealth of Australia,
(New Zealand,
(Union of South Africa,
(Irish Free State,
(Newfoundland,

Dominions No. 72. Confidential.)

[MY LORD,] [SIR,] Downing Street, 19th February, 1925.

WITH reference to my Confidential despatch Dominions No. 555 of the 2nd of December, 1924,* [*To Canada only:* and to Your Excellency's Confidential despatch of the 20th of December,†] I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, the accompanying copy of a despatch from His Majesty's Minister at Christiania reporting on the proceedings of the Anglo-Norwegian Committee on Territorial Waters, together with a copy of the report‡ of the British experts.

I have, &c.,
L. S. AMERY.

[59883]

Enclosure in No. 752.

(No. 423.)

SIR, British Legation, Christiania, 15th December, 1924.

WITH reference to my despatch No. 420 of the 9th instant, I have the honour to transmit, herewith, copies of the protocols§ of the final seven meetings of the Anglo-Norwegian Committee on Territorial Waters, together with an annex to the protocol of the 9th meeting. The text of the official communiqué issued to the Norwegian press at the conclusion of the conversations will be found in the Protocol of the 12th meeting.

These protocols were drawn up with considerable caution; and a full account of the conversations will only be available when the report of the British experts can be studied in the light of the special charts they have prepared. Nor do the protocols give an adequate idea of the immense amount of work which the Committee got through during their twelve meetings, some of which lasted from 10 a.m. to 7 p.m. with no interval for lunch.

* No. 690 in Dominions No. 93. † No. 751. ‡ Not reprinted: Foreign Office print T. 13150/803/380 of 31st December, 1924, Section I. § Not printed: Annexures to Foreign Office print mentioned under ‡.

From conversations with Dr. Hjort, Mr. Maurice and Captain Douglas, I gather that there would be a good chance of the present Norwegian Government accepting an arrangement by which Norway would adopt the International Three-Mile Limit, provided that (1) her jurisdiction were admitted over the Fjords; and (2) trawling were prohibited completely between the three and four-mile limit (drawn on British principles) off 120 miles of the coast of East Finmarken, and restricted in a few other unimportant localities off the coast further south. Such an arrangement would mean that we should obtain a point to which we attach great political importance with no practical sacrifice at all; for the only Fjords which could be disputed with a possibility of success are the Vestfjord and Varanger Fjord, Norwegian jurisdiction over which we have already declared ourselves ready to acknowledge. As regards the coast of Finmarken, our trawlers are now in practice excluded from a wider area than that which would be closed by such an arrangement, which would give them, moreover, a definite and easily recognizable line beyond which they could operate. In these circumstances it would be permissible to hope that the disputes and arrests of trawlers in this district would cease to give serious trouble. The other small areas which it is proposed to regulate are, I am informed, of no interest to British fishermen.

I confess that, when I suggested the initiation of these negotiations, I did not think that there was a chance of obtaining conditions so favourable; and I have difficulty, even now, in believing that they can be secured. But I have the honour to recommend that a serious effort be made to seize a favourable opportunity and put an end to a long-standing source of friction between the British Empire and Norway. In the hope that His Majesty's Government may adopt this view I venture to lay the following considerations before you :—

In the first place it is desirable to act with as little delay as possible. The present Prime Minister and Minister for Foreign Affairs entered into the negotiations with alacrity, whereas all his predecessors have shown the utmost reluctance to touch the question. Mr. Michelet, in particular, surpassed even his own record in other matters in his masterly inactivity over this one. It is not possible to say how long the present Ministry will last. They may fall so early next year that nothing can be done with them, but I am inclined to think that they will continue in office until March. In any case there is no time to be lost.

Another factor which makes it desirable to avoid delay is the favourable attitude of the *Tidens Tegn*, the organ of the so-called Independent Liberals, who form an influential wing of the Conservative Party, now in opposition. Mr. Thommessen, the Editor, whom I mentioned in my despatch No. 416 of the 5th instant, is at present a convinced supporter of an arrangement, as will be seen from the short article* which appeared in last Saturday's number of the paper and of which a translation is enclosed. Mr. Thommessen advocates the three-mile limit for Norway on broad grounds of national policy; and his support is of the greatest value in that Mr. Hambro, Editor of the Conservative *Morgenblad*, can be counted upon to oppose anything desired by His Majesty's Government. In this connexion I should warn you against the fatal effect here of any fresh British claim to jurisdiction over wide areas of the open sea. Such claims as those over Hudson's Bay, the Bay of Fundy and the Ceylon pearling banks are awkward enough for exponents of the three-mile limit to defend, but they are, at any rate, of old standing and have been digested even by those who complain of them. A new claim to jurisdiction over extensive portions of the Indian Ocean, such as I understand is advocated in some quarters, would be quite another matter, and would cut the ground from under our feet in this country. It would make a satisfactory arrangement impossible if it were known during the negotiations and would be regarded as very sharp practice if it were put forward after their successful conclusion. I feel so strongly on this point that I should prefer to drop the Norwegian negotiations altogether at the present stage if this Indian Ocean claim is to be put forward seriously.

The Norwegian contention that the province of Finmarken is entitled to peculiar treatment is based on facts. Not only is the population considerable, but it is very poor and possesses no other means of subsistence save the fishing. Moreover, the province is a frontier one and politically of importance to Norway as a barrier against Finnish and Bolshevik penetration. The barrier is none too solid.

* Not reprinted.

The people of the district are less pure in blood than those of other provinces and have shown a marked preference for vague Bolshevik ideas in the last few years. Under the old régime in Russia, Norway felt no anxiety in this quarter; but the combination of Soviet rule in Moscow and an independent Finland has changed matters; and it has now become of political importance to do everything possible to allay discontent in this northern and isolated district.

The position regarding other Powers in the event of an Anglo-Norwegian arrangement is perhaps the most pressing point to be considered. German trawlers have lately visited the coast of Finmarken, and I understand that the German Minister expressed some surprise to Mr. Mowinckel that his Government had not been invited to participate in the conversations. Dr. Hjort is particularly anxious regarding the Germans, and informed me that nothing would help matters on at the Ministry for Foreign Affairs more than an intimation that His Majesty's Government had no objection to Germany being consulted as to adherence to a possible Anglo-Norwegian arrangement. Nothing would be done without such an intimation. The British experts saw no objection in the proposal, and I should be grateful if you would authorize me with as little delay as possible to inform the Minister for Foreign Affairs and Dr. Hjort that they are at liberty to discuss the matter with the German Minister. It might be useful if I was authorized unofficially to do the same.

I cannot close this despatch without reporting the great personal success achieved by Mr. Maurice and his assistants. Not only did they succeed in establishing the most agreeable relations with their Norwegian colleagues, but it was easy to see that the latter were really impressed by their competence and concentation on the work in hand. The amount of fresh and interesting information they have acquired concerning the Norwegian fishing industry and the exact nature of the Norwegian claims will prove of great value even should matters remain where they now are. The Norwegians, too, have benefited by having their somewhat vague methods scrutinized closely by the Hydrographer to the Navy and his able assistant. It is a pleasure to add that both Dr. Hjort and the members of the British Committee expressed the highest appreciation of the services of Mr. Ingram, First Secretary to this Legation, who acted as Secretary on the British side.

I have, &c.,
F. O. LINDLEY.

The Right Honourable
Austen Chamberlain, M.P.,
&c., &c., &c.

15172

No. 753.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
} Dominions No. 153. Confidential.)

[MY LORD,] [SIR,] Downing Street, 11th April, 1925.

WITH reference to my Confidential despatch Dominions No. 72 of the 19th of February,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a telegram to His Majesty's Representative at Oslo regarding the negotiations on the subject of Norwegian territorial waters.

I have, &c.,
(for the Secretary of State),
W. ORMSBY-GORE.

* No. 752.

Enclosure in No. 753.

TELEGRAM TO MR. LINDLEY (OSLO) FROM THE FOREIGN OFFICE.

(Sent 3.30 p.m., 31st March, 1925.)

No. 8. (R.) Your despatch No. 13 of 8th January: Norwegian territorial waters. Please inform Norwegian Government that His Majesty's Government regret that they are not prepared to continue the discussions on the lines described in the report of the experts at the Oslo Conference. They would, however, be glad to conclude an agreement with Norway, whereby Norway would accede to the North Sea Fisheries Convention of 6th May, 1882, in which the principle of the three-mile limit is embodied and provision is made, as regards bays, for the distance of three miles to be measured from a straight line drawn across the bay, in the part nearest the entrance, at the first point where the width does not exceed ten miles; and that as regards the waters north of latitude 61°, being the northern limit of the area covered by the North Sea Convention, they would be prepared to conclude with the Norwegian Government a special convention on the lines of the 1882 Convention, but amplified and modified to meet the special local conditions. His Majesty's Government would also agree to include in such convention a clause recognizing the Vest and Varanger Fjords as Norwegian exclusive fishery areas, provided that the accession of the German Government could be obtained.

17236

No. 754.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
} Dominions No. 165. Confidential.

[MY LORD,] [SIR,] Downing Street, 20th April, 1925.

WITH reference to my Confidential despatch Dominions No. 153 of the 11th of April,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a despatch from His Majesty's Representative at Oslo, forwarding a copy of a note which he has addressed to the Norwegian Government, concerning the attitude of His Majesty's Government with regard to the question of Norwegian territorial waters.

I have, &c.,
(for the Secretary of State).
W. ORMSBY-GORE.

Enclosure in No. 754.

(No. 88.)

SIR, British Legation, Oslo, 2nd April, 1925.

ON receipt of your telegram No. 8 of the 31st ultimo on the subject of the attitude of His Majesty's Government towards the result of the recent conference held in Norway regarding territorial waters, I did not fail to address to the Minister for Foreign Affairs a Note in accordance with the instructions contained in that telegram. I have not yet had an opportunity of discussing with the Prime Minister the contents of this Note, of which a copy is enclosed herewith.

I have, &c.,
F. O. LINDLEY.

The Right Honourable
Austen Chamberlain, M.P.,
&c., &c., &c.

* No. 753.

(No. 29.)

MONSIEUR LE MINISTRE, British Legation, Oslo, 1st April, 1925.

I HAVE received instructions from the Principal Secretary of State for Foreign Affairs to inform Your Excellency that His Britannic Majesty's Government, having given the most careful consideration to the report drawn up by the experts at the recent Anglo-Norwegian Conference regarding territorial waters, regret that they are not prepared to continue the discussion on the lines described in that report. His Majesty's Government would, however, be glad to conclude an agreement with the Norwegian Government, whereby Norway would accede to the North Sea Fisheries Convention of 6th May, 1882. Your Excellency is no doubt aware that in that Convention the principle of the three-mile limit is embodied, and that, as regards bays, this limit is measured from a straight line drawn across the bay in question at the point nearest the opening of the bay where its width does not exceed ten miles.

As regards waters north of latitude 61 degrees, which is the northern limit of the area covered by the North Sea Convention, His Britannic Majesty's Government would be prepared to conclude with the Norwegian Government a special convention on the lines of the 1882 Convention, but amplified and modified to meet the special local conditions obtaining in those regions. His Majesty's Government would also be agreeable to include in such a convention a clause recognizing the Vestfjord and the Varanger Fjord as fishing areas exclusively reserved to Norwegian subjects, on the condition that the accession of the German Government could be obtained.

I avail, &c.,

F. O. LINDLEY.

Son Excellence
Monsieur J. L. Mowinckel,
Ministre des Affaires Etrangères,
&c., &c., &c.

19624

No. 755.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
— Dominions No. 196. Confidential.)

[MY LORD,] [SIR,] Downing Street, 11th May, 1925.

WITH reference to my Confidential despatch Dominions No. 165 of the 20th of April,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copies of two telegrams and a further despatch from His Majesty's Minister at Oslo concerning Norwegian territorial waters, together with a copy of the reply returned to Mr. Lindley.

I have, &c.,

L. S. AMERY.

[17235]

Enclosure 1 in No. 755.

TELEGRAM FROM MR. LINDLEY (OSLO) TO FOREIGN OFFICE.

(Received 6.10 p.m., 14th April, 1925.)

(No. 8. (R).)

14TH APRIL. My despatch No. 88.

I learn privately that Norwegian Government attaches much importance to difference between offer now made regarding Vest fjord and Varanger fjord and that made in March, 1924. See paragraph 5 of Foreign Office despatch No. 79 of that year.

Should I be right in informing Norwegian Government that in eventuality of latter concluding agreement on lines of your telegram No. 8 His Majesty's Government will recognize these two fjords as "part of Norway," and not merely as Norwegian exclusive fishery areas?

I shall be grateful for reply by telegram.

* No. 754.

[17494]

Enclosure 2 in No. 755.

TELEGRAM FROM MR. LINDLEY (OSLO) TO FOREIGN OFFICE.

(Received 6.00 p.m., 16th April, 1925.)

(No. 9. (R).)

16TH APRIL. My telegram No. 8.

I have now received official note asking when I can give information on point raised in my immediately preceding telegram.

[18336]

Enclosure 3 in No. 755.

(No. 103.)

SIR, British Legation, Oslo, 16th April, 1925.

WITH reference to my telegram No. 9 of to-day's date, I have the honour to transmit, herewith, translation of the reply of the Norwegian Minister for Foreign Affairs to my note of the 1st instant, of which a copy was enclosed in my despatch No. 88 of the 2nd instant.

It will be seen that Mr. Mowinckel, while regretting the decision taken by His Majesty's Government not to negotiate regarding Norwegian territorial waters on the basis of the conversations which took place at the end of last year, observes that the Norwegian Government has not yet had an opportunity of considering the new proposals. Before they are able to do so, he requests that he may be informed as to the significance of the difference between the offer now made to recognize the Vest Fjord and the Varanger Fjord "as fishing areas exclusively reserved for Norwegian subjects," and that made in my note of the 29th March, 1924, "that certain large inlets, notably the Vest Fjord and the Varanger Fjord, should be recognized as part of Norway."

I have, &c.,

F. O. LINDLEY.

The Right Honourable
Austen Chamberlain, M.P.,
&c., &c., &c.

TRANSLATION OF NOTE FROM THE NORWEGIAN MINISTER FOR FOREIGN AFFAIRS TO MR. LINDLEY, DATED 15TH APRIL, 1925.

MR. MINISTER,

I HAVE the honour to acknowledge the receipt of your note of the 1st instant, in which you inform me that the British Government regrets to be unable to continue negotiations regarding the question of territorial waters on the basis of the report of the British and Norwegian Committee. At the same time you put forward on behalf of your Government a proposal that Norway should adhere to the North Sea Fishery Convention of the 6th May, 1882, and that she should, as regards the waters north of latitude 61°, conclude with Great Britain a special agreement founded on the same principles as those in the Convention of 1882, but modified and amplified in order to meet the particular local needs of those regions. In such an agreement the British Government would be willing to include a clause recognizing the Vest Fjord and the Varanger Fjord as fishing areas exclusively reserved for Norwegian subjects, on condition that the accession of the German Government could be obtained.

The Norwegian Government—which regrets the point of view taken by the British Government regarding the December negotiations—has not yet had an opportunity of considering the new proposal now put forward by the British Government. Before this can be done I feel it first to be necessary to ask supplementary information in explanation of the following:—

In your note of the 1st instant you state that the British Government would eventually be ready to recognize the Vest Fjord and the Varanger Fjord "as fishing areas exclusively reserved to Norwegian subjects." In the note of the 29th March, 1924, you state "that certain inlets, notably the Vest Fjord and the Varanger Fjord, should be recognized as part of Norway." I should be grateful to hear from you what importance should be given to the difference in expression, which is to be found in the two notes.

In order that I may be able to deal with the matter further, I should be glad to hear from you when I can expect a reply regarding the above-mentioned point.

I have, &c.,
JOH. LUDW. MOWINCKEL.

Enclosure 4 in No. 755.

TELEGRAM TO MR. LINDLEY (OSLO) FROM FOREIGN OFFICE.

(Sent 7 p.m., 29th April, 1925.)

(No. 11. (R).)

YOUR telegram No. 8 of April 14. Norwegian territorial waters.

Provided that an agreement is reached with the Norwegian Government on the precise lines of the instructions contained in my telegram No. 8 of 31st March, and on the understanding that by such an agreement the Norwegian Government accept three miles as the limit of Norwegian territorial waters for all purposes, His Majesty's Government will be prepared to support claim of Norwegian Government to Varanger and Vest Fjords as Norwegian national waters at a future international conference.

As regards Germany, it would be understood that German trawlers would not receive more favourable treatment than British trawlers in Norwegian waters.

25607

No. 756.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.

Dominions No. 262. Confidential.)

[MY LORD,] [SIR,] Downing Street, 23rd June, 1925.

WITH reference to my Confidential despatch Dominions No. 196 of the 11th May,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copies of further despatches from His Majesty's Minister at Oslo concerning Norwegian territorial waters.

I have, &c.,
L. S. AMERY.

[21405]

Enclosure 1 in No. 756.

(No. 119.)

SIR, British Legation, Oslo, 30th April, 1925.

ON receipt of your telegram No. 11 of the 29th instant this morning regarding the future status of the Vest Fjord and the Varanger Fjord, I addressed a note to the Minister for Foreign Affairs, of which I have the honour to enclose a copy herewith.

I have, &c.,
F. O. LINDLEY.

The Right Honourable
Austen Chamberlain, M.P.,
&c., &c., &c.

---

* No. 755.

(No. 44.)

MONSIEUR LE MINISTRE, British Legation, Oslo, 30th April, 1925.

I DID not fail to refer to my Government Your Excellency's note of the 15th instant, in which you inquire as to the signification to be attached to the fact that, in my note of the 20th March, 1924, addressed to your predecessor, I stated that in certain circumstances His Britannic Majesty's Government were prepared to "recognize as part of Norway certain large inlets, notably the Vest Fjord and Varanger Fjord," whereas in my note of the 1st instant I stated that His Britannic Majesty's Government were ready, on certain conditions, to recognize these two fjords "as fishing areas exclusively reserved for Norwegian subjects."

I have now received from His Majesty's Principal Secretary of State for Foreign Affairs a telegram instructing me to inform Your Excellency that, provided an agreement is reached with the Royal Norwegian Government on the precise lines laid down in my note of the 1st instant and on the understanding that, by such an agreement, the Norwegian Government accept the three-mile limit of Norwegian territorial waters for all purposes, His Britannic Majesty's Government will be prepared to support the claim of the Norwegian Government to the Varanger Fjord and the Vest Fjord as Norwegian national waters at future international conferences. As regards Germany, it would be understood that German trawlers would not receive more favourable treatment in Norwegian waters than British trawlers.

I avail, &c.,
F. O. LINDLEY.

Son Excellence Monsieur J. L. Mowinckel,
Ministre des Affaires Etrangères,
&c., &c., &c.

[22327]

Enclosure 2 in No. 756.

(No. 124.)

SIR, British Legation, Oslo, 5th May, 1925.

I DISCUSSED this morning with the Prime Minister the note regarding territorial waters, of which a copy was enclosed in my despatch No. 119 of the 30th ultimo. Mr. Mowinckel began by thanking me for the note, the contents of which had relieved him of some anxiety. He went on to point out that we did not now offer to recognize the Varanger Fjord and the Vest Fjord as Norwegian territorial waters, but merely to advocate such recognition at future international conferences. He wondered whether His Majesty's Government had any particular conference in view. I replied that I did not think so, and that the wording of the note seemed to me to be due to the obvious difficulty of our recognizing these fjords as Norwegian unless other nations did the same. The Prime Minister seemed satisfied with this explanation, which, as I gathered, tallied with what he had heard from Professor Hjort, who is now in London.

Mr. Mowinckel went on to say that he had not yet received the opinion of the Department of Commerce regarding the results of the recent Anglo-Norwegian Conference, and that, in consequence, those results had not been considered by the Government or laid before the Storting. He had now given the Department an ultimatum and informed them that he would communicate the relevant papers to the members of the Storting on the 15th May, whether or not he received the observations of the Department before.

His Excellency then discussed the sort of answer the Norwegian Government might send to my note. The more he considered the matter, the less divergence did he find between the terms of that note and the recommendations of the Conference; and he agreed with the view that the whole matter would eventually have to become one for international agreement. He was inclined to think that the reply might take the form of a statement that the Norwegian Government were ready to conclude an international agreement based on the findings of the Anglo-Norwegian Experts.

It seemed to me that Mr. Mowinckel was not very clear in his mind, and I let him continue talking for some time before pointing out that an answer such as he suggested would not lead to any useful result. His Majesty's Government had stated that they could not negotiate on the basis of the findings of the Experts, and

it seemed to me that it would be regrettable if, in the face of this decision, the Norwegian Government suggested continuing negotiations on that basis. I thought that the first thing the Norwegian Government should do was to make up their minds whether they would adhere to the North Sea Convention. If they had no objection to this, they might so inform us in their reply and suggest that, as regards the area north of latitude 61°, they would like to discuss with us what modifications and amplifications could be introduced into the Convention suitable to the local conditions obtaining in that area. If the two Governments could reach an agreement, we could either invite other governments to adhere or could present a united front to such governments at a future international conference.

The Prime Minister listened carefully to what I said and agreed that it might not be necessary in his reply to refer to the recent Conference at all. He realized the importance of not taking up an attitude in opposition to that assumed by His Majesty's Government on this point. He had not yet discussed the matter with his colleagues, and would not come to any decision until Professor Hjort returned from London, where he had had the advantage of going into the question with Mr. Maurice and others. As regards the North Sea Convention, he saw no objection in principle to Norway adhering to it, but he did not think such adhesion would be desirable unless at the same time a satisfactory arrangement were concluded regarding the area north of latitude 61°.

Towards the end of our conversation, Mr. Mowinckel expressed some uneasiness as to the possible action of the Soviet Government. He feared that they might claim recognition for their own pretensions in return for their recognition of any change in Norwegian territorial waters. I pointed out that as there was no question of extending those waters beyond what Norway already claimed, but rather of restricting them, I did not see what grounds the Soviet could have for making difficulties.

I have, &c.,
F. O. LINDLEY.

The Right Honourable
Austen Chamberlain, M.P.,
&c., &c., &c.

Enclosure 3 in No. 756.

(No. 141.)

SIR, British Legation, Oslo, 20th May, 1925.

WITH reference to my despatch No. 124 of the 5th instant, I have the honour to transmit herewith translation of a note from the Norwegian Minister for Foreign Affairs replying to my note of the 30th ultimo, on the subject of Norwegian territorial waters, of which a copy was transmitted to you in my despatch No. 119 of the same date.

It will be observed that the Prime Minister, while welcoming the declaration that His Majesty's Government would, in certain circumstances, "be prepared to support the claim of the Norwegian Government to the Varanger Fjord and the Vest Fjord as Norwegian national waters at future international conferences," draws attention to the fact that this declaration differs from that contained in my note of the 29th March, 1924, in which His Majesty's Government declared themselves ready "to recognize as part of Norway certain large inlets, notably the Vest Fjord and the Varanger Fjord." Mr. Mowinckel goes on to observe that it is not possible to judge what the views of His Majesty's Government are regarding the remaining fjords, either from my note of the 1st April or from that of the 30th, and he states that before the Norwegian Government can deal with the latest British proposal, they desire explanations regarding the views of His Majesty's Government on the subject not only of the two fjords mentioned, but also of the remaining Norwegian fjords.

The note then goes on to express the opinion that it would be of interest to obtain further information regarding the convention, which the British Government proposes to conclude with the Norwegian Government in regard to the area north of latitude 61°, and what form the amplifications and modifications of the North Sea Convention would take in order to meet the local conditions of the area in question.

The note concludes by expressing the opinion that an agreement regarding territorial waters will eventually be found to depend on the possibility of its

acceptance, not merely by Germany, but by all other interested countries. Without such international acceptance, an agreement such as that now being discussed would scarcely have the authority required by the situation.

The Prime Minister has been away ever since I received this note, so that I have not had an opportunity of discussing it with him. I have, however, had a long conversation with Dr. Hjort, to whom Mr. Mowinckel has communicated all the reports received from the various Government departments regarding the Anglo-Norwegian negotiations of last year and whom he has requested to furnish him with a considered opinion regarding the future action to be taken by the Norwegian Government. Professor Hjort discussed the matter with his usual frankness and showed me the draft of his report to the Prime Minister. The important point in this communication was that the Professor could not advise the Norwegian Government to continue the negotiations unless His Majesty's Government were prepared to recognize the Norwegian fjords as Norwegian territorial waters. In explaining this point of view to me the Professor said that he based his advice on two considerations. The first was that he did not believe that the Storting would accept any arrangement which did not accord to Norway jurisdiction over her fjords. It was the prospect of obtaining this recognition that had moved the Storting to accord a favourable reception to Dr. Hjort's lecture after the conclusion of the negotiations, and he felt that, even if he and the Government were willing to drop this demand, the Storting would insist on its being retained. Apart from the position of Mr. Mowinckel as Prime Minister, which would be shaken were the Storting to reject his advice on this important subject, it would be clearly better for Anglo-Norwegian relations that the negotiations should be quietly dropped rather than that they should come to an end after a heated public debate.

But after examining the whole dossier, and especially a memorandum drawn up by the Norwegian Admiralty, Professor Hjort would not himself feel justified in advising his Government to conclude an arrangement which did not give Norway jurisdiction over her fjords, even if the Storting were likely to accept it. The fact was that the configuration of the coast was such that, if the ordinary three-mile limit were taken as the boundary of Norwegian jurisdiction, the most serious difficulties of a practical nature arose in the event of hostilities, during which Norway was neutral. In the first place the coastal communications, which were necessary to Norway, owing to the lack of railways, were seriously hampered, since the Norwegian vessels keeping up these communications would have to desert their ordinary routes and follow the sinuosities of the coast in order to avoid possible interference from belligerent vessels. Moreover, it would be next to impossible for the Norwegian naval authorities to exercise any useful supervision over waters with such a long and complicated boundary. Finally, it would be quite possible for a naval action between the belligerents to be fought in places which, if not actually landlocked, were so surrounded by Norwegian territory as to expose the inhabitants to the most disagreeable experiences.

I told Professor Hjort that I entirely agreed with him regarding the inadvisability of the Norwegian Government presenting to the Storting an agreement which the latter were likely to throw out. If we could not come to an arrangement which the Prime Minister could present to the Chamber with a real prospect of its being accepted, it would be far better to let the whole matter quietly drop. As regards the naval difficulties, I observed that during the late war the Norwegian authorities, as a matter of fact, had not attempted to maintain the full extent of their theoretical claims, and I did not know that Norwegian interests had been gravely compromised. To this Dr. Hjort replied that it was perfectly true that one set of instructions had been issued to the Naval Authorities in respect of those waters which were accepted by the belligerents as Norwegian, and that another set of instructions had been issued regarding the waters which Norway claimed as hers, but which the belligerents did not recognize as such. This state of affairs had been extremely inconvenient, and the Norwegian Admiralty were most anxious that it should not recur.

I observed that the negotiations had certainly taken a curious turn. We had considered that the chief difficulties were connected with the fishing industry, but it now appeared that they were due to Admiralty considerations on both sides. Dr. Hjort agreed with this appreciation, and said that he believed that, provided His Majesty's Government accepted Norwegian claims regarding the fjords, the fishing difficulties could be adjusted.

After discussing the matter further in all its bearings with the Professor, I told him that I did not think any useful progress would be made by a series of written communications. I would, therefore, go over to London at the earliest possible opportunity and discuss the whole question with the Foreign Office and the other departments concerned. If, as a result of that discussion, I found that it might be possible to come to an agreement, I would recommend that Dr. Hjort and a Norwegian naval representative (who would probably be Commodore Cade, who commanded the Norwegian forces on the West Coast during the War, and who has always been a great friend of this Legation) should proceed to London to negotiate. Professor Hjort agreed that this was the best thing to do at the present moment.

As regards the concluding sentences of Mr. Mowinckel's note dealing with the international aspect of a possible agreement, Professor Hjort informed me that the Prime Minister had not meant to raise any difficulties in this connexion. The Professor and I both agreed that it would be most desirable that an Anglo-Norwegian agreement should be come to and that the simplest manner of dealing with the international side of it was to invite other interested countries to adhere. If necessary a clause could be inserted in the agreement to the effect that it would lapse unless certain named countries adhered within a suitable interval.

I have, &c.,
F. O. LINDLEY.

The Right Honourable
Austen Chamberlain, M.P.,
&c., &c., &c.

(Translation.)

NOTE FROM THE NORWEGIAN MINISTER FOR FOREIGN AFFAIRS TO MR. LINDLEY, 12TH MAY, 1925.

MONSIEUR LE MINISTRE,

I HAVE the honour to acknowledge the receipt of your note of 30th April, 1925, in which you were good enough to acquaint me with further explanations regarding a particular point which I ventured to raise in my note of 15th April, 1925.

In this latter note I directed your attention to a discrepancy in the statements of the British Government concerning the Vest Fjord and the Varanger Fjord in your note of 1st April of this year as compared with that in your note of 29th March, 1924.

I now learn from your note of 30th April that your Government, in conjunction with its readiness to recognize the Vest Fjord and Varanger Fjord as fishing areas exclusively reserved for Norwegian subjects, "will" also, in certain circumstances, "be prepared to support the claim of the Norwegian Government to the Varanger Fjord and Vest Fjord as Norwegian national waters at future international conferences."

While welcoming this declaration of the British Government, I cannot refrain from drawing attention to the fact that there is still a discrepancy between this promise and the statement in the note of 29th March, 1924, in which the British Government stated that in certain circumstances it was prepared "*to recognize as part of Norway certain large inlets, notably the Vest fjord and the Varanger fjord.*"

The attitude of the British Government towards the above fjords is not clear from either of the notes of 1st or 30th April, 1925, in that the notes only name specifically the Vest fjord and Varanger fjord, and furthermore refer to the provisions of the North Sea Convention of 1882, in which the three-mile limit in regard to fjords (bays) "is measured from a straight line drawn across the bay in question at the point nearest the opening of the bay where its width does not exceed ten miles." As far as the waters are concerned north of 61° latitude, which is the limit of the North Sea Convention, the British Government declares its readiness to conclude "a special convention on the lines of the 1882 Convention but amplified and modified to meet the especial local conditions obtaining in those regions."

Before the Norwegian Government can undertake a closer investigation of the proposals which appear in the two notes of the British Government, it will be necessary to obtain further light on the British Government's attitude, not only regarding the Varanger fjord and Vest fjord, but also regarding the other Norwegian fjords.

It would also be of interest to receive further details regarding the Convention which the British Government, in its note of 1st April, declares itself prepared eventually to conclude with the Norwegian Government as regards waters north of 61° latitude, and of which it is said that it (sic) can be "amplified and modified to meet the special local conditions obtaining in those regions," especially in regard to the substance and scope of these amplifications and modifications which are to meet the local conditions.

In your note of 1st April, 1925, it is stated that the recognition on the part of Great Britain of the Vest fjord and Varanger fjord "as fishing areas" must be conditional upon the accession of the German Government. And in your note of 30th April, 1925, you say that so far as Germany is concerned, it must be understood that German trawlers would not receive more favourable treatment in "Norwegian waters" than British trawlers.

Both these notes give me the impression that the British Government is of opinion that there will eventually be a question of a regulation of territorial waters of international application.

This coincides with the opinion of the Norwegian Government that any eventual agreement regarding the question of territorial waters will be conditional upon the accession not only of Germany, but of all the countries which are concerned, either upon the grounds of their interest in the question or as the result of their attitude towards it generally. Without such an international regulation an agreement such as is here contemplated will lack the general application, which, from its very nature, is essential to it.

I avail, &c.,
J. L. MOWINCKEL.

27804

No. 757.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
} Dominions No. 276, Confidential.)

[MY LORD,] [SIR,] Downing Street, 3rd July, 1925.

WITH reference to my Confidential despatch Dominions No. 262 of the 23rd of June,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copies of telegraphic correspondence with, and of a despatch from, His Majesty's Minister at Oslo on the subject of the negotiations regarding Norwegian territorial waters.

I have, &c.,
L. S. AMERY.

[26834]

Enclosure 1 in No. 757.

TELEGRAM TO MR. LINDLEY (OSLO) FROM THE FOREIGN OFFICE.

(Sent 9.20 a.m., 10th June, 1925.)

(No. 16 (R).)

YOUR despatch No. 141 of 20th May.

You may inform Norwegian Government that, after careful consideration of their note to you of 12th May last, His Majesty's Government are prepared to make substantial concessions in regard to the recognition of Norwegian jurisdiction over fjords.

2. As regards the proposed extension of the North Sea Convention to area north of latitude 61 they have reason to believe that the arrangements which they have in view will be satisfactory to both parties.

---

* No. 756.

3. You should therefore urge them to send their delegates over here as soon as possible for the purpose of discussing in detail the question of the fjords and the arrangements north of latitude 61.

4. In making this communication to the Norwegian Government you should explain to them verbally that some of the points which in the view of His Majesty's Government will present difficulty in reaching a settlement about the fjords which the Norwegian Government are understood to claim as being included within their jurisdiction are the shape of the opening in some and the fact that in many cases the fjord is formed by off-lying islands or ends in a channel.

[26834]

Enclosure 2 in No. 757.

TELEGRAM FROM MR. LINDLEY (OSLO) TO FOREIGN OFFICE.

(Received 4.15 p.m., 11th June, 1925.)

(No. 19 (R).)

YOUR telegram No. 16.

I addressed note to Minister for Foreign Affairs yesterday in terms of instructions and made verbal explanations regarding possible difficulties. I have also had a long conversation with Professor Hjort.

Result is that I hope Professor Hjort, Commodore Gade and Secretary will arrive in London on 22nd June whether there is change of government or not.

Despatch follows.

Enclosure 3 in No. 757.

(No. 165.)

SIR, British Legation, Oslo, 11th June, 1925.

ON receipt of your telegram No. 16 of the 10th instant I at once saw the Prime Minister, who had returned that morning from Stavanger, and handed him the note, of which I have the honour to transmit copy herewith, containing the latest proposals of His Majesty's Government on the subject of Norwegian territorial waters.

2. At the same time I explained to Mr. Mowinckel that there might be difficulty in reaching a settlement on account of the configuration of some of the inlets, which are called fjords and which the British authorities do not consider they would be justified in treating differently from the ordinary coast-line of the country. I made it clear to him, as you, Sir, in your last interview instructed me to do, that His Majesty's Government had now gone as far as they could to meet the Norwegian point of view, and that we expected that the Norwegians on their side would show an accommodating spirit regarding the points which remained at issue.

3. The Prime Minister was obviously gratified at the nature of my communication and said that he attached the greatest importance to coming to an arrangement. As I knew, there was a Cabinet crisis blowing up on the ridiculously unimportant question as to whether certain communal and State bodies should have the right to free postage. The matter would come to a head on Friday, and it was possible that his Government would fall over it. Speaking quite privately he believed that the matter would be settled at the last moment and that there would be no change of Government, but he hardly felt justified in appointing the delegates two days before the crisis. I did not conceal my disappointment at this decision, which was at variance with what he had told Professor Hjort in my absence and what I had learnt from the Permanent Head of the Norwegian Foreign Office before the Prime Minister returned. I pointed out to His Excellency that the despatch of the delegates was merely a continuance of the conversations which had taken place before Christmas and did not constitute a new departure, to which exception might legitimately be taken by the Opposition. Mr. Mowinckel agreed to some extent with me and said that he would lay the matter before his colleagues that afternoon, but said that he did not think it would be wise to alter his decision in the matter.

4. During the afternoon I had a long conversation with Professor Hjort, to whom I also explained the views of His Majesty's Government and the possibility of difficulties arising regarding certain inlets. I found the Professor was also disappointed at his brother-in-law's change of front, but he did not attach great

importance to it. He observed that he was an active member of the Independent Liberal Party, which was an important element in the Opposition and that the Conservative Party also owed him a debt for the various political speeches which he had lately made. He had spoken to Dr. Thommessen, the Editor of the *Tidens Tegn*, and the most influential man in the Independent Liberal Party, and also to Mr. Lykke, the Parliamentary Leader of the Conservatives, who would probably form the new Government if there were a change. He had found both these gentlemen in favour of a settlement, and he thought that, even if there were a change of Government, he would be able to get off with the delegates on Saturday, the 20th instant. It would in any case be rather difficult for him to go before that day.

5. I had the honour to telegraph a *résumé* of what I have written above in my telegram No. 19 of to-day's date, and I should like to take this opportunity of thanking the Foreign Office for their promptitude in sending me instructions in time to lay the matter before the Prime Minister before the Cabinet crisis developed. I should add that Professor Hjort told me that he intended to ask the Government to allow him to take Commodore Gade, Chief of the Norwegian Naval Staff and well known for his pro-English sympathies during the War, and Mr. Smith Kielland of the Norwegian Foreign Office, to London with him.

I have, &c.,
F. O. LINDLEY.

The Right Honourable
Austen Chamberlain, M.P.,
&c., &c., &c.

(No. 58.)

MONSIEUR LE MINISTRE, British Legation, Oslo, 10th June, 1925.

I HAVE the honour to state that His Britannic Majesty's Government have given careful consideration to Your Excellency's Note of 12th May on the subject of Norwegian territorial waters, and are prepared to make substantial concessions in regard to the recognition of Norwegian jurisdiction over the fjords.

2. As regards the proposed extension of the North Sea Convention to the aren north of latitude sixty-one degrees, His Majesty's Government have reason to believe that the arrangements which they have in view will be satisfactory to both parties.

3. By direction, therefore, of His Britannic Majesty's Principal Secretary of State for Foreign Affairs, I am to urge Your Excellency to send Norwegian delegates over to London as soon as possible for the purpose of discussing in detail the question of these fjords and the arrangements to be made north of latitude sixty-one degrees.

4. I avail myself of this opportunity to renew to you, Monsieur le Ministre, the assurance of my highest consideration.

F. O. LINDLEY.

His Excellence
Monsieur Mowinckel,
Ministre des Affaires Etrangères,
&c., &c., &c.

31697

No. 758.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 9.10 p.m., 16th July, 1925.)

TELEGRAM.

[*Answered by Nos.* 759, 760, 761, 762, 763 *and* 764.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)

16TH JULY. My despatch 11th May, Dominions 196, Confidential.* As your Ministers will be aware, discussions have been proceeding for some time between

* No. 755.

His Majesty's Government and the Norwegian Government on the subject of Norwegian territorial waters. Recently conference has been held here between representatives of both Governments and following recommendations made (1) that a convention should be concluded with Norway under which Norway would accept the principle of the three-mile limit while on our side certain specified Norwegian fjords would be recognized as territorial inlets; (2) that another convention should be concluded dealing with question of fisheries north of latitude 61 degrees north on lines of Anglo-Danish Convention of 1901; (3) that Norway should accede to the North Sea Fisheries Convention of 1882. Above recommendations open the way (*a*) to ending the disputes regarding the seizure by Norway of British fishing vessels in places which His Majesty's Government cannot admit to be Norwegian waters (*b*) to securing the recognition of the three-mile limit by Norway (which has long maintained claim to jurisdiction up to four miles) and her support for this limit at any future International conference. Question whether recognition of Norwegian territorial inlets may at some time cause embarrassment in our dealings with other Powers has been carefully considered but each case has been carefully scrutinized by Admiralty experts and His Majesty's Government are advised that proposed concessions can be properly and safely made and would indeed be likely to strengthen any claims put forward at an International conference on behalf of various parts of the British Empire.

Declaration of principle of three-mile limit for territorial waters and the recognition of specified territorial inlets are in accordance with conclusions of Imperial Conference 1923, see my despatch of 10th January, 1924, Confidential, Dominions No. 13.*

His Majesty's Government are prepared to accept conclusions of the Conference with Norwegian Representatives. They are satisfied that the terms arranged between the two delegations are beneficial to the interests of the British Empire and they propose to proceed with preparation of necessary conventions to give effect to conclusions (1) and (2). But they would be glad to learn as soon as possible by telegraph whether your Ministers have any observations to make. Matter most urgent as Secretary of State for Foreign Affairs fears that unless agreement with Norway be reached without delay prospect of a settlement may be endangered.—AMERY.

32825

No. 759.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5.20 a.m., 18th July, 1925.)

TELEGRAM.

18TH JULY. Your telegram of 16th July.† Norwegian territorial waters. My Ministers have no observations to make on the proposed arrangement with Norway and are content to leave negotiations and Convention entirely to His Majesty's Government.—FERGUSSON.

33424

No. 760.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 8.20 p.m., 21st July, 1925.)

TELEGRAM.

21ST JULY. Confidential. Your telegram of 16th July.† Proposed Convention with Norway respecting territorial waters. My Ministers have no observations to make. They concur in the provisions of the Convention.—ALLARDYCE.

---

* No. 677 in Dominions No. 93. † No. 758.

33315

No. 761.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 12.55 p.m., 21st July, 1925.)

TELEGRAM.

21ST JULY. Your telegram of 16th July* regarding recommendations on the subject of Norwegian territorial waters. My Ministers have no observations to make.—HEALY.

33490

No. 762.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 12.55 p.m., 22nd July, 1925.)

TELEGRAM.

CONFIDENTIAL. 22nd July. Your Confidential telegram of 16th July.* Norwegian territorial waters. Ministers state that in view of the fact that the Convention which His Majesty's Government propose to enter into with the Norwegian Government does not affect in any way the Union of South Africa they have no observations to make thereon.—ATHLONE.

33787

No. 763.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9.30 a.m., 24th July, 1925.)

TELEGRAM.

24TH JULY. Your telegram of 16th July.* Convention with Norway. My Ministers concur in the course proposed in respect to maintaining the three-mile limit with the exception of territorial inlets and have no observations to make on the Fisheries Convention.—FORSTER.

34015

No. 764.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8 p.m., 25th July, 1925.)

TELEGRAM.

25TH JULY. Confidential. Your telegram 16th July, Confidential.* My Ministers see no objection to recommendations one, two and three of the conference held between representatives of His Majesty's Government and Norwegian Government.—BYNG.

---

* No. 758.

38395

No. 765.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada. (Commonwealth of Australia. (New Zealand. (Union of South Africa. (Irish Free State. (Newfoundland. — Dominions No. 378. Confidential.)

[MY LORD,] [SIR,] Downing Street, 29th August, 1925.

WITH reference to my telegram of the 16th of July,* and [Your Excellency's] [your] reply, I have the honour to transmit to you, to be laid before your Ministers, the accompanying copy of a despatch to His Majesty's Minister at Oslo forwarding a copy of a communication to the principal Norwegian Delegate to the recent conference in London regarding Norwegian territorial waters, as to the proposed Conventions with Norway.

I have, &c.,
L. S. AMERY.

Enclosure in No. 765.

(No. 218.)

SIR, Foreign Office, S.W.1, 20th August, 1925.

WITH reference to my telegram No. 25 of the 16th July and my despatch No. 216 of the 19th instant, I transmit to you herewith a communication to the principal Norwegian Delegate to the recent conference in London regarding Norwegian territorial waters, signed by the two British Delegates, to the effect that His Majesty The King will be prepared to enter into conventions with the King of Norway on the lines indicated in the enclosures to that communication.

2. I should be glad if you would make such arrangements as may be necessary for the immediate transmission of this communication to Doctor Hjort.

3. I have conveyed to the Lords Commissioners of the Admiralty and the Minister of Agriculture and Fisheries my high appreciation of the services rendered by Captain Douglas and Mr. Maurice and their assistants in connexion with these negotiations.

I am, &c.,
(For the Secretary of State).
F. E. F. ADAM.

The Honourable
F. O. Lindley, C.B., C.B.E.,
&c., &c., &c.

SIR, London, 18th August, 1925.

WE have submitted to His Britannic Majesty's Government the summary of conclusions adopted at the eighth meeting of the Anglo-Norwegian conference, and we are authorised to inform you and Kommandor Gade that His Britannic Majesty will be prepared to enter into conventions with His Majesty the King of Norway in accordance therewith.

With reference to the questions addressed to us by the Norwegian Delegation at our seventh meeting, we are authorised to state that, should agreement be reached on the points at issue between His Britannic Majesty's Government and the Norwegian Government, His Britannic Majesty's Government would be prepared, jointly with the Norwegian Government, to communicate the conventions when concluded to other governments interested and to invite their accession thereto. His Britannic Majesty's Government would, moreover, be prepared to agree to the inclusion in the conventions of provisions reserving complete liberty to both Parties to denounce the agreements and to resume their existing claims regarding territorial waters and rights of fishing, should the interested Powers refuse to recognize Norwegian territorial claims to the same extent as His Britannic Majesty, or to accede to the proposed convention about fisheries.

* No. 759.

The terms set forth in the drafts herewith* represent the utmost limit of the concessions which His Britannic Majesty's Government are prepared to make.

His Majesty's Government trust that the Norwegian Government will give instructions to the captains of its fishery-protection cruisers to act in accordance with the proposed Fisheries Convention without waiting for its formal ratification. His Britannic Majesty's Government will enjoin a corresponding line of conduct upon the masters of all British fishing vessels fishing in waters adjacent to the coast of Norway.

We have, &c.,
H. G. MAURICE,
H. P. DOUGLAS.

Professor Johan Hjort, F.R.S.

46660

No. 766.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada. (Commonwealth of Australia. (New Zealand. (Union of South Africa. (Irish Free State. (Newfoundland. — Dominions No. 468. Confidential.)

[MY LORD,] [SIR,] Downing Street, 27th October, 1925.

WITH reference to my Confidential despatch Dominions No. 378 of the 29th of August,† I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a despatch from His Majesty's Representative at Oslo relative to the agreement concerning Norwegian territorial waters.

2. Mr. Ingram's despatch No. 278 of the 23rd of September, to which reference is made in paragraph 3 of his despatch, dealt with various expressions of opinion on the subject of the proposed agreements in the Norwegian Press.

I have, &c.,
L. S. AMERY.

Enclosure in No. 766.

(No. 288.)

SIR, British Legation, Oslo, 8th October, 1925.

WITH reference to my despatch No. 287 of the 6th instant, I have the honour to state that yesterday I had an interview upon his return from Geneva with Mr. Mowinckel, the Prime Minister and Secretary of State for Foreign Affairs, in the course of which he raised the question of the Anglo-Norwegian fishery and territorial waters agreements.

2. Mr. Mowinckel said that he had just received from Dr. Hjort a confidential letter urging him to come to an early decision regarding the proposal in Mr. Maurice's and Captain Douglas' letter of 18th August that the Norwegian Government should give instructions to the Captains of its fishery protection cruisers to act in accordance with the proposed Fisheries Convention without waiting for its formal ratification, if His Majesty's Government were to enjoin a corresponding line of conduct upon the masters of all British fishing vessels fishing in waters adjacent to the coast of Norway. Mr. Mowinckel said that without a moment's hesitation he had decided against any such provisional arrangement, and he authorized me so to inform you. He stated that if it became known among the narrow-minded fishing population of the north that such instructions had been issued, the effect on public opinion would be far worse than any number of trawler incidents. I pointed out to him the advantages which would accrue to Norwegian fishermen from the provisional exclusion of British trawlers from the Varanger and Vest fjords and from the temporary observances of the stipulations laid down in the article drafted in substitution for Article 19 of the Anglo-Danish Convention of 1901 regarding Iceland and the Faroe Islands.

* Not printed here; see No. 768 for their substance. † No. 765.

Mr. Mowinckel remained adamant, however, and said that it would prejudice the whole future of the agreements if he were to take the proposed step. I told him that I much regretted his decision, that of course he must be the best judge of Norwegian psychology in the matter and that I only hoped he had consulted his fishery experts before taking this decision, which I could not help feeling was based on political rather than practical grounds. Mr. Mowinckel replied that no Norwegian Government could have decided otherwise.

3. He then reverted to the recent newspaper articles on the subject, which I reported in my despatch No. 278 of the 23rd ultimo and deplored their effect on public opinion. He seemed to cast the blame for them on injudicious publications in the English press, but I pointed out to him that the most offending paragraph of all was a three-months' old extract from the *Yorkshire Post* dating from the time of the conversations in London, and that, as far as I was aware, the British press had been practically silent on the subject during the past two or three months.

4. Mr. Mowinckel is evidently rather less optimistic than usual about these agreements. Had he felt no doubts as to their going through, he would not, I feel sure, have been so categoric in his refusal to entertain the idea of a *modus vivendi*. It is the fact of his uncertainty as to their fate which increases his caution. Nor has his decision come as a surprise to me—see paragraph 6 of my despatch No. 278 of the 23rd ultimo. I left, however, with the distinct impression that he was determined to try and see the agreements through, and that in his opinion his chances of success were about even, provided only the discussions in the Foreign Affairs Committee of the Storting and in the Storting itself were permitted to take place in an atmosphere unprejudiced by press interference or by actual trawler incidents. As regards the latter, I venture again to express the hope that all that within reason can be done, will be done to impress on the trawling industry the desirability of avoiding during the next six months incidents which will influence Norwegian opinion against the proposed agreements.

I have, &c.,
E. M. B. INGRAM.

The Right Honourable
Austen Chamberlain, M.P.,
&c., &c., &c.

---

(4) Soviet Fishery Regulations.

26838

No. 767.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. } Dominions No. 261. Confidential.)

[MY LORD,] [SIR,] Downing Street, 23rd June, 1925.

WITH reference to my predecessor's Confidential despatch Dominions No. 507 of the 24th of October last,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copies of two notices† to mariners issued by the Government of the Soviet Union, relating to the navigation of vessels in the territorial waters of the Union, together with a copy of a note which has been addressed to the Soviet Chargé d'Affaires in the matter.

I have, &c.,
L. S. AMERY.

Enclosure in No. 767.

SIR, Foreign Office, S.W.1, 11th June, 1925.

HIS Majesty's Government have recently received copies of the notifications to mariners contained in Notice No. 265 issued by the Union of the Soviet Socialist

* No. 662 in Dominions No. 93. † Not printed.

Republics on 20th September, 1924, and No. 321 issued on 12th November, 1924, relative to the navigation of vessels in the territorial waters of the Union.

2. In view of the fact that these notices to mariners lay down rules for foreign vessels which apply to some extent to waters outside the limit of territorial waters recognized by this country, I have the honour to invite attention to my predecessor's note of the 10th of October last, in which it was stated that His Majesty's Government consider that three miles measured from low water mark constitute the proper limits of territorial waters and that they can therefore only recognize such regulations in so far as they do not infringe the rights of His Majesty's Government in international law.

I have, &c.,
(For the Secretary of State),
GEORGE MOUNSEY.

Monsieur Christian G. Rakovski,
&c., &c., &c.

41462

No. 768.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. } Dominions No. 418.)

[MY LORD,] [SIR,] Downing Street, 16th September, 1925.

I HAVE the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a despatch from His Majesty's Representative at Moscow forwarding a translation of a press notice on the subject of the protection of Russian fisheries.

I have, &c.,
L. S. AMERY.

Enclosure in No. 768.

(No. 584.)

SIR, British Mission, Moscow, 27th August, 1925.

I HAVE the honour to transmit, herewith, translation of a notice which has been inserted in the local Press on the subject of measures which it is proposed to take in order to strengthen the legislation now in force for the protection of Russian fisheries.

I have, &c.,
R. M. HODGSON.

The Right Honourable
Austen Chamberlain, M.P.,
&c., &c., &c.

EXTRACT FROM "*Izvestiya*" OF 20TH AUGUST.

THE FIGHT AGAINST FOREIGN POACHERS IN RUSSIAN WATERS.

EXISTING measures of the Criminal Code and Code of Criminal Procedure relating to the conservation of fishing interests are insufficient to protect the latter against the poaching trade, especially in areas off the Pacific coast, the Arctic Ocean and the White Sea, where foreign industrialists poach. In view of this the People's Commissariat for Agriculture has worked out a number of draft additions to the Code and has applied to the People's Commissariat for Justice for its co-operation in carrying this draft through urgently, so that the new measures may apply in the Far East in time for the coming fishing season. The sense of the additions in question is as follows:—

Part 2, chapter 1 of the Criminal Code concerning offences against the system of administration to be supplemented by an article, 99a, which shall prescribe that in cases of fishing, sea-animal hunting, and other maritime industries in seas, rivers and lakes which have a general importance for the republic, without the necessary permission, in forbidden waters, in forbidden areas, or by forbidden methods, the guilty parties shall be liable to imprisonment for up to one year or to the payment of a fine of up to five hundred roubles, together with confiscation of the catch and gear, and of the vessels and all their equipment and cargo employed in the illegal commerce. The People's Commissariat for Agriculture's draft proposes to add to the rules as to imposition of fines under Articles 220-a and others an addition for including the organs of fisheries-inspection among those which are charged with reporting violations of the law on this matter. Finally, it is proposed to add to Article 197 of the code of criminal procedure a supplement for the inclusion of the organs of fisheries-inspection among the competent investigating organs mentioned in that Article.

50246

No. 769.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada. (Commonwealth of Australia. (New Zealand. (Union of South Africa. (Irish Free State. (Newfoundland. — Dominions No. 485.)

[My Lord,] [Sir,] Downing Street, 13th November, 1925.

With reference to my despatch Dominions No. 418 of the 16th of September,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a despatch from His Majesty's Representative at Moscow forwarding a translation of a Decree for the protection of Soviet fisheries.

I have, &c.,
L. S. AMERY.

Enclosure in No. 769.

(No. 716.)

Sir, British Mission, Moscow, 20th October, 1925.

With reference to Sir Robert Hodgson's despatch No. 584 of 27th August last concerning legislation for the protection of Russian fisheries, I have the honour to transmit, herewith, a translation of the decree therein adumbrated.

I have, &c.,
William Peters.

The Right Honourable
Austen Chamberlain, M.P.,
&c., &c., &c.

Decree of the All Russian Central Executive Committee and the Council of People's Commissaries of the R.S.F.S.R. concerning the Addition to the Code of the R.S.F.S.R. of a New Article, No. 99a.

On the basis of Article 2 of the Decree of the Second Session of the All Russian Central Executive Committee (Tenth Convocation), dated 7th July, 1923, regarding the procedure for alteration of the Codes (Collection of Laws, 1923, No. 54, Article 530) the All Russian Central Executive Committee and the Council of People's Commissaries of the R.S.F.S.R. decree:—

To add to the Criminal Code of the R.S.F.S.R. an article, No. 99a, as follows:—

"The exercise of the industries of fishing, sea-animal killing, and other maritime industries in seas, rivers, and lakes which have a general importance

* No. 768.

for the Republic, without the necessary permission, or in the close season, or in forbidden areas, or by forbidden tackle, methods and means, shall be punished by imprisonment up to one year or a fine of up to five hundred roubles, together with compulsory confiscation of the illegal catch in all cases, with or without confiscation of the gear and tackle and of the vessels employed in such illegal industry together with all equipment."

President of the All-Russian Central Executive Committee,
M. Kalinin.
Vice-President of the Council of the People's Commissaries of the R.S.F.S.R., A. Lezhava.
Acting Secretary of the All-Russian Central Executive Committee, Yan Poluyan.

Moscow,
Kremlin,
5th October, 1925.

---

(5) Spain: Claim to a six-mile Limit.

11417

No. 770.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada. (Commonwealth of Australia. (New Zealand. (Union of South Africa. (Irish Free State. (Newfoundland. — Dominions No. 126. Confidential.)

[My Lord,] [Sir,] Downing Street, 23rd March, 1925.

With reference to my predecessor's Confidential despatch Dominions No. 268 of the 17th of June, 1924,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of Article I of a Spanish Royal Decree dated the 5th of January, 1925, providing for the punishment of the owners, masters and crews of foreign vessels found fishing in Spanish territorial waters.

2. His Majesty's Ambassador at Madrid is endeavouring to obtain copies of the Spanish decree of 17th December, 1760, and the order of the Spanish Ministry of Marine of the 5th of October, 1874, mentioned in this Article, but as the Article appears to refer directly to enunciation of the Spanish claim to a six-mile limit, His Majesty's Ambassador has been requested to remind the Spanish Government that His Majesty's Government can only recognize a three-mile limit of territorial waters.

I have, &c.,
(for the Secretary of State),
W. ORMSBY-GORE.

Enclosure in No. 770.

Royal Decree.

* * * * *

Article I.

Foreign vessels are forbidden to fish in Spanish territorial and jurisdictional waters as defined by the "Real Cedula" of the 17th December, 1760, and other dispositions referred to in the Order of the Ministry of Marine of the 5th October, 1874.

The fishing industry in such waters is privy to nationals, and foreigners cannot therefore ply this industry save in so far as may be agreed in International Treaties.

* * * * *

---

* No. 694 in Dominions No. 93.

(6) Sweden: Extent of Territorial Waters.

60870

No. 771.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
} Dominions No. 18.)

[MY LORD,] [SIR,] Downing Street, 13th January, 1925.

I HAVE the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a despatch from His Majesty's Minister at Stockholm forwarding a translation of an article on the limit of Swedish territorial waters, published in the *Stockholme Dagblad* of the 9th of December.

I have, &c.,
L. S. AMERY.

Enclosure in No. 771.

(No. 503.)

SIR, Stockholm, 12th December, 1924.

I HAVE the honour to transmit translation of an interesting article on the limit of Swedish territorial waters, published in the *Stockholme Dagblad* of the 9th instant.

The writer points out in the concluding paragraph that in the course of the discussion respecting legislation for the suppression of smuggling—in regard to which a Conference of the Scandinavian States and of the countries which touch the Baltic was recently held at Helsingfors (see my despatch No. 491 of the 4th instant)—attention has been directed to the doubtful character, from the point of view of International Law, of the Swedish claim to a four-mile limit. He examines the claim in question and shows that originally the three-mile limit was the rule in Sweden. In 1779 the three-mile limit was suddenly replaced by the "German mile," which is equivalent to four nautical miles. On the whole, however, the three-mile limit seems to have been maintained until a late period in the nineteenth century when the four-mile limit again appeared, viz., in certain regulations issued in 1871 with regard to the fisheries on the west coast of Sweden. In this case the four-mile limit was copied from a Norwegian decree of 1869, issued for the purpose of excluding Swedish fishermen from certain parts of the Norwegian coast. Since that time the erroneous belief has prevailed that the four-mile limit has for long been the distance to which the territorial waters of Sweden extend.

I have sent copies of this despatch to His Majesty's Ministers at Christiania, Copenhagen and Helsingfors.

I have, &c.,
A. C. GRANT DUFF.

The Right Honourable
Austen Chamberlain, M.P.,
&c., &c., &c.

(Translation.)

"STOCKHOLME DAGBLAD."

(9th December, 1924.)

The Limit of Swedish territorial waters, by Lage Stael von Holstein.

IT is frequently stated, with an air of authority, in documents and works which are accessible to the general public that the limit of the territorial waters claimed by both Sweden and Norway extends to a distance of four nautical miles

from the outermost rock which is uncovered at high tide. On the 11th November, 1874, the Swedish Government caused a Note to be addressed to Lord Derby in which this position was maintained. Mr. Sjöborg, the Under-Secretary of State for Foreign Affairs, moreover declared at the meeting of the International Law Association, which took place in Stockholm last autumn, that the four-mile limit had been uninterruptedly maintained by the Swedish authorities since 1779, in which year the distance of the limit is stated to have been fixed for the first time. The limit in question—in virtue of being "*un usage séculaire et continu*"—may therefore claim to be regarded as valid in international law and as an exception to the three mile, which is accepted by the majority of nations.

I recently explained, in an address to a meeting of experts, the reasons for the practice generally adopted by the Powers. These were the same as those adduced by me in my essay on the limit of Swedish neutrality, in which I pleaded for a reconsideration of the supposed facts. In view of the practical character of the subject—the Swedish Government has proposed an international conference in regard to the policing of the coastal waters and a law on smuggling in the Baltic may shortly be expected—a review of the question may not be without interest. The modern international doctrine of reciprocity does not permit the individual State to encroach on the freedom of the sea by means of an arbitrary extension of its territorial waters and the acute character which this doctrine has acquired in international practice makes it highly desirable that a weak Power should have well-defined views as to the line of policy which it proposes to follow in this particular. There is a risk that a continued application of the four-mile limit may impose on our diplomacy tasks which it is not in a position to perform.

The object of our inquiry is to discover to what extent the four-mile limit contended for by Sweden is based on a prescriptive right of sufficiently long and uninterrupted duration to make it possible to put forward a claim for recognition on the part of other Powers in the same manner as the more usual three-mile limit is recognized. We will therefore, in the first place, endeavour to ascertain what was the original Swedish territorial limit.

The documents which I have examined in the Records Department happily afford ample information on the point. In 1758, in consequence of the captures of vessels which were taking place, Kaulbars, the landshövding of Gothenburg, applied to the Government for instructions respecting the limit within which prizes could be captured. The Chancery, the Admiralty, and the Ministry of Commerce, after deliberating, replied that the waters to a distance of three miles from the Swedish coast seawards should undoubtedly be regarded as being under Swedish sovereignty, and that consequently no hostilities should be permitted within this limit. In respect of the Sound a line half-way across—where the width does not exceed six miles—was to be regarded as the limit. This rule has been retained until the present day. The limit as thus fixed replaced the limits previously determined by gunshot or the naked eye, and for the first time not only in the case of Sweden but also in that of the whole of Europe the three-mile limit was taken as the norm in respect of neutrality. An entirely independent method of calculation was employed to obtain this result. In accordance with the regulations issued in 1696 the pilot water was regarded as having an extension of three miles, and it was only natural that the distance in question should receive a more general application.

Twenty years later it was found necessary to prescribe rules for convoying squadrons in regard to neutral zones. The department concerned accordingly renewed the proposal that the waters within which hostilities might not take place should extend for three miles from the shore, as previously laid down, and "in order that ignorance may not be pleaded as to the extent of the territorial waters, three miles, that is to say, the distance to which the pilot water commonly extends, are specially prescribed and regarded as 'neutral miles,' whether a pilot is on board or not." On the proposal of the Minister Falkengren this provision was subsequently amended. It was not regarded as having a sufficiently secure basis, and there were doubts as to the possibility of applying it. On 28th May, 1779, Duke Charles the Younger signed a rescript which contained the following passage: "Our royal authority extends one sea, or so-called German, mile beyond the outermost rocks and islets which are uncovered at high tide, within which limit hostilities shall be prohibited, and this prohibition shall apply whether there is a Swedish pilot on board or not."

The three-mile limit was thus for no apparent reason replaced by the German mile, which extended to a distance of $4\frac{1}{4}$ miles. This was doubtless due

to the fact that action in agreement with the Danish rules in force was thought desirable. There is, however, some uncertainty as to whether the German mile had in this case the nautical signification usually assigned to it. It is only in the prize regulations of 1788 and 1808 that the sea-mile is defined as being equivalent to one-fifteenth of a degree. But the limit was regarded as extending only from inhabited rocks and islets, and was thus in some degree modified.

The earlier customs regulations of the nineteenth century show traces of the four-mile limit. On the other hand, it does not appear in any document relating to fisheries nor is it mentioned in any diplomatic State paper, except the Note of 1874 referred to above. The claim to a four-mile limit would not appear to be based on any document of the eighteenth century but on an instruction of the year 1686 in which, however, only gunshot distance is mentioned. This means that contact with the previous rules had been entirely lost.

As is well known the regulations issued in 1871 with regard to the west coast fisheries assume the existence of the four-mile limit. Is the missing link to be sought here? Far from it! The limit in question was copied from a Norwegian decree of 1869, by which Swedish fishers were excluded from Söndmöre and after 1869 from Romsdal. The decree in question was issued merely as a reprisal and therefore only applied to the coast mentioned. No change was made in regard to the traditional outermost line of rocks. This measure was not to the advantage of Sweden. It prevented us from basing, as the experts proposed, the fisheries convention with Denmark of 1899 on the three-miles limit—which is more favourable to our interests and which Denmark had expressly approved through her adhesion to the North Sea Convention in 1882.

The four-mile limit has found a place in the customs regulations since 1871, and it has been brought into prominence as the Swedish territorial limit even in literature. It is in reality a Norwegian rule which has always been contested, and which was rejected by Denmark, the country in which it originated, as long ago as 1874.

When our diplomacy in 1914 made the four-mile limit the limit of Swedish neutrality this step was calculated to arouse astonishment. The communication was not followed by recognition on the part of other Powers, and it was expressly ignored by the Oberprisengericht at Berlin. As a fact during the War the protection afforded by our neutrality did not extend beyond the three-mile limit. The protests which were made in regard to the four-mile limit were only concerned with the minefields of the belligerents, the extent of which, owing to defects in the mines' convention in force, was undoubtedly excessive.

In the course of the discussion respecting legislation for the suppression of smuggling attention has been directed to the doubtful character, from the point of view of international law, of our contention in regard to the four-mile limit. No seizures have, however, been made outside the three-mile limit, and for this reason the question has not become acute as regards jurisdiction, although this is the case in Norway and Finland.

2385

No. 772.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.

Dominions No. 34. Confidential.)

[My Lord,] [Sir,] Downing Street, 28th January, 1925.

With reference to my despatch Dominions No. 18 of the 13th of January,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a despatch from His

* No. 771.

Majesty's Chargé d'Affaires at Stockholm enclosing the translation of a Swedish Royal Decree relating to the extent of Swedish territorial waters in respect of the area adjoining the sea frontier between Norway and Sweden, together with a copy of a despatch to His Majesty's Minister at Stockholm on the subject.

I have, &c.,
L. S. AMERY.

[45458]

Enclosure 1 in No. 772.

(No. 347.)

Sir, Stockholm, 27th August, 1924.

I have the honour to transmit herewith copies and translation of a Royal Decree, dated 21st August (No. 397), relating to the extent of Swedish Territorial Waters in respect of the area adjoining the sea frontier between Norway and Sweden.

The Swedish Maritime Law experts consulted by the "Aftonbladet" state that the enclosed Decree has the effect of extending the customs sea frontier between Norway and Sweden, as defined in the agreement between those countries of 1909, so as to coincide with the Swedish territorial limit of four nautical miles. Under that Agreement, as hitherto interpreted, the customs sea frontier between the two countries extended only three nautical miles.

I also enclose a translation of the clause of the Swedish Customs Statute referred to in the Decree.

The Decree is doubtless chiefly intended to oblige smugglers of spirits lying off the Grisbadarne Islands (in Swedish waters) near Stromsbad, to move out into deeper waters, and has already had this effect.

In this connexion it might be mentioned that A/B Stockholmsystemet (the liquor control company) and the Temperance Committee have jointly requested the Governor-General of Stockholm to reinforce the customs and harbour police in Stockholm, with a view to the more effective prevention of the smuggling of spirits, which has led to an alarming increase of drunkenness in the capital during the last few months.

I have transmitted a copy of this despatch to His Majesty's Minister at Christiania.

I have, &c.,
Patrick Ramsay.

The Right Honourable.
James Ramsay MacDonald, M.P.
&c., &c., &c.

Translation of Paragraph 1 in the Customs Statute of the 1st July, 1904.

Clause 1.—All vessels, whether destined for Swedish or foreign ports, shall, when in Swedish territorial waters, be subject to the inspection of the Customs.

Clause 2.—Swedish territorial waters for this purpose are estimated to extend up to one geographical mile (4 minutes or 7,420 metres) from the coast or outermost outlying islets and rocks not perpetually washed by the sea. Provided that in frontier waters of less breadth than two geographical miles the frontier line shall be deemed to coincide with the middle line, unless otherwise specially laid down.

Issued 21st August, 1924.

(Translation.)

No. 397.

Royal Decree

Concerning the extent of Swedish Territorial Waters in respect of the area adjoining the sea frontier between Sweden and Norway.

Given at the Palace, Stockholm, 21st August, 1924.

His Majesty has thought fit to decree that the provisions of paragraph 1, clause 2, of the Customs Statute of the 1st July, 1904, regarding the extent of Swedish territorial waters shall, in respect of the area adjoining the sea frontier

between Sweden and Norway be interpreted to mean that Swedish territorial waters, whilst observing the frontier delimited under the arbitration agreement between Sweden and Norway of the 23rd October, 1909, shall be deemed to extend up to one geographical mile from the coast or the outermost outlying islets and rocks which are not perpetually washed by the sea, or from the part falling on the Swedish side of the frontier of a straight line referred to in the aforesaid agreement connecting the northernmost of the rocks designated Stora Drammen and the Hejeknubb rock south-east of the Island of Heja.

This Decree comes into force on the 25th August, 1924.

This &c., The Palace, Stockholm, 21st August, 1924.

Enclosure 2 in No. 772.

(No. 14.)

SIR, Foreign Office, S.W.1, 13th January, 1925.

WITH reference to Mr. Ramsay's despatch No. 347 of the 27th August last, enclosing a translation of a Swedish royal decree dated 21st August, 1924, relative to the extent of Swedish territorial waters in the area adjoining the sea frontier between Norway and Sweden, it may be convenient to recall the circumstances in which this question has on various occasions been the subject of representations made by His Majesty's Government to the Swedish Government.

2. A circular despatch was sent from the Foreign Office on 25th September, 1874, to His Majesty's Representatives at the capitals of the principal maritime Powers inquiring the views of those Powers respecting the extent of maritime jurisdiction, and in the case of Sweden and Norway the reply was to the effect that

> "the Swedish and Norwegian Government never had occasion either to recognize or to contest the claim of Spain to a six-mile limit of jurisdiction, that they had always claimed to exercise jurisdiction within four geographical miles from their coasts, and that this claim has not hitherto been contested by foreign governments, whilst it had even been distinctly recognized by the Russian Government in 1838."

I understand that a Swedish decree had been issued on 5th May, 1871, fixing a limit of six miles for customs and of four miles for fisheries in the Sound.

3. Discussion arose in 1911 respecting a Russian demand for an extension of the territorial limit in the Baltic and Gulf of Bothnia to a distance of twelve miles; and it appears from Sir Cecil Spring Rice's despatches No. 134, Commercial, of 22nd November, 1911, and No. 137, Commercial, of 2nd December, 1911, that Baron Ramel, with reference to the Swedish point of view at that time, stated that it was customary in declarations of neutrality "to declare the sea limit of Swedish waters to be a radius of four sea miles," but that the extent of Swedish waters was not defined in the regulations issued by the Swedish Government respecting neutrality and the admission of foreign warships. Sir Edward Grey instructed Sir C. Spring Rice on 1st December, 1911 (No. 45 Commercial), to take an opportunity of pointing out to Baron Ramel, in conversation, that His Majesty's Government have never recognized the claim of the Norwegian Government to extend their fishery limit from three to four miles.

4. In connexion with the drafting of a Swedish declaration of neutrality, Sir Cecil Spring Rice, in his despatch No. 167, Confidential, of 11th December, 1912, referred to the limit claimed for Swedish territorial waters as three miles. As it had hitherto been understood by the Foreign Office that Sweden claimed a four-mile belt as territorial, enquiry was made as to the grounds on which this statement was based; but Lord Kilmarnock was unable, without raising the question officially, to obtain precise information.

5. Some months after the outbreak of the War, the Swedish Minister in London called attention to the Swedish claim (d'après une tradition déjà ancienne) that the limit of Swedish territorial waters was four nautical miles. His communication contained a memorandum thus worded:

> "La limite des eaux territoriales indiquée dans la note du Ministre de Suède en date d'aujourd'hui a été maintenue par la Suède depuis longtemps et se retrouve ainsi dans des Ordonnances Royales récentes. Par suite d'une note-circulaire brittannique du 28 septembre, 1874, concernant la question des eaux territorials, le Gouvernement Royal a déjà rappelé ce fait à la Grande Bretagne et à d'autres puissances de l'Europe."

After the Admiralty had been consulted, Count Wrangel was informed

> "that, while not admitting the claim that Swedish territorial waters extend beyond 3 miles, His Majesty's Government are prepared, as an act of courtesy towards the Swedish Government, to instruct His Majesty's ships to respect the proposed four-mile limit provided that they learn that other belligerent Powers are adopting the same attitude."

It is, however, important to remember in this connexion that in the case of the Swedish ship "Ellida," captured by the Germans in October, 1914, in which the Swedes pleaded that, as the vessel was captured between three and four miles from Swedish territory, it was in Swedish territorial waters, the President of the German Court took the opportunity of stating, although the decision of the Court was not affected by the question of the territorial limit, that the only rule binding on the Court in this connexion was that laid down in the German Prize Law, which fixed the limit at three sea miles.

6. A Swedish decree of 29th November, 1915, prohibited the navigation of Swedish waters by foreign submarines within three nautical miles (5,556 metres) from land. This decree seems to be practically identical in terms with a Swedish decree of 19th July, 1916.

7. In the Swedish decree of 23rd May, 1919, concerning air traffic, it was provided that subject to certain exceptions in regard to waters in the Sound the term "Swedish territory" should be understood to include Swedish coastal waters within four nautical miles of the land or rock farthest from the Swedish coast which is not perpetually washed over by the sea. On instructions from His Majesty's Government, Mr. Barclay therefore informed the Swedish Government in a note dated 29th December, 1919, that His Majesty's Government felt obliged to put on formal record once more their view that the limits of territorial waters do not extend beyond a distance of three miles from low water mark.

8. A Swedish decree dated 26th July, 1920, which replaced the decree of 23rd May, 1919, also contains a claim to four miles. On that occasion also Mr. Barclay pointed out to the Swedish Government, in his note of 24th November, 1920, that the views of His Majesty's Government expressed in the note of 29th December, 1919, remained unchanged.

9. In Mr. Ramsay's despatch No. 436 of 5th October, 1922, he reported that with reference to announcements in the Press to the effect that the Swedish customs frontier extended to four miles from the coast he had reminded the Secretary-General of the Ministry for Foreign Affairs that His Majesty's Government had decided views as to the extent of territorial jurisdiction at sea, which had repeatedly been communicated to the Swedish Government, and that their refusal to admit jurisdiction beyond three nautical miles from the coast was by no means confined to the late War. He added that he trusted that the Swedish customs would confine their action to Scandinavian shipping, as the first application of their rule to a British vessel would raise the whole question of the limits of territorial jurisdiction at sea, which was one on which His Majesty's Government were not prepared to compromise, and that nothing but trouble would therefore result from such interference with a British ship outside the three-mile limit. Mr. Ramsay's language was approved in Lord Curzon's despatch to Sir C. Barclay, No. 292 of 19th December, 1922. I would refer in this connexion also to the despatch to Sir C. Barclay, No. 293, Confidential, of 19th December, 1922.

10. Since that date this subject has been considered by the Imperial Conference, 1923, a copy of whose resolution was transmitted to His Majesty's Legation at Stockholm in Lord Curzon's circular despatch of 27th November, 1923.

11. Paragraph 1 of the Swedish Customs Statute of 1st July, 1904, of which a translation was enclosed in your despatch of the 27th August last, described Swedish territorial waters as extending "up to one geographical mile (four minutes or 7,420 metres) from the coast or outermost outlying islets and rocks not perpetually washed by the sea"; and the Swedish decree of 21st August, 1924, appears to adapt their claim to territorial waters to that extent to the special circumstances which exist in the area where the waters of Sweden and Norway meet.

12. According to the information obtained by your Legation from the Swedish Hydrographic Office, the Swedish official definitions of the geographical mile and the nautical mile are as follows:—

"1 geographical mile = 1/15 degree of latitude.
"1 nautical mile = 1,852 metres.
"(= 1/60 degree of latitude = 1/4 geographical mile)."

In any further discussions with Sweden relating to territorial waters and kindred subjects it will therefore be necessary to bear in mind that the Swedish "geographical mile" is equivalent to the "sjömil," or sea-mile of four nautical miles ("kvartmils") used as a measure of distance when Sweden was united with Norway, and to the old expressions "Spanish league" and "German league," and is equal to four ordinary geographical miles, using the term in its generally accepted sense of the length of one minute of latitude, or roughly two thousand yards. Even on this basis the definition of a "geographical mile" given in the Swedish Customs Act as equivalent to four minutes of latitude *or* seven thousand four hundred and twenty metres is misleading, since the length in metres of a minute of latitude varies for different latitudes.

13. Both the Swedish claim to a four-mile belt of territorial waters and the claim to measure the territorial limit from any rock not perpetually washed over by the sea are opposed to the principles embodied in the conclusions of the recent Imperial Conference. His Majesty's Government consider that three miles measured from low water mark constitute the proper limits of territorial waters; and they can therefore only recognize the Swedish decree of 21st August, 1924, in so far as it does not infringe the rights of His Majesty's Government in international law.

14. I shall be glad if you will address a note to the Swedish Minister for Foreign Affairs to this effect, referring to the previous communications which have been made to the Swedish Government on the question of the principle of the three-mile limit.

I am, &c.,
(For the Secretary of State),
GEORGE MOUNSEY.

Sir Arthur C. Grant Duff, K.C.M.G.,
&c., &c., &c.

19468

No. 773.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada,
(Commonwealth of Australia,
(New Zealand,
(Union of South Africa,
(Irish Free State,
(Newfoundland.
Dominions No. 194. Confidential:)

[MY LORD,] [SIR,] Downing Street, 9th May, 1925.

WITH reference to my Confidential despatch Dominions No. 34 of the 28th January,* regarding the limit of Swedish Territorial Waters, I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, an extract from a despatch from His Majesty's Representative at Stockholm forwarding a copy of a note addressed to the Swedish Minister for Foreign Affairs on the subject.

2. The draft Convention to which reference is made was drawn up at a meeting held at Helsingfors in 1924, attended by delegates from all the countries surrounding the Baltic, viz., Denmark, Esthonia, Finland, Latvia, Lithuania, Poland, the Free City of Danzig, the Union of Socialist Soviet Republics, Sweden, Germany, and Norway. A copy of Article 9 of the draft Convention is enclosed.

I have, &c.,
L. S. AMERY.

---

* No. 772.

Enclosure 1 in No. 773.

STOCKHOLM.

Extract from Sir A. Grant-Duff's despatch No. 120 of 31st March, 1925.

SIR,

I HAVE the honour to transmit copy of a Note which I handed personally to the Swedish Minister for Foreign Affairs, and in which I pointed out, with reference to Article 9 of the draft Convention for the prevention of smuggling of alcoholic liquors, that His Majesty's Government can only recognize the validity of such an extension of the regulations as is proposed in so far as these do not infringe the rights of His Majesty's Government in international law.

Monsieur Osten Undén observed that the twelve-mile zone mentioned in the Convention would only apply to the States which were parties to that instrument.

The draft Convention is contained in a Royal Message to the Riksdag recommending the approval of the same, and of a Bill, by which vessels suspected of smuggling may be detained within a zone of twelve nautical miles from the coast or from the outermost skerries.

The Acting Minister of Finance in his statement at the Cabinet Council on the proposed legislation, said that the law would only apply to vessels belonging to States which had ratified the Convention, and that it could only be made applicable to foreign vessels, i.e., vessels belonging to non-signatory Powers, by a Royal Ordinance. The Bill accordingly contains a clause that its provisions shall "not apply to vessels of a foreign nationality unless the King shall order that the Law shall be applicable to the vessels of the nationality in question."

I have, &c.,
A. C. GRANT-DUFF.

The Right Honourable
Austen Chamberlain, M.P.,
&c., &c., &c.

Stockholm, 23rd March, 1925.

Sir Arthur Grant Duff to Monsieur Osten Undén.

YOUR EXCELLENCY,

ACCORDING to an official Notice which was published in the Press of this Capital in February last, the Royal Swedish Government have decided to approve on behalf of Sweden the draft Convention for the suppression of the smuggling of alcoholic liquors, but with the proviso that ratification is subject to the approval of the Riksdag; and, further, that the Royal Swedish Government has decided to submit to the Law Council a draft law to extend the scope of the regulations respecting the importation of spirits, &c., so as to make these, in certain circumstances, applicable outside the limit of territorial waters within an area of twelve nautical miles from the Swedish coast.

I acquainted my Government with the intention of the Royal Swedish Government to lay a Bill before the Riksdag making the regulations respecting the importation of alcoholic liquors applicable outside the generally accepted limits of the territorial waters, and I have now the honour, in accordance with instructions which I have received from His Majesty's Principal Secretary for Foreign Affairs to remind your Excellency that His Majesty's Government can only recognize the validity of such extension of the regulations as is proposed in so far as these do not infringe the rights of His Majesty's Government in international law.

I avail myself, &c.,
A. C. GRANT-DUFF.

[12896]

Enclosure 2 in No. 773.

ARTICLE 9 OF DRAFT CONVENTION.

LES Parties contractantes s'engagent à ne faire aucune objection à ce que chacune d'entre elles applique, dans une zone s'étendant jusqu'à douze milles marins de la côte ou de la limite extérioure des archipels, ses lois sux navires qui se livrent manifestement à la contrebande.

Si un navire soupçonné de se livrer à la contrebande est rencontré dans la zone élargie nommé ci-dessus et qu'il s'échappe hors de cette zone, les autorités du pays dont relève cette zone pourront le poursuivre aussi au delà de cette zone dans la mer ouverte et user envers lui des mêmes droits que s'il avait été saisi à l'intérieur de la zone.

Ces dispositions sont adoptées sans préjudice de la position prise par chacune des Parties contractantes vis à vis des principes juridiques régissant les zones territoriales et douanières.

42209

No. 774.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.

Dominions No. 435. Confidential.)

[MY LORD,] [SIR,] Downing Street, 29th September, 1925.

WITH reference to my Confidential despatches Dominions No. 34 of the 28th of January,* and Dominions No. 194 of the 9th of May,† I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of a despatch from His Majesty's Minister at Stockholm forwarding a copy of a note from the Swedish Government regarding the extent of Swedish territorial waters, together with a copy of Sir A. Grant Duff's despatch No. 32 of the 26th of January, to which reference is made.

I have, &c.,
L. S. AMERY.

Enclosure 1 in No. 774.

(No. 263.)

SIR, Stockholm, 28th August, 1925.

ON receipt of your despatch No. 14 of 13th January,‡ regarding the extent of Swedish Territorial waters in the area adjoining the sea frontier between Norway and Sweden, I duly addressed a note, of which I had the honour to transmit a copy in my despatch No. 32 of 26th January, reminding the Swedish Government of the views of His Majesty's Government on this subject and informing them that His Majesty's Government could only recognize the Swedish decree of 21st August, 1924, in so far as it does not infringe the rights of His Majesty's Government in international law.

2. The Swedish Government have now replied in a note, of which I have the honour to transmit a copy herewith, stating that they are unable to share the views of His Majesty's Government as regards the extent of Swedish territorial jurisdiction at sea, and that they see no reason to alter the opinion frequently expressed by them that each State should put into practice within its own waters the rights due to it from internal legislation or long usage.

3. The Swedish note also refers to the note which I addressed to the Swedish Government of 23rd March last, of which I had the honour to enclose a copy in my despatch No. 120 of 31st March,§ in which I pointed out that His Majesty's Government could only recognize the validity of any extension of regulations regarding smuggling in so far as they did not infringe the rights of His Majesty's Government in international law.

4. The note points out that, as observed by Monsieur Undén when I handed him my note, and as reported in my despatch No. 120, the legislation in question, namely the rights of search up to a twelve-mile limit, is only applicable to vessels belonging

* No. 772. † No. 773. ‡ Enclosure 2 in No. 772. § Enclosure 1 in No. 779.

to States which have ratified the Convention. This was made clear by the Minister of Finance in his introduction to the Bill.

* * * * * * *

I have, &c.,
A. C. GRANT DUFF.

The Right Honourable
Austen Chamberlain, M.P.,
&c., &c., &c.

MONSIEUR LE MINISTRE, Stockholm, le 18 août, 1925.

PAR une lettre, en date du 26 janvier dernier, se référant à l'ordonnance Royale du 24 août, 1924, concernant l'extension des eaux territoriales suédoises à la frontière maritime entre la Suède et la Norvège, vous avez bien voulu m'informer que " His Majesty's Government consider that three miles measured from low water mark constitute the proper limit of territorial waters, and they can only recognize the Decree of the Royal Swedish Government referred to at the beginning of this note in so far as it does not infringe the rights of His Majesty's Government in international law."

De plus vous avez exposé, par votre office du 23 mars dernier, certaines considérations du Gouvernement de S.M. Britannique au sujet du projet de convention entre la Suède et certains autres pays concernant la répression de la contrebande des boissons alcooliques.

Me référant à la première de vos deux lettres précitées, j'ai l'honneur de porter à votre connaissance que le Gouvernement du Roi, en ce qui concerne le territoire de la Suède, ne se voit pas à même de partager l'opinion de celui de S.M. Britannique selon laquelle trois mille marins seraient la limite des eaux territoriales. En effet, au sù de mon Gouvernement, aucun nouveau fait n'est survenu qui serait de nature à modifier la monière de voir adoptée par lui et exprimée à maintes reprises, entre autres dans la note addressée par le Ministre des Affaires Etrangères au Ministre de S.M. Britannique, sous la date du 11 novembre, 1874, à savoir que l'extension des eaux territoriales n'a pas encore été l'objet d'un arrangement de nature internationale. Dans l'attente d'un tel arrangement il appartient, selon l'avis du Gouvernement du Roi, à chaque Etat de faire valoir dans ce domaine les droits qui peuvent être revendiquées en vertu de sa législation interne ou d'un usage séculaire. Je n'ai pas besoin d'ajouter que le Gouvernement suédois qui de tout temps a tenu à se conformer scrupuleusement aux règles du droit international, n'a aucunement l'intention d'empiéter de quelle manière que ce soit, sur les droits du Gouvernement de S.M. Britannique.

En ce qui concerne, d'autre part, votre lettre du 23 mars dernier, je me permets d'appeler votre bienveillante attention sur le fait que l'extension de l'application des dispositions de la loi sur le trafic illicite des boissons alcooliques, etc., est basée sur des concessions réciproques accordées par les Etats signataires de la Convention d'Helsingfors. Ainsi qu'il ressort du protocole sur le nouveau projet de loi (page 7) l'extension dont il s'agit ne saurait être appliquée qu'à ceux des navires étrangers qui appartiennent à des ressortissants des Etats ayant ratifié la Convention.

Veuillez agréer, &c.,
Pour le Ministre,
RODHE.

Sir Arthur Grant Duff,
Envoyé Extraordinaire et Ministre Plénipotentiaire
de Sa Majesté Britannique,
etc., etc., etc.

[8297]

Enclosure 2 in No. 774.

(Confidential.)
(No. 32.)

Sir A. Grant Duff to Mr. Austen Chamberlain.

(Received, Foreign Office, 4th February.)

HIS Majesty's Minister at Stockholm presents his compliments to the Secretary of State for Foreign Affairs, and has the honour to transmit herewith a

copy of a note to the Swedish Minister for Foreign Affairs, dated the 26th January, regarding the extent of territorial waters.

Stockholm, 26th January, 1925.

Sir A. Grant Duff to Professor Esten Undén.

YOUR EXCELLENCY, Stockholm, 26th January, 1925.

ON the 21st August last the Royal Swedish Government issued a decree (No. 397) in which it was laid down that "the provisions of paragraph 1, clause 2, of the Customs Statute of the 1st July, 1904, regarding the extent of Swedish territorial waters, shall, in respect of the area adjoining the frontier between Sweden and Norway, be interpreted to mean that Swedish territorial waters . . . . shall be deemed to extend to one geographical mile from the coast or the outermost outlying waters and rocks which are not washed by the sea."

In this connexion I have the honour to remind your Excellency that, with reference to a decree issued by the Royal Swedish Government on the 23rd May, 1919, respecting air traffic, in which it was laid down that Swedish territory included Swedish coastal waters within four nautical miles from land, His Majesty's Minister, pursuant to instructions received from His Majesty's Principal Secretary of State for Foreign Affairs, informed the Royal Swedish Government on the 29th December, 1919, that His Majesty's Government felt obliged to put on formal record their view that the limits of territorial waters do not extend beyond a distance of three nautical miles from low water mark.

On the 16th July, 1920, the Royal Swedish Government issued a further decree, which replaced that of the 23rd May, 1919, in which it was again laid down that the term "Swedish territory" should be understood for the purposes of the decree to include Swedish coastal waters within four nautical miles from the land or rock furthest from the Swedish coast which is not perpetually washed by the sea. His Majesty's Minister once more drew the attention of the Royal Swedish Government to his note of the 29th December, 1919, and pointed out, by direction of His Majesty's Principal Secretary of State for Foreign Affairs, that the views of His Majesty's Government, as expressed therein, remained unchanged, namely, that the limits of territorial waters do not extend beyond a distance of three nautical miles from the low-water mark.

In 1922 the *Svenska Dagblad* declared that, although during the war Great Britain had refused to recognize any other than the three-mile limit of the coastal waters, there was not the slightest doubt that the four-mile limit applied to the territorial waters of Sweden. His Majesty's Chargé d'Affaires called the attention of the Secretary-General of the Royal Swedish Ministry for Foreign Affairs to the above statement, and reminded him that His Majesty's Government had decided views as to the extent of territorial jurisdiction at sea, which had been repeatedly communicated to the Royal Swedish Government, and that their refusal to admit jurisdiction beyond three nautical miles from the coast was by no means confined to the late war. Mr. Ramsay added that he trusted that the Swedish Customs Authorities would confine their action to Scandinavian shipping, as the first application of their rule to a British vessel would raise the whole question of the limits of territorial jurisdiction at sea, which was one on which His Majesty's Government were not prepared to compromise, and that nothing but trouble would result from such interference with a British ship outside the three-mile limit. The language held by His Majesty's Chargé d'Affaires on this occasion subsequently received the approval of His Majesty's Principal Secretary of State for Foreign Affairs.

In view of the above, I have the honour to inform your Excellency that His Majesty's Government consider that three miles measured from low-water mark constitute the proper limits of territorial waters, and that they can only recognize the decree of the Royal Swedish Government referred to at the beginning of this note in so far as it does not infringe the rights of His Majesty's Government in international law.

I avail, &c.,
A. C. GRANT DUFF.

47548

No. 775.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
— Dominions No. 481. Confidential.)

[MY LORD,] [SIR,] Downing Street, 6th November, 1925.

WITH reference to my Confidential despatch Dominions No. 435 of the 29th of September,* I have the honour to request [Your Excellency] [you] to inform your Ministers that His Majesty's Minister at Stockholm has been informed that it is not considered that anything will be gained by replying to the Swedish Government's Note of the 18th of August† regarding the extent of Swedish territorial waters.

I have, &c.,
L. S. AMERY.

TURKEY.

Proposed Convention to Regulate the Admission of British Subjects in Turkey and of Turkish Citizens in the United Kingdom to the Various Forms of Commerce, Professions and Industries.

13311

No. 776.

NEW ZEALAND.

THE GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 23rd March, 1925.)

(No. 15.)

SIR, Government House, Wellington, 30th January, 1925.

I HAVE the honour to acknowledge the receipt of your despatch Dominions No. 447 of the 9th September,‡ intimating that it is the intention of His Majesty's Government to open negotiations with Turkey for a Convention regulating the admission of British subjects in Turkey, and of Turkish citizens in England, to the various forms of commerce, professions and industries.

2. My Ministers advise me that they do not consider there is now, or at any time in the future likely to be, any reason for desiring the application to New Zealand of the Convention respecting conditions of residence, business and jurisdiction, and that they, therefore, have no suggestions to make.

I have, &c.,
CHARLES FERGUSSON,
Governor-General.

23464

No. 777.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 7.25 a.m., 22nd May, 1925.)

TELEGRAM.

22ND MAY. Your despatch 9th September, 1924, Dominions No. 447‡ proposed Convention with Turkey concerning admission of subjects of each country to industries, commerce, and profession of other, Commonwealth Government has

* No. 774. † Sub-enclosure 1 in No. 774. ‡ No. 762 in Dominions No. 93.

considered the question of extension of Convention to Australia and is of the opinion that forms of intercourse between this country and Turkey which proposed Convention is intended to regulate are not at present of sufficient importance to be put on a treaty basis. Further, Turkish Asiatic subjects are in principle excluded from Commonwealth, and individual exemption would require to be granted to any Turkish merchant desiring to enter and set up business in Australia. Commonwealth Government, therefore, whilst having no objection to provision being made in Convention for future accession by Dominions, are not desirous at present of becoming parties to Convention. In these circumstances it does not appear necessary to send to you details of disabilities on Turkish citizens in Australia, but should these be required they will be forwarded.—FORSTER.

26654

No. 778.

NEWFOUNDLAND.

THE GOVERNOR to the SECRETARY OF STATE.

(Received 12th June, 1925.)

(No. 63.)

SIR, Government House, St. John's, 28th May, 1925.

I HAVE the honour to acknowledge the receipt of your despatch Dominions No. 447 of the 9th September, 1924,* on the subject of a proposed convention with Turkey to regulate the admission of British subjects in Turkey and of Turkish citizens in the United Kingdom to the various forms of commerce, professions and industries, and to inform you in reply that my Ministers desire that the proposed Convention should be extended to Newfoundland. There are no points of special interest to this Government in this connexion, nor are there any forms of activity, commercial, professional, or industrial, from which Turkish citizens may be excluded.

I have, &c.,
W. L. ALLARDYCE.

26587

No. 779.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. Confidential.) — Dominions No. 259. Confidential.)

[MY LORD,] [SIR,] Downing Street, 23rd June, 1925.

WITH reference to my predecessor's despatch [Dominions No. 447] [No. 380] of the 9th September, 1924,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copies of correspondence with His Majesty's Representative at Constantinople on the subject of the proposed Convention with Turkey regulating the admission of British subjects in Turkey, and of Turkish citizens in this country to the various forms of commerce, professions and industries.

I have, &c.,
L. S. AMERY.

[19407]

Enclosure 1 in No. 779.

(No. 284.)

SIR, Constantinople, 6th April, 1923.

WITH reference to your despatch No. 218 of the 6th March, and to Mr. Malkin's letter of the 19th March to Mr. Forbes Adam, I have the honour to

* No. 762 in Dominions No. 93.

state that I have for some time past been debating whether in spite of the stipulations of the Treaty of Lausanne it would be advisable for His Majesty's Government to open negotiations with the Turkish Government for any such convention regarding the reciprocal admission of Turkish and British nationals to various professions, industries, etc., as is provided for in Article 4 of the Establishment Convention. For there are, I think, certain considerations which should be carefully weighed before it is definitely decided to commence negotiations to this end.

2. At present the anti-foreign feeling in Turkey and the desire to keep certain professions so far as possible for Turkish nationals alone shows little sign of abatement. Even, therefore, if the anti-ex-enemy legislation in England regarding such subjects as banks, shipping and the non-ferrous metals industry is repealed—I am not quite clear what likelihood there is of this being done in the immediate future—it is probable that the Turks will not prove willing to grant to British nationals in Turkey as wide opportunities to engage in professions and industries as His Majesty's Government is prepared to give to Turkish nationals in the British Empire. In point of fact, they will want very little from us and we a good deal from them. The negotiations will probably cause a good deal of friction and the results are likely to be meagre. Rights acquired before the 1st January, 1923, are already safeguarded, so far as this can be done on paper, under Article 4 of the Establishment Convention and the most we could expect to secure at present would be a paper guarantee that the list of callings at present reserved to Turkish nationals will not be extended. It is unlikely that we should achieve so much. On the other hand in a few years' time the present Turkish ultra-nationalism may diminish and the policy of reserving certain professions will quite possibly be tacitly dropped. In that case, if no convention were negotiated British subjects might be able quietly to take up professions again from which they would run more risk of being excluded if an agreement on this subject were negotiated now, defining rigidly the professions, etc., open to them.

3. It is true that a convention would provide a definite legal sanction for the practice by British subjects of such callings as were not reserved to Turkish nationals. But I am doubtful whether this advantage would be sufficient to outweigh the disadvantage of seeing British subjects definitely excluded from the "reserved" professions, unless the British negotiators were able to secure that the convention should be concluded for a very short period and was subject to frequent reviews. I do not in any case anticipate that, while the present uncertain political and economic situation lasts, a large number of new British subjects will wish to commence work in Turkey.

4. The possibility is not to be excluded that, as in the negotiations with the shipping companies regarding cabotage, the Turkish Government would propose impossible terms and thus cause a breakdown of the negotiations. In this case, British subjects would be no worse off had no attempt been made to conclude a convention and the net result would be a certain amount of friction between the Governments.

5. Against these arguments must, of course, be set the risk that, should His Majesty's Government decide not to avail themselves of the right under 4 to open negotiations before 6th August, 1925, their abstinence may later be seized upon by the Turks as a cogent argument for supporting a prolongation of restrictions against British subjects, when any such come forward to enter a profession in Turkey. On the other hand if Turkish policy had really changed on the principle of the "protection" of professions, etc., I doubt whether they would think it worth while to use this lever against us. The risk is, however, a real one.

6. My Allied colleagues have not yet finally decided their policy in this matter, although Signor Montagna mentioned it verbally to the Turkish Minister for Foreign Affairs at Angora, and was informed, I understand, that the Turkish Government were ready for negotiations under Article 4. They are, in any case, anxious, as far as is practicable, for a common front in any negotiation that may eventually be opened. On the whole they are both probably in favour of negotiating.

7. The question may be put thus:—Is it wiser to forgo the chance of the immediate acquisition of a paper guarantee that British newcomers will be allowed to follow certain professions, in the hope that, when Turkey becomes more normal and therefore a better field for foreigners, she will tacitly allow them to practice

all professions, if there are no restrictions laid down in a written convention, or if friction has not been engendered, and much importance drawn to the matter by fruitless negotiations?

8. I shall be glad to receive your final instructions on this subject. As time is comparatively short, you may think it well to telegraph them.

9. I would add that this convention will comprise such different complex issues of a local and technical nature that I am very doubtful if the Assistant Legal Adviser to the Foreign Office would wish to negotiate it with Munir Bey at Berne, even with the assistance of one local expert from Constantinople. If it be decided to open negotiations, could not Mr. Malkin come out to Constantinople, where the necessary technical experience and advice, not necessarily forthcoming from one "expert" alone, could be more easily drawn upon as required? Even if Munir Bey had returned to Berne, before we were ready to open negotiations, the Turks could probably find a negotiator here for their purpose, such as Nusret Bey.

I have, &c.,

R. C. LINDSAY.

The Right Honourable
Austen Chamberlain, M.P.,
&c., &c., &c.

Enclosure 2 in No. 779.

(No. 549.)

SIR, Foreign Office, S.W.1, 6th June, 1925.

WITH reference to my telegram No. 70 of 24th April, relative to the proposed convention for the reciprocal admission of Turkish and British nationals to various professions, industries, &c., I have to inform Your Excellency that the questions raised in your despatch No. 284 of 6th April, as to the general desirability or otherwise of postponing the negotiation of the proposed convention, have now been considered by the interested departments of His Majesty's Government.

2. Apart from the difficulties indicated in your despatch, there are various other factors which would be likely to render difficult, in present circumstances, the negotiation of a satisfactory convention. In the first place, it seems clear that the Turks would insist on any convention which might be negotiated being based on the principle of strict reciprocity. In principle there can be no objection to this, but in practice considerable difficulties would present themselves. It had for instance been hoped to pass the necessary legislation to remove the disabilities from ex-enemy aliens in this country as regards banking, non-ferrous metals industries, employment on ships, &c., at an early date. An unexpected difficulty has, however, now arisen over this and no guarantee can be given that these disabilities will be removed in the immediate future. While they are not primarily aimed at Turkish nationals, it would be impossible for practical reasons to exempt Turkish nationals from them unless and until all other ex-enemy aliens are similarly treated. It would thus be impossible for the present to enter into any arrangement with the Turks on most-favoured-nation lines.

3. Apart from this, the number of professions, &c., from which Turkish nationals are excluded in this country is small, but there are some, and they do not necessarily correspond with the professions from which foreigners are or may be excluded in Turkey. It would therefore be necessary to balance the admission of Turkish nationals to various forms of activity in this country against the admission of British subjects to other forms in Turkey, and the only method would be to draw up lists on each side, either of professions to which nationals of the other contracting party would be admitted or from which they would be excluded. This course would present considerable difficulties, more especially as it is not only the position in Great Britain which may have to be considered.

4. At the same time it is possible that some foreign government might acquire by negotiation something more than it is entitled to under Article 4 of the Establishment Convention, and in this case His Majesty's Government might be exposed to criticism if they failed to obtain similar treatment for British subjects. It would be convenient, therefore, to learn as soon as possible, the action of the French and Italian Governments in this matter, and you should endeavour to ascertain the position from your French and Italian colleagues, and inform me in due course.

5. A possible solution of the difficulty would have been to negotiate at Constantinople a short convention providing for most-favoured-nation treatment in these matters coupled with the preservation of acquired rights, at least to the extent to which they are protected under Article 4 of the Establishment Convention. This course is, however, unfortunately impossible in view of the difficulty which has arisen regarding the removal of restrictions on ex-enemy aliens in this country.

6. I shall be glad to receive your observations on the whole question in order that the subject may receive further consideration when a suitable opportunity arises.

I have, &c.,
(For the Secretary of State.)

His Excellency
The Honourable
R. C. Lindsay, K.C.M.G., C.B.,
&c., &c., &c.

UNITED STATES.

(1) Pacific Halibut Fishery Treaty, 1923.

(Treaty Series 1925, No. 18.)

58308

No. 780.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 781.]

(No. 2.)

MY LORD, Downing Street, 2nd January, 1925.

WITH reference to Your Excellency's despatch No. 457 of the 30th October,* I have the honour to inquire whether Your Ministers would wish His Majesty's Government to include the Pacific Halibut Fishery Convention amongst those which they themselves communicate to the League of Nations for registration under Article 18 of the Covenant.

2. In this connexion I would refer to my predecessor's despatch No. 108 of the 7th March, and to your despatch No. 168 of the 17th April, 1924,† on the subject of the Italo-Canadian Commercial Convention.

I have, &c.,
L. S. AMERY.

4559

No. 781.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 30th January, 1925.)

(No. 19.)

SIR, Government House, Ottawa, 16th January, 1925.

WITH reference to your despatch No. 2 of the 2nd instant‡ inquiring whether it is the wish of my Government that His Majesty's Government should include the Pacific Halibut Fishery Convention amongst those which they themselves communicate to the League of Nations for registration under Article 18 of the Covenant, I have the honour to refer you to my despatch No. 5 of the 13th instant,§ in which it was intimated that it was proposed that the duty of registering treaties or conventions negotiated, signed and ratified by or at the instance of the Canadian Government, should be undertaken by that Government. In accordance with this procedure steps have already been taken for the registration of the Convention referred to, through the medium of the recently-appointed Canadian Advisory Officer for League of Nations purposes at Geneva.

I have, &c.,
BYNG OF VIMY.

---

* No. 816 in Dominions No. 93. † Nos. 271 and 272 in Dominions No. 93. ‡ No. 780.
§ No. 159 (in Part I).

(2) Treaties with Canada regarding the Suppression of Smuggling on the International Boundary and Extradition for Narcotic Offences.

(*Treaty Series* 1925, *Nos.* 39 *and* 40.)

1063

No. 782.

FOREIGN OFFICE to COLONIAL OFFICE.

THE Under-Secretary of State for Foreign Affairs presents his compliments to the Under-Secretary of State for the Colonies and, by direction of the Secretary of State, transmits herewith copy of a despatch from His Majesty's Ambassador at Washington on the subject of the proposed Treaty between Canada and the United States of America for the extradition of persons charged with crimes and offences against the laws for the suppression of the traffic in narcotics.

Foreign Office,
7th January, 1925.

Reference to previous correspondence: Colonial Office letter of 4th September, 1924.*

Enclosure in No. 782.

(No. 1933.)

SIR, British Embassy, Washington, 26th December, 1924.

I HAVE the honour to transmit to you, herewith, copies of a despatch to the Governor-General of Canada on the subject of the Convention between the United States and Great Britain in respect of the Dominion of Canada for the mutual extradition of persons charged with crimes and offences against the laws for suppression of traffic in narcotics.

I have, &c.,
(for the Ambassador),
H. W. BROOKS.

His Majesty's Principal Secretary of State for Foreign Affairs,
Foreign Office, London.

Reference: Embassy despatch No. 1480 dated 24th September, 1924.

(No. 473.)

MY LORD, British Embassy, Washington, 26th December, 1924.

IN reply to Your Excellency's despatch No. 179 of the 15th instant, I have the honour to inform Your Excellency that the Secretary of State has notified me that it would be entirely convenient to him to sign the Convention between the United States and Great Britain in respect of the Dominion of Canada for the mutual extradition of persons charged with crimes and offences against the laws for the suppression of the traffic in narcotics on 8th January next.

Your Excellency will doubtless inform me in due course of the time of Mr. Lapointe's arrival in Washington.

I have, &c.,
ESMÉ HOWARD.

His Excellency
The Lord Byng of Vimy, G.C.B.,
&c., &c., &c.,
Governor-General of Canada,
Ottawa, Canada.

16824

No. 783.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 14th April, 1925.)

(No. 132.)

SIR, Government House, Ottawa, 31st March, 1925.

WITH reference to Mr. Thomas's despatch No. 219 of the 27th May, 1924,† transmitting the Full Power authorizing The Honourable E. Lapointe to negotiate

* No. 839 in Dominions No. 93. † No. 825 in Dominions No. 93.

and sign any treaty for the purpose of suppressing smuggling operations along the boundaries and the prosecution of persons violating the narcotic laws of the United States and Canada, I have the honour to transmit, herewith, a certified copy of a Convention* for these purposes concluded between Canada and the United States on the 6th day of June, 1924, as well as of a Convention† for the purpose of enlarging the list of crimes on account of which extradition might be granted, concluded between Canada and the United States on the 8th day of January, 1925.

These treaties have both been approved by the House of Commons and the Senate of Canada.

I have, &c.,
BYNG OF VIMY.

17711

No. 784.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 20th April, 1925.)

[*Answered by No.* 786.]

(No. 147.)

SIR, Government House, Ottawa, 8th April, 1925.

WITH reference to my despatch No. 132 of the 31st ultimo,† forwarding certified copies of the Convention with the United States signed the 6th of June, 1924, to aid in suppressing smuggling operations along the international boundary and in the arrest and prosecution of persons violating the narcotic laws of either Government, and of the Convention signed the 8th January, 1925, for the purpose of enlarging the list of crimes on account of which extradition might be granted, I have the honour to enclose, herewith, copies of an approved Minute of the Privy Council for Canada advising that His Majesty ratify the said Conventions, and I am forwarding this document to the end that the instruments of ratification may be prepared and transmitted to be exchanged in due course against the ratifications of the President of the United States.

I have, &c.,
BYNG OF VIMY.

Enclosure in No. 784.

(P.C. 480.)

CERTIFIED COPY OF A MINUTE OF A MEETING OF THE COMMITTEE OF THE PRIVY COUNCIL APPROVED BY HIS EXCELLENCY THE GOVERNOR-GENERAL ON THE 30TH MARCH, 1925.

THE Committee of the Privy Council have had under consideration despatches from His Majesty's Ambassador at Washington, No. 467 of the 19th December, 1924, and No. 67 of the 3rd February, 1925, notifying the readiness of the United States Government to proceed with the ratification of the Convention between Canada and the United States, signed the 6th June, 1924, to aid in suppressing smuggling operations along the international boundary and in the arrest and prosecution of persons violating the narcotic laws of either Government, and of the Supplementary Extradition Convention between Canada and the United States, signed the 8th January, 1925.

The Committee, on the recommendation of the Secretary of State for External Affairs, to whom the said despatches were referred, advise that, as the Canadian Parliament has now approved of these Treaties, Your Excellency may be pleased to address a despatch to the Secretary of State for the Colonies asking that His Majesty be humbly moved to ratify the said Conventions and that the instruments of ratification be forwarded to Your Excellency to be exchanged in due course against the similar ratifications of the President of the United States.

All of which is respectfully submitted for Your Excellency's approval.

E. J. LEMAIRE,
Clerk of the Privy Council.

* Not printed: see Treaty Series 1925, Nos. 39 and 40. † No. 783.

19166

No. 785.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 3.50 a.m., 28th April, 1925).

TELEGRAM.

[*Answered by No.* 786.]

27TH APRIL. My despatch of 8th April, No. 147.* Ratification of Convention with the United States signed on 6th June, 1924, to aid in suppressing smuggling operations along the international boundary. In view of the desire of the authorities of Yukon territory to take advantage of the provisions of this treaty permitting the importation of liquor in transit through United States territory and of the anxiety expressed by the United States officials to complete arrangements by which information as to clearance of vessels, transportation of cargoes and shipment across the International boundary may be reciprocally furnished, my Ministers would be glad to receive as soon as possible the instrument of ratification of the treaty, and inquire how soon such instrument may be expected.—BYNG.

20198

No. 786.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 12.5 p.m., 6th May, 1925.)

TELEGRAM.

6TH MAY. Your telegram 27th April.† Instrument of ratification being prepared, and it is hoped to forward it within the next few days.—SECRETARY OF STATE FOR THE COLONIES.

21805

No. 787.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 788.]

(No. 225.)

MY LORD, Downing Street, 14th May, 1925.

WITH reference to my telegram of the 6th of May,‡ I have the honour to transmit to Your Excellency the Instruments of the King's Ratification§ of the Conventions between Canada and the United States of America, relative to (*a*) the suppression of smuggling operations along the boundaries between Canada and the United States, etc., and (*b*) the enlargement of the list of crimes on account of which extradition may be granted between the two countries.

2. The Secretary of State for Foreign Affairs would be obliged if authenticated copies of the certificates recording the exchange of these ratifications could be sent in due course.

I have, &c.,
L. S. AMERY.

---

* No. 784. † No. 785. ‡ No. 780. § Not printed; it was in the usual form.

37770

No. 788.

CANADA.

THE DEPUTY GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 18th August, 1925.)

[*Answered by No.* 789.]

(No. 311.)

SIR, Ottawa, 6th August, 1925.

WITH reference to your despatch No. 225 of the 14th May,* forwarding the Instruments of the King's Ratification of the Conventions between Canada and the United States of America relative to (*a*) the suppression of smuggling operations along the boundaries between Canada and the United States, etc., and (*b*) the enlargement of the list of crimes on account of which extradition may be granted between the two countries, I have the honour to enclose, herewith, duly authenticated copies of the Certificates recording the exchange of these ratifications.

I have, &c.,
FRANCIS A. ANGLIN,
Deputy Governor-General.

Enclosure 1 in No. 788.

PROTOCOL OF EXCHANGE.

THE undersigned Plenipotentiaries having met for the purpose of exchanging the ratifications of the Convention signed at Washington, 6th June, 1924, between His Britannic Majesty in respect to the Dominion of Canada, and the United States of America, to aid in suppressing smuggling operations along the border between the United States and the Dominion of Canada and in the arrest and prosecution of persons violating the narcotic laws of either Government, and the ratifications of the Convention aforesaid having been carefully compared and found exactly conformable to each other, the exchange took place this day in the usual form.

In witness whereof, they have affixed their seals thereto.

Done at Washington this seventeenth day of July, one thousand nine hundred and twenty-five.

L.S. Ernest Lapointe.
L.S. Frank B. Kellogg.

Certified a true copy of the original,
W. H. WALKER,
Assistant Under-Secretary of State for External Affairs.

Enclosure 2 in No. 788.

PROTOCOL OF EXCHANGE.

THE undersigned Plenipotentiaries having met for the purpose of exchanging the ratifications of the Convention signed at Washington, 8th January, 1925, between His Britannic Majesty in respect of the Dominion of Canada, and the United States of America, to provide for extradition on account of crimes or offences committed against the laws for the suppression of the traffic in narcotics, and the ratifications of the Convention aforesaid having been carefully compared and found exactly conformable to each other, the exchange took place this day in the usual form.

In witness whereof, they have signed the present Protocol of Exchange and have affixed their seals thereto.

Done at Washington this seventeenth day of July, one thousand nine hundred and twenty-five.

L.S. Ernest Lapointe.
L.S. Frank B. Kellogg.

Certified a true copy of the original,
W. H. WALKER,
Assistant Under-Secretary of State for External Affairs.

---

* No. 787.

43023

No. 789.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 379.)

Dominions No. 433.)

[MY LORD,] [SIR,] Downing Street, 29th September, 1925.

[*To Canada only:* With reference to the Deputy Governor-General's despatch No. 311 of the 6th August,*] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of the following Parliamentary Papers:—

Treaty Series No. 39 (1925).—Convention between Canada and the United States of America to aid in Suppressing Smuggling Operations along the Border between the Dominion of Canada and the United States and in the Arrest and Prosecution of Persons Violating the Narcotic Laws of either Government. (Cmd. 2512.)

Treaty Series No. 40 (1925).—Supplementary Convention between Canada and the United States of America to provide for Extradition on account of Crimes or Offences committed against the Laws for the Suppression of the Traffic in Narcotics. (Cmd. 2513.)

[*Not to New Zealand or Irish Free State:* 2. Further copies are being sent in Library despatch.]

I have, &c.,
L. S. AMERY.

---

(3) Treaties with Canada relating to the International Boundary and the Lake of the Woods.

(*Treaty Series* 1925, *Nos.* 37 *and* 38.)

5431

No. 790.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6.10 a.m. 4th February, 1925.)

TELEGRAM.

[*Answered by No.* 791.]

3RD FEBRUARY. My despatch of 31st January, No. 44.† In view of negotiation of a treaty supplementary to the Boundary Demarcation Treaty with the United States signed at Washington, 4th June, 1908, for further regulation of International boundary between Canada and the United States, Order in Council has been passed to-day recommending the issue of Full Powers, Honourable Charles Stewart, Minister of the Interior, naming and appointing him as Commissioner and Plenipotentiary in respect of the Dominion of Canada, with full power and authority to conclude treaty with such plenipotentiary or plenipotentiaries as may be vested with similar powers and authority on the part of the United States of America, and to sign for and in the name of His Majesty the King in respect of the Dominion of Canada everything so agreed upon and concluded, and to transact all such other matters as may appertain thereto.

* No. 788. † 6635/25: not printed; it enclosed a copy of the draft Treaty (the text of which, as signed, is printed in Treaty Series 1925, No. 37).

Treaty, copy of which was forwarded to you by mail on 31st January,* is of technical character providing in its first Article conventional lines in Lake of the Woods, in lieu of that defined in previous treaties location of which has been found impracticable. The second Article provides for substitution of straight line between adjacent monuments as now established or re-established 49th parallel where it forms the boundary instead of line having curvature of parallel. Article three recites that terminus in Passamaquoddy Bay as defined in the Treaty of 21st of May, 1910, at the middle of Grand Manan Channel has been found by survey to be less than three nautical miles distant both from the shore of Grand Manan Island in Canada and from the shore line of Maine in the United States, while there is small zone of water of controvertible jurisdiction in Grand Manan Channel between the terminus of the boundary and the high seas, provides for additional course to be extended from such terminus south 34 degrees 42 feet west for a distance of 2,383 metres through the middle of the Grand Manan Channel to the high seas. Article four empowers the Commissioners appointed under the Treaty of 1908 to inspect various sections of the boundary line, to repair damaged monuments and buoys, replace those destroyed and generally to maintain effective boundary line. As it is urgently desired to have the Treaty signed and approved by the United States Senate before adjournment of Congress on the 3rd March, my Ministers would be very grateful if full powers could be prepared and forwarded so as to permit of signature of the Treaty middle of February. Despatch† follows by mail.—BYNG.

7035

No. 791.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 68.)

MY LORD, Downing Street, 13th February, 1925.

WITH reference to Your Excellency's telegram of the 3rd February,‡ I have the honour to transmit to you, to be laid before your Ministers, a Full Power authorising the Honourable Charles Stewart to negotiate and conclude a Treaty with the United States of America for the further regulation of the international boundary between Canada and the United States.

I have, &c.,
L. S. AMERY.

Enclosure in No. 791.

GEORGE R.I.

GEORGE, by the Grace of God, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas King, Defender of the Faith, Emperor of India, &c., &c., &c. To all and singular to whom these Presents shall come, Greeting!

Whereas, for the better treating of and arranging certain matters which are now in discussion, or which may come into discussion, between Us and Our Good Friends the United States of America, relative to the further regulation of the International Boundary between Canada and the United States of America, We have judged it expedient to invest a fit person with Full Power to conduct the said discussion on Our part in respect of Our Dominion of Canada; Know ye, therefore, that We, reposing especial Trust and Confidence in the Wisdom, Loyalty, Diligence and Circumspection of Our Trusty and Well-beloved the Honourable Charles Stewart, Member of the Parliament of Canada, Member of Our Privy Council for Canada, Minister of the Interior, Superintendent-General of Indian Affairs and Minister of Mines of the Dominion of Canada, have named, made, constituted and appointed, as We do by these Presents name, make, constitute and appoint him Our undoubted Commissioner, Procurator and Plenipotentiary in respect of Our Dominion of Canada; Giving to him all manner of Power and Authority to treat, adjust and conclude with such Ministers as may be vested with similar Power and

* 6635/25: not printed; it enclosed a copy of the draft Treaty (the text of which, as signed, is printed in Treaty Series 1925, No. 37). † No. 794. ‡ No. 790.

Authority on the part of Our Good Friends the United States of America any Treaty, Convention or Agreement that may tend to the attainment of the above-mentioned end, and to sign for Us, and in Our Name in respect of Our Dominion of Canada, everything so agreed upon and concluded, and to do and transact all such other matters as may appertain thereto, in as ample manner and form, and with equal force and efficacy, as We Ourselves could do, if personally present: Engaging and Promising, upon Our Royal Word, that whatever things shall be so transacted and concluded by Our said Commissioner, Procurator and Plenipotentiary in respect of Our Dominion of Canada, shall, subject if necessary to Our Ratification, be agreed to, acknowledged and accepted by Us in the fullest manner, and that We will never suffer, either in the whole or in part, any person whatsoever to infringe the same, or act contrary thereto, as far as it lies in Our power.

In witness whereof We have caused Our Great Seal to be affixed to these Presents, which We have signed with Our Royal Hand.

Given at Our Court of Saint James, the Ninth day February in the Year of Our Lord One thousand Nine hundred and Twenty-five, and in the Fifteenth Year of Our Reign.

SEAL.

8421

No. 792.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5.50 a.m. 21st February, 1925.)

TELEGRAM.

[*Answered by Nos.* 793 *and* 796.]

20TH FEBRUARY. Your telegram 16th February.* My Ministers appreciate promptness of response to request for Full Power for Stewart for signature of Boundary Marking Convention. Another Convention now unexpectedly ready for signature dealing with Lake of the Woods power development. This question under investigation and discussion by International Joint Commission from 1912 to 1919. Canadian Government notified its approval April, 1923, of Convention negotiated in that year, but the United States took no action because of local Minnesota opposition. Opposition now removed, and telegram received 19th February from the British Ambassador that the Secretary of State is anxious for signature not later than next Monday night or Tuesday morning, 24th February, to ensure presenting to Senate Tuesday noon and securing ratification before 4th March. Ambassador states that no difficulty in arranging signature even if Full Powers not received provided he can assure Secretary they are on the way. My Ministers have this day passed Order in Council requesting that His Majesty the King be humbly moved to issue Letters Patent to the Honourable Ernest Lapointe, Minister of Justice, naming and appointing him Commissioner and Plenipotentiary in respect of the Dominion of Canada for the purpose of signing Lake of the Woods Convention and the accompanying Protocol. Further, since Stewart unexpectedly detained in Alberta and could not possibly reach Washington before Thursday, Second Order in Council has been passed to-day requesting issue of Full Powers to Lapointe for signing Boundary-Marking Convention also. My Ministers greatly obliged if British Ambassador can be informed by cable by Monday, 23rd February, that Full Powers for signature of both Lake of the Woods and Boundary Conventions by Lapointe are on the way.

Summary of Convention: After the usual Preamble provides for establishment of Control Board Engineer with appeal to International Joint Commission for purpose of raising and regulating level of Lake of the Woods between specified limits. For enlargement of outlet by Dominion. For assumption by the United States of liabilities for the flooding of land on its shores and certain protective works. For payment Canada on this ground of dollars 275,000. No diversion of water to other watersheds. Accompanying Protocol provides for supervision by the Control Board of outlet work and protective works, also representation of

* 7035/25: not printed; it stated that the Full Power had been sent by mail on the 13th February.

Canada on Tribunal determining land damage, also agreement as to temporary level of Lake pending construction of outflowing work. Main purpose of Convention is to make possible expansion of hydro-electric power development Ontario and Manitoba. Copy Convention and Protocol and Orders in Council being despatched immediately.—BYNG.

8421

No. 793.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 2.25 p.m. 21st February, 1925.)

TELEGRAM.

[*Answered by No.* 795.]

21ST FEBRUARY. Your telegram 20th February.* Conventions with United States of America. Immediate steps are being taken for issue of Full Powers. Very much regretted that not possible that they will be ready for signature on Monday, but Secretary of State for Foreign Affairs is telegraphing to His Majesty's Ambassador, Washington, that they are being prepared, and thought that United States Government will be willing to accept this statement as sufficient authority for signature of Conventions by Lapointe.—AMERY.

8486

No. 794.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 23rd February, 1925.)

[*Answered by No.* 796.]

(No. 56.)

SIR, Government House, Ottawa, 9th February, 1925.

WITH further reference to my despatch No. 44 of the 31st January† with regard to the Boundary Demarcation Treaty with the United States, I have the honour to enclose copies of the approved Minute of the Privy Council for Canada upon which my telegram of the 3rd instant‡ was based.

I have, &c.,
BYNG OF VIMY.

Enclosure in No. 794.

(P.C. 178.)

CERTIFIED COPY OF A MINUTE OF A MEETING OF THE COMMITTEE OF THE PRIVY COUNCIL, APPROVED BY HIS EXCELLENCY THE GOVERNOR-GENERAL ON THE 3RD FEBRUARY, 1925.

THE Committee of the Privy Council have had before them a report, dated 30th January, 1925, from the Acting Secretary of State for External Affairs, submitting that he has had under consideration a despatch from His Majesty's Ambassador at Washington, dated 18th November, 1924 (No. 425), intimating that as the Canadian and United States Governments are in accord with regard to the terms of the proposed new treaty for the further regulation of the international boundary between the United States and Canada, the United States Government is prepared to direct the preparation of the treaty for signature, and asking to be advised of the name and designation of the plenipotentiary who will be authorized to sign the treaty in behalf of Canada.

The Minister represents that it is therefore expedient to invest fit person with full power to treat on the part of His Majesty the King in respect of the Dominion of Canada with a person or persons similarly empowered on the part of the United States of America in regard to this treaty.

* No. 792. † 6655/25: not printed; it enclosed a copy of the draft Treaty (the text of which, as signed, is printed in Treaty Series 1925, No. 37). ‡ No. 780.

The Minister therefore recommends that His Majesty the King be humbly moved to issue letters patent to the Honourable Charles Stewart, Minister of the Interior, naming and appointing him as Commissioner and Plenipotentiary in respect of the Dominion of Canada with full power and authority to conclude the treaty with such plenipotentiary or plenipotentiaries as may be vested with similar power and authority on the part of the United States of America, and to sign for and in the name of His Majesty the King in respect of the Dominion of Canada everything so agreed upon and concluded and to transact all such other matters as may appertain thereto.

The Minister further represents that a suggestion having been made to the United States Government that the draft as settled should be amended by the insertion in the preamble after the word "India" in His Majesty's title of the words "in respect of the Dominion of Canada," by the insertion of the same words after "His Britannic Majesty" in the clause naming the Canadian Plenipotentiary, and by making provision in Article 5 for the exchange of ratifications of the treaty in the alternative at Ottawa by inserting after "Washington" in the first sentence of that Article the words "or Ottawa," an intimation has now been received from the United States Government concurring in these proposed amendments.

The Committee concur in the foregoing, and, on the recommendation of the Acting Secretary of State for External Affairs, advise that Your Excellency may be pleased to forward a copy of the draft treaty as now agreed upon, which is submitted herewith, to the Right Honourable the Secretary of State for the Colonies with the request, as above set forth, that His Majesty the King be humbly moved to issue to the said the Honourable Charles Stewart the necessary Full Powers authorizing him to conclude and sign such treaty in respect of Canada.

All of which is respectfully submitted for Your Excellency's approval.

E. J. LEMAIRE,
Clerk of the Privy Council.

9254

No. 795.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5.36 p.m., 25th February, 1925.)

TELEGRAM.

[*Answered by No.* 796.]

25TH FEBRUARY. Your telegram 21st February.* Conventions with the United States of America. My Ministers appreciate very much the promptness and effectiveness of the steps taken to comply with their request for issue of Full Power for Lapointe. They have been informed that Conventions were signed at Washington yesterday.—BYNG.

10297

No. 796.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 107.)

MY LORD, Downing Street, 9th March, 1925.

WITH reference to Your Excellency's telegram of the 25th February,† I have the honour to transmit to you, to be laid before your Ministers, the Full Power authorizing the Honourable Ernest Lapointe to negotiate and conclude Conventions with the United States of America relating to the further regulation of the international boundary between Canada and the United States and to power development from the Lake of the Woods.

I have, &c.,
L. S. AMERY.

---

* No. 793. † No. 795.

Enclosure in No. 796.

GEORGE R.I.

GEORGE, by the Grace of God, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas King, Defender of the Faith, Emperor of India, &c., &c., &c., To all and singular to whom these Presents shall come, Greeting!

Whereas, for the better treating of and arranging certain matters which are now in discussion, or which may come into discussion, between Us and Our Good Friends the United States of America, relative to the further regulation of the International Boundary between Canada and the United States of America, and to power development from the Lake of the Woods, We have judged it expedient to invest a fit person with Full Power to conduct the said discussion on Our part in respect of Our Dominion of Canada; Know ye, therefore, that We, reposing especial Trust and Confidence in the Wisdom, Loyalty, Diligence and Circumspection of Our Trusty and Well-beloved the Honourable Ernest Lapointe, one of Our Counsel learned in the Law, Member of the Parliament of Canada, Member of Our Privy Council for Canada, Minister of Justice and Attorney-General of the Dominion of Canada, have named, made, constituted and appointed, as We do by these Presents name, make, constitute and appoint him Our undoubted Commissioner, Procurator and Plenipotentiary in respect of Our Dominion of Canada; Giving to him all manner of Power and Authority to treat, adjust and conclude with such Minister or Ministers as may be vested with similar Power and Authority on the part of Our Good Friends the United States of America any Treaties, Conventions or Agreements that may tend to the attainment of the above-mentioned end, and to sign for Us and in Our Name in respect of Our Dominion of Canada, everything so agreed upon and concluded, and to do and transact all such other matters as may appertain thereto, in as ample manner and form and with equal force and efficacy as We Ourselves could do if personally present: Engaging and Promising upon Our Royal Word that whatever things shall be so transacted and concluded by Our said Commissioner, Procurator and Plenipotentiary in respect of Our Dominion of Canada shall, subject if necessary to Our Ratification, be agreed to, acknowledged and accepted by Us in the fullest manner, and that We will never suffer either in the whole or in part any person whatsoever to infringe the same or act contrary thereto as far as it lies in Our power.

In witness whereof We have caused Our Great Seal to be affixed to these Presents which We have signed with Our Royal Hand.

Given at Our Court of Saint James, the Twenty-third day of February in the Year of Our Lord One thousand Nine hundred and Twenty-five and in the Fifteenth of Our Reign.

SEAL.

12540

No. 797.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 17th March, 1925.)

(No. 90.)

SIR, Government House, Ottawa, 27th February, 1925.

WITH reference to my telegram of the 20th instant,* on the subject of the issue of Full Powers to a plenipotentiary to sign the Boundary Demarcation Treaty with the United States, I have the honour to transmit, herewith, copies of an approved Minute of the Privy Council for Canada, upon which that telegram was based.

I have, &c.,
BYNG OF VIMY.

---

* No. 792.

Enclosure 1 in No. 797.

(P.C. 288.)

CERTIFIED COPY OF A MINUTE OF A MEETING OF THE COMMITTEE OF THE PRIVY COUNCIL, APPROVED BY HIS EXCELLENCY THE GOVERNOR-GENERAL ON THE 20TH FEBRUARY, 1925.

THE Committee of the Privy Council have had before them a Report, dated 20th February, 1925, from the Secretary of State for External Affairs, with reference to a telegram from His Majesty's Ambassador at Washington, dated 19th February, 1925, stating that the United States Government has agreed to the draft convention to regulate the levels of the Lake of the Woods as well as to the proposed protocol to accompany the convention and the terms of the identical letters of reference to be addressed to the International Joint Commission which were submitted with the Minute of Council approved by Your Excellency on the 13th April, 1923 (P.C. 648.)

The Minister represents that it is expedient to invest a fit person with Full Power to treat on the part of His Majesty the King in respect of the Dominion of Canada with a person or persons similarly empowered on the part of the United States of America in regard to this Treaty and Protocol.

The Minister, therefore, recommends that His Majesty the King be humbly moved to issue Letters Patent to The Honourable Ernest Lapointe, Minister of Justice, naming and appointing him as Commissioner and Plenipotentiary in respect of the Dominion of Canada with Full Power and authority to conclude the Treaty with such Plenipotentiary or Plenipotentiaries as may be vested with similar power and authority on the part of the United States of America, and to sign for and in the name of His Majesty the King in respect of the Dominion of Canada everything so agreed upon and concluded and to transact all such other matters as may appertain thereto.

The Minister further recommends that the text of the draft as heretofore approved be amended by the insertion in the preamble after the word "India" in His Majesty's title of the words "in respect of the Dominion of Canada," by the insertion of the same words after "His Britannic Majesty" in the clause naming the Canadian Plenipotentiary, and by the addition of the words "or Ottawa" after the word "at Washington" in Article 12.

The Committee concur in the foregoing, and on the recommendation of the Secretary of State for External Affairs, advise that Your Excellency may be pleased to forward a copy of the draft* of the Treaty with the suggested amendments, as herewith submitted, to the Secretary of State for the Colonies with the request, as above set forth, that His Majesty the King be humbly moved to issue to the said The Honourable Ernest Lapointe the necessary full powers authorizing him to conclude and sign such Treaty in respect of Canada.

All of which is respectfully submitted for Your Excellency's approval.

E. J. LEMAIRE,
Clerk of the Privy Council.

The Right Honourable
The Secretary of State
for External Affairs.

Enclosure 2 in No. 797.

(P.C. 289.)

CERTIFIED COPY OF A MINUTE OF A MEETING OF THE COMMITTEE OF THE PRIVY COUNCIL, APPROVED BY HIS EXCELLENCY THE GOVERNOR-GENERAL ON THE 20TH FEBRUARY, 1925.

THE Committee of the Privy Council, on the recommendation of the Right Honourable the Secretary of State for External Affairs, advise that the Minute of Council of the 3rd of February, 1925 (P.C. 178), with reference to the appointment of the Honourable Charles Stewart, Minister of the Interior, as Commissioner and Plenipotentiary to conclude a Convention for the further regulation of the International boundary between United States and Canada, be amended by substituting

* Not printed here; see Treaty Series 1925, No. 38.

the name of the Honourable Ernest Lapointe, Minister of Justice, for that of the Honourable Charles Stewart.

The Committee, on the same recommendation, further advise that Your Excellency may be pleased to request the Right Honourable the Secretary of State for the Colonies to move His Majesty the King to issue to the said Ernest Lapointe the necessary Full Powers authorizing him to conclude and sign such Convention in respect of Canada.

E. J. LEMAIRE,
Clerk of the Privy Council.

15660

No. 798.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6th April, 1925.)

(No. 119.)

SIR, Government House, Ottawa, 25th March, 1925.

WITH reference to my telegram of the 3rd ultimo,* asking for the issue of Full Powers to a plenipotentiary authorizing him to sign a Treaty between Canada and the United States for the purpose of defining more accurately and completing the international boundary between the two countries, I have the honour to enclose herewith a certified copy of such Treaty,† which was duly signed at Washington on the 24th February. Notification has been received of the United States Senate's approval of this Treaty on the 12th instant.

I have, &c.,
BYNG OF VIMY.

15661

No. 799.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6th April, 1925.)

(No. 120.)

SIR, Government House, Ottawa, 25th March, 1925.

WITH reference to my telegram of the 20th ultimo,‡ asking for the issue of Full Powers to a plenipotentiary authorizing him to sign the Convention regarding the level of Lake of the Woods, I have the honour to enclose herewith a certified copy of the Convention,§ together with an accompanying Protocol§ and an agreement§ for identic letters of reference, all of which were signed at Washington on the 24th February, 1925. Notification has been received of the United States Senate's approval of this Convention on the 12th instant.

I have, &c.,
BYNG OF VIMY.

23611

No. 800.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6.55 p.m., 22nd May, 1925.)

TELEGRAM.

[*Answered by Nos.* 801 *and* 803.]

22ND MAY. My despatch of 25th March No. 119,‖ my despatch of 25th March No. 120,¶ International Boundary Treaty between Canada and the United States and Convention for regulating the level of Lake of the Woods. Minute of

* No. 790. † Not printed here; see Treaty Series 1925, No. 37. ‡ No. 792. § Not printed here; see Treaty Series 1925, No. 38. ‖ No. 798. ¶ No. 799.

Council has been approved 20th May asking that His Majesty be humbly moved to ratify the said Treaties, and that instruments of ratification be forwarded to me to be exchanged in due course by the Prime Minister against similar ratification(s) of the President of the United States. As it is desired that this exchange should be made at an early date, my Ministers would be grateful if instrument(s) of ratification could be prepared and forwarded at as early date as possible. Despatch follows by mail.—BYNG.

23611

No. 801.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 12.10 p.m., 3rd June, 1925.)

TELEGRAM.

3RD JUNE. Your telegram 22nd May.* Conventions with United States of America. Hope to despatch instruments of ratification early next week.—AMERY.

25763

No. 802.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8th June, 1925.)

[*Answered by No.* 803.]

(No. 224.)

SIR, Government House, Ottawa, 22nd May, 1925.

WITH reference to my despatches Nos. 119 and 120, both dated the 25th March, 1925,† forwarding certified copies of the Treaty between Canada and the United States for the purpose of defining more accurately and completing the international boundary between the two countries, and of the Convention and Protocol between Canada and the United States for regulating the level of the Lake of the Woods, I have the honour to enclose, herewith, copies of an approved Minute of the Privy Council for Canada stating that both these Treaties have been approved by the Canadian Parliament and asking that His Majesty the King be humbly moved to ratify them.

It was upon this Minute that my telegram of the 22nd instant* was based.

I have, &c.,
BYNG OF VIMY.

Enclosure in No. 802.

(P.C. 796.)

CERTIFIED COPY OF A MINUTE OF A MEETING OF THE COMMITTEE OF THE PRIVY COUNCIL, APPROVED BY HIS EXCELLENCY THE GOVERNOR-GENERAL ON THE 20TH MAY, 1925.

THE Committee of the Privy Council have had before them a report, dated 14th May, 1925, from the Secretary of State for External Affairs, with reference to a despatch from His Majesty's Ambassador at Washington, No. 159, of the 19th of March, 1925, notifying that the Convention and Protocol between Canada and the United States for regulating the level of the Lake of the Woods, and the Treaty for the further demarcation of the boundary between Canada and the United States, both signed at Washington on the 24th day of February, 1925, were ratified by the United States Senate on the 12th March, and that the United States Secretary of State was prepared to exchange the ratifications of these instruments at the convenience of His Majesty's plenipotentiary.

The Minister submits that both these Treaties have now been approved by the Canadian Parliament.

* No. 800. † Nos. 798 and 799.

The Committee, on the recommendation of the Secretary of State for External Affairs, advise that Your Excellency may be pleased to address a despatch to the Secretary of State for the Colonies asking that His Majesty be humbly moved to ratify the said Treaties, and that the instruments of ratification be forwarded to Your Excellency to be exchanged in due course against the similar ratifications of the President of the United States.

All of which is respectfully submitted for Your Excellency's approval.

E. J. LEMAIRE,
Clerk of the Privy Council.

26545

No. 803.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 804.]

(No. 270.)

MY LORD, Downing Street, 12th June, 1925.

WITH reference to my telegram of the 3rd of June,* I have the honour to transmit to Your Excellency the instruments of the King's Ratification† of the Treaty and of the Convention and Protocol between Canada and the United States of America concerning respectively the International Boundary and the regulation of the level of the Lake of the Woods. The Secretary of State for Foreign Affairs would be obliged if authenticated copies of the certificates recording the exchange of these ratifications could be sent in due course.

I have, &c.,
L. S. AMERY.

37767

No. 804.

CANADA.

THE DEPUTY GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 18th August, 1925.)

(No. 307.)

SIR, Ottawa, 6th August, 1925.

WITH reference to your despatch No. 270 of the 12th June‡ forwarding the Instruments of the King's Ratification of the Treaty and of the Convention and Protocol between Canada and the United States of America concerning respectively the International Boundary and the regulation of the level of the Lake of the Woods, I have the honour to enclose, herewith, duly authenticated copies of the Certificates recording the exchange of these ratifications.

I have, &c.,
FRANCIS A. ANGLIN,
Deputy Governor-General.

Enclosure 1 in No. 804.

PROTOCOL OF EXCHANGE.

THE undersigned Plenipotentiaries having met for the purpose of exchanging the ratifications of the Treaty signed at Washington, 24th February, 1925, between His Britannic Majesty, in respect of Canada, and the United States of America, to define more accurately at certain points and to complete the international boundary between the United States and Canada and to maintain the demarcation of that boundary, and the ratifications of the Treaty aforesaid having been carefully compared and found exactly conformable to each other, the exchange took place this day in the usual form.

* No. 801. † Not printed; they were in the usual form. ‡ No. 803.

In witness whereof, they have signed the present Protocol of Exchange and have affixed their seals thereto.

Done at Washington this seventeenth day of July, one thousand nine hundred and twenty-five.

L.S. Ernest Lapointe.
L.S. Frank B. Kellogg.

Certified a true copy of the original,
W. H. WALKER,
Assistant Under-Secretary of State for External Affairs.

Enclosure 2 in No. 804.

PROTOCOL OF EXCHANGE.

THE undersigned Plenipotentiaries having met for the purpose of exchanging the ratifications of the Treaty signed at Washington, 24th February, 1925, between His Britannic Majesty, in respect of Canada, and the United States of America, to regulate the level of the Lake of the Woods, and the ratifications of the Treaty aforesaid having been carefully compared and found exactly conformable to each other, the exchange took place this day in the usual form.

In witness whereof, they have signed the present Protocol of Exchange and have affixed their seals thereto.

Done at Washington this seventeenth day of July, one thousand nine hundred and twenty-five.

L.S. Ernest Lapointe.
L.S. Frank B. Kellogg.

Certified a true copy of the original,
W. H. WALKER,
Assistant Under-Secretary of State for External Affairs.

43006

No. 805.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 380.) — Dominions No. 434.)

[MY LORD,] [SIR,] Downing Street, 29th September, 1925.

[*To Canada only:* With reference to the Deputy Governor-General's despatch No. 307 of the 6th August,*] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of the following Treaty Series papers:—

Treaty Series No. 37 (1925).—Treaty between Canada and the United States of America to define more accurately and to complete the International Boundary between the two countries. (Cmd. 2510.)

Treaty Series No. 38 (1925).—Convention, Protocol and Agreement between Canada and the United States of America to regulate the Level of the Lake of the Woods. (Cmd. 2511.)

[*Not to New Zealand and Irish Free State:* 2. Further copies are being sent in Library despatch.]

I have, &c.,
L. S. AMERY.

---

* No. 804.

(4) Liquor Treaty, 1924.
(*Treaty Series* 1924, *No.* 22.)

39116

No. 806.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. — Dominions No. 408. Secret.)

[MY LORD,] [SIR,] Downing Street, 11th September, 1925.

WITH reference to my Secret despatch Dominions No. 160 of the 18th of April,* [*To Canada only:* and to my despatch No. 340 of the 7th of August,†] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a despatch to His Majesty's Chargé d'Affaires at Washington which deals with the general question of the attitude to be adopted by His Majesty's Government in regard to the trial in the United States of America of British members of crews of ships seized by the United States authorities in accordance with the Liquor Treaty.

I have, &c.,
L. S. AMERY.

Enclosure in No. 806.

(No. 1366.)

SIR, Foreign Office, S.W.1, 22nd August, 1925.

WITH reference to your despatch No. 1215 of 16th July, and previous correspondence regarding the seizure of the steamships "Quadra" and "Coalharbour" and the arrest and trial of their crews, I transmit to you herewith copy of correspondence which has passed on the subject between this Department and Mr. E. G. Scott, who is representing the interests of the members of the crews.

2. You will observe that Mr. Scott has been informed that His Majesty's Government consider that any intervention in these cases so long as they are before the United States Courts would be contrary to the usual practice, and, further, would be undesirable as likely to elicit the reply that the matter is *sub judice*.

3. You will observe further that I am advised that it is possible to take in the United States Courts the point that there is no jurisdiction in those Courts to try the members of the crews of these vessels because they did not enter United States territory voluntarily, but were only brought in because they were on a vessel arrested under the Liquor Treaty.

4. I consider that this point is an extremely important one, especially as it affects many other persons besides members of the crews of the "Quadra" and "Coalharbour." In this connexion I enclose herein copy of a minute by one of the legal advisers to this Department. I am of opinion that sooner or later His Majesty's Government will be compelled to bring to the notice of the United States Government the view that the latter are not entitled to try British subjects arrested outside the three-mile limit and brought in under the Liquor Treaty or under the United States Statutes by which the United States Government claim for customs purposes jurisdiction up to twelve miles from the shore. The reasons which His Majesty's Government put forward as the basis for their view would be those set out in the first ground discussed by Mr. Beckett, though the argument that support for this ground might possibly be found by analogy in prize law would of course not be used against the United States Government.

---

* 14187/25: not printed; it enclosed copies of Foreign Office prints A.454/31/45 (26th January, 1925) Section 4, and A.1285/31/45 (13th March, 1925) Section 1. † 33139/25: not printed; it enclosed correspondence dealing with the seizure of a particular vessel.

5. It remains to be decided what would be the opportune moment for bringing His Majesty's Government's view to the notice of the State Department. On consideration I am disposed to think that it might be more difficult to put this view forward in a protest relating to some individual case, if His Majesty's Government by their action in apparently assenting to arrests being made in large numbers of other cases had given the impression that they consider these arrests justified. I am of opinion, therefore, that, subject to any views which you may express, His Majesty's Government should, in a general way and without reference to any particular case, make known their views to the United States Government without further delay.

6. In the meantime I shall be glad if you will furnish me with a report as to the exact present status of all cases in which British crews seized outside the three-mile limit, whether under the Treaty or under the United States Tariff Act, have been or are being tried for offences against United States law.

I am, &c.,
(For the Secretary of State),
R. L. CRAIGIE.

H. G. Chilton, Esq., C.M.G.,
&c., &c., &c.

Ernest G. Scott.
Broad Street Avenue, Blomfield Street, London, E.C. 2.

SIR, 8th August, 1925.

YOUR reference A 3880/31/45.

Re s.s. "Quadra" and re s.s. "Coalharbour."

Referring to my conversation yesterday with Mr. Beckett of the Legal Advisers' Department, I confirm that, whereas in my previous correspondence I have been representing the owners of these two ships and their cargoes, I am now concerned also on behalf of the Masters and Crews of the two vessels, who have been arrested by the American Authorities and charged with offences in alleged violation of the American Prohibition Laws.

In the case of the "Quadra," the arrested parties have been tried before the Court of First Instance, and the Masters and Officers of the vessel have been convicted of violation or conspiracy to violate the Prohibition Laws and sentenced to various terms of imprisonment and/or fines. The decision of the Court is, I believe, the subject of an appeal to a higher Tribunal, and I assume that in the meantime the convicted parties are on bail. The proceedings referred to were concluded in the early part of April of this year.

In the case of s.s. "Coalharbour," the Master and all the members of the crew have been arrested and an indictment has been laid against them alleging similar violation or conspiracy to violate the American Laws, but the trial has not yet taken place.

It is abundantly clear from the documents already before you in connexion with these two vessels that both the vessels were seized at a point far beyond the ordinary territorial limit and were forcibly taken into American waters by the American Authorities with the respective crews on board. The point which I made in my conversation with Mr. Beckett and which I desire to urge is that in both cases the masters and crews (all of whom are British subjects) have been seized by the American Authorities while on the High Seas and forcibly taken within the jurisdiction of the American Courts, and having been so forcibly taken within the jurisdiction, have then been arrested and/or charged in respect of acts which are alleged to be offences against the Laws of America.

Apparently the American Court will rightly act upon the view that the Court itself is not concerned as to the method whereby the parties charged came within its jurisdiction, the only concern of the Court on the question of jurisdiction being whether it has jurisdiction to try the particular charges.

On behalf of the masters and crews concerned, I therefore claim the protection of His Majesty's Government and submit that a case is made out for protest against the seizure of British Subjects on the High Seas and the forcible bringing of them into the jurisdiction of the American Courts for the purpose of charging them. As the parties themselves are not in a position themselves to raise these points as to assist them. I am further instructed to urge His Majesty's Government to request the release of these British subjects, who upon the facts of the two cases, have been wrongfully taken.

Upon consideration, it does not appear to mé that the time for dealing with this point has any relation to the ultimate result of the proceedings taken against the parties charged, because (1) seeing that the parties are now within the jurisdiction of the American Courts, the point is not one which can be raised in the Courts, and (2) it appears to me that British subjects should not be put to the expense and risk of proceedings and a series of appeals on the merits of the case generally if, as is alleged in this case, the original seizure and arrest of them by the American Government was a violation of International rights.

If there are any other points upon which information is desired, I shall be pleased to deal with the same and I trust that His Majesty's Government will see fit forthwith to make representations to the American Authorities with a view to securing the release of the masters and crews concerned.

I am, &c.,
ERNEST G. SCOTT.

The Under Secretary of State,
Foreign Office, S.W. 1.

SIR, Foreign Office, S.W. 1, 24th August, 1925.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of 8th August, regarding the arrest and trial of the crews of the steamships "Quadra" and "Coalharbour."

2. In reply I am to state that the points raised in your letter have received very careful consideration, but that the conclusion has been reached that no useful purpose would be served by the intervention of His Majesty's Government in this matter, at all events so long as the case is before the United States Courts.

3. Mr. Chamberlain is advised that it is not correct to state that the point that there is no jurisdiction in United States Courts to try the members of the crews of these vessels cannot be taken on appeal to the Supreme Court. It would appear on the contrary that this point, namely, that these British subjects did not enter United States territory voluntarily but were only brought in because they were on board vessels arrested under the Liquor Treaty, can be taken before the Supreme Court and it is, in Mr. Chamberlain's opinion, desirable that it should be so taken. Though it may be the case that the point does not offer, under United States laws, many chances of success, the Courts are, under the Constitution of the United States, entitled to recognize and apply International law concurrently with Municipal law.

I am, &c.,
R. L. CRAIGIE.

Ernest G. Scott, Esq.,
Broad Street Avenue,
Rooms 33 and 34,
First Floor,
Blomfield Street, E.C. 2.

Seizure of the s.s. "Quadra."

1. Mr. Ernest Scott came to see me this morning and informed me that he was now instructed to represent the interests of the captain and other persons on board the "Quadra" who have been convicted by the United States Federal Court of offences against the prohibition laws of that country. Mr. Scott desires the diplomatic intervention of His Majesty's Government on behalf of these men, who, he tells me, are all British subjects, on the ground that their arrest and conviction is not justified by the rules of International law. Appeals have been entered from the conviction to the Supreme Court of the United States which have not yet been heard, and may not come on for hearing for a considerable time. The first point which Mr. Scott raised was whether (assuming that His Majesty's Government should see its way to interfere diplomatically at all) the protests should be made now or after the hearing of the appeal before the Supreme Court. Mr. Scott is going to write a short letter raising this point which I told him would be answered promptly. I also expressed my private opinion that His Majesty's Government would not take any action until after the decision of the United States Supreme Court. All the defendants are at present out on bail.

2. There are two possible grounds for arguing that the arrest and trial of these men were outside the jurisdiction of the United States by International law :—

(1) The men were in a ship thirteen miles from the American coast. The ship was seized and brought into an American harbour with the men on board. Assuming that the seizure of the ship was justified under the Liquor Treaty of 1924, the defendants did not enter the jurisdiction of the United States voluntarily. The Treaty, while giving the right to board, seize and adjudicate upon ships, says nothing whatever about persons on board them. It is at least a very open question whether the Treaty can be said to give the United States any jurisdiction over persons on board the ships seized and brought in under the Treaty which she did not possess without it. Assuming that the Treaty does not do so, is the United States entitled by International law to exercise jurisdiction founded on the presence of the defendants on United States soil when the defendants did not go there voluntarily but were only brought there under the terms of an International convention which does not, and was not intended to give the United States any jurisdiction over the persons?

I am not sure if this point was ever taken before Judge Partridge. It is not dealt with in his judgment on demurrer on the 5th January. If there is any sound basis for this point, it is clearly an important one. Some support for it might possibly be found by analogy in Prize Law, where it is recognized that, if a ship carrying mails is brought into a port involuntarily, the fact that the mails thus come within the jurisdiction in fact does not entitle the authorities to exercise their ordinary jurisdictional rights and to examine the mails.

(2) The men were charged with conspiracy to do various acts contrary to the prohibition law and other laws of the United States. I think it is the case, but I have not yet seen the indictment in the case of the "Quadra" defendants, that all the overt acts alleged in support of the indictment are alleged to have been committed at various places all outside the three-mile limit and outside United States jurisdiction. This raises the question whether the United States are entitled by International law to try British citizens for acts committed outside United States territory. The phrase "acts committed outside United States territory" is an ambiguous one, for an act may be said to be committed (*a*) at the place where the actor was at the time, and (*b*) at the place where effects produced by this action are felt. The stock instance of this ambiguity is the firing of a gun by "A" standing inside the Canadian border across the dividing line into the United States where "B" is hit and killed. The murder can be said to be committed both (*a*) in Canada and (*b*) in the United States. The same questions arise in cases of conspiracy where the plot is hatched (*a*) in Canada and carried out (*b*) by agents in the United States, the conspirators themselves remaining in Canada.

I think it is clear that American law considers acts coming under class (*b*), (i.e., where the effects are produced in the United States) as acts committed within their jurisdiction and justiciable by American Courts. (See Adams *v.* the People; Comstocks Reports (N.Y.) 173, 9; Comm. *v.* Macloon 101, Mass. 1869.)

English law seems, though rather less certainly, to take the same view. (See the Seven Bishops case, 12 State trials 331; R. *v.* Combs, 1 Leech cr. cases 432; R. *v.* Veltheim mentioned in Russell on Crimes, volume I, page 55, 8th edition; R. *v.* Nillins 53, L.J.M.C. 157.) This principle has already been relied upon by the United States Courts in liquor cases (see page 10 of Judge Partridge's judgment on 5th January ref. *Latham v. United States*), and Judge Partridge refers both to American and English cases in support of the principle.

In my view we should be on very uncertain ground if we based any protest to the United States Government on a denial of this principle generally, for I think that the United States Government could show that it was justified by American law and that English law on this point was the same as American law. Nevertheless in this case no overt acts nor *any results did* (at any rate so far as the "Quadra's" cargo was concerned) take place in United States territory for everything was stopped before it got there. So it is not clear that the case comes within the principle at all. Possibly it would be argued that there was an *attempt* to produce results on United States territory, and that where there is jurisdiction over the completed act there must also be jurisdiction over the attempt. I do not feel that such an argument in reply is, strictly speaking, sound.

Nevertheless the second ground seems to me to be a rather hair-splitting one, and I should not have thought that it was worth taking up at all except possibly as a support to a case substantially based on the first ground.

3. It is worth while calling attention to the point that Judge Partridge in his judgment has also chosen to assent to and rely upon as an independent basis of his judgment on the old claim of the United States to arrest ships attempting to contravene any of their municipal laws, anywhere within four leagues of the United States coast, though he also finds as a fact that the "Quadra" was within one hour's voyage of the United States coast.

If the exercise of jurisdiction over the captain and crew cannot be justified under the Treaty, or their mere presence in United States territory, His Majesty's Government will certainly not assent to its being justified on this ground. If the objection, which I have described above as the first ground, is sound, it cannot be got over in this way.

7th August, 1925.

W. E. BECKETT.

54471

No. 807.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada. / Commonwealth of Australia. / New Zealand. / Union of South Africa. / Irish Free State. / Newfoundland.) — Dominions No. 552. Confidential.)

[MY LORD,] [SIR,] Downing Street, 28th December, 1925.

[*To Canada only:* With reference to the despatch from His Majesty's Ambassador at Washington No. 553 of the 28th of October,* regarding the seizure of the "Hazel E. Herman,"]

I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a despatch from His Majesty's Ambassador at Washington forwarding a copy of a despatch which he has sent to certain of His Majesty's Consular Officers in the United States regarding co-operation with the local authorities in connexion with the Convention dealing with the illicit liquor traffic.

I have, &c.,

L. S. AMERY.

Enclosure in No. 807.

(No. 1666.)

SIR, British Embassy, Washington, D.C., 6th November, 1925.

WITH reference to recent correspondence upon the participation of British ships in the illicit liquor trade and in particular to this Embassy's representations to the United States Government upon the seizure of the "Hazel E. Herman," I have the honour to transmit to you herewith copy of an identic despatch which I have addressed to His Majesty's Consular officers at Galveston, Boston, and Portland, Oregon, instructing them to explain the extent and scope of the Anglo-American Liquor Convention to the local authorities and to solicit the helpful co-operation of the latter in the avoidance of regrettable incidents.

2. Similar instructions have also been sent to the Acting British Consul-General at San Francisco and to the officers at ports in the Atlanta Consular district.

3. His Majesty's Consuls-General at New York and Philadelphia and His Majesty's Consuls at Baltimore and Los Angeles have also been informed. The three last-named ports, owing doubtless to their geographical positions, have never been greatly concerned with seizures of suspected British vessels, while the unsettled weather now prevalent in the North Atlantic, added to the special "offensive" of the local revenue forces, appears largely to have dispersed the smuggling fleet which for so long lay off the mouth of the Hudson and the coast of Long Island. Unless, therefore, the four Consular officers concerned express the opinion that it would be beneficial for them to approach the local authorities, I shall not instruct them to take any action.

---

* 52093/25: not printed; it dealt with the circumstances of the particular seizure.

4. With regard to New Orleans, the fact that Mr. Huckin has already been consulted upon the extent and scope of Liquor Treaty by the Federal District Prohibition Administrator and the officials (see Mr. Chilton's despatch No. 1493 of the 8th ultimo) would seem to render any steps on his part superfluous, and I have accordingly left it to his discretion whether he takes action or not.

I have, &c.,
ESMÉ HOWARD.

The Right Honourable
Austen Chamberlain, M.P.,
&c., &c., &c.

SIR, British Embassy, Washington, D.C., 5th November, 1925.

YOU will be aware that during the last four years cases have occurred from time to time in which British ships suspected of liquor smuggling have been seized by the United States Revenue Forces. You will further be aware that late in 1923 the United States Government, having found it impossible to take effective action against liquor smuggling vessels as long as these enjoyed immunity from search or arrest outside the recognized limit of territorial waters, namely three miles from the shore, suggested to His Majesty's Government that a treaty should be concluded which would allow of suspected vessels flying the British flag being searched and, if necessary, seized up to a limit of *twelve* miles from the American coast. His Majesty's Government, being desirous of assisting the United States as far as possible in dealing with the illicit liquor trade, proposed in reply that instead of a definite limit of twelve miles, the search, etc., of suspected British vessels should be agreed to up to a variable distance of an hour's sail from the shore, to be calculated either upon the speed of the suspect vessel herself or upon that of any vessel found to have been in communication between her and the shore. To cite a simple example: a suspect British vessel capable of ten miles per hour may be searched or seized up to a limit of ten miles from the shore; in the event of it being established, however, that this vessel was communicating with the shore by means of a fast motor-boat capable of a speed of thirty miles per hour, then the former may be searched and/or arrested up to thirty miles from the coast. This suggestion on the part of His Majesty's Government was gladly accepted by the United States Government and was incorporated in the Anglo-American Liquor Convention of 23rd January, 1924, which in turn has formed the basis of similar treaties between the United States and a number of other Powers.

Of late, certain British ships have been arrested in circumstances which have made me fear that violations of the Liquor Treaty have taken place, and I have accordingly found it necessary to request the United States Government to investigate the cases in question. Inasmuch, however, as I desire that the attitude of His Majesty's Government should be understood in the various ports of the Union, I should be glad if you would take an early opportunity of calling personally upon the local United States Attorney and prohibition authorities for the purpose of communicating to these officials, in a most friendly and informal manner, the substance of this despatch. In doing so you should add that while His Majesty's Government can have no sympathy with British subjects engaged in liquor smuggling, questions relating to the rights of British ships and seamen must always be of importance to His Majesty's Government in guarding against incidents which might, at some future date, be regarded by a foreign power as precedents for attacks upon British mercantile interests.

You should solicit the helpful co-operation of the local authorities in the sense outlined above, furnishing me in due course with a report upon your conversations.

I am, &c.,
ESMÉ HOWARD.

---

(5) Real and Personal Property Convention, 1899. Position of the Irish Free State.

3331

No. 808.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 23rd January, 1925.)

(No. 30.)

SIR, Vice Regal Lodge, Dublin, 22nd January, 1925.

I HAVE the honour to acknowledge the receipt of your despatch No. 706 of the 22nd December,* transmitting a copy of correspondence with the United States Ambassador regarding the position of the Irish Free State in relation to the Convention between the United Kingdom and the United States of America relative to the Disposal of Real and Personal Property.

2. My Ministers desire me to inform you that they have no objection to the publication of the correspondence between the Foreign Office and the United States Embassy.

I have, &c.,
T. M. HEALY.

VENEREAL DISEASES AMONG SEAMEN.
International Agreement.

58685

No. 809.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. } Dominions No. 52.)

[MY LORD,] [SIR,] Downing Street, 11th February, 1925.

WITH reference to my despatch Dominions No. 557 of the 2nd December, 1924,† I have the honour to request [Your Excellency] [you] to inform your Ministers that the International Agreement relating to the treatment of Venereal Diseases among Seamen was signed on the 1st December, 1924, on behalf of Great Britain and Northern Ireland by His Majesty's Ambassador at Brussels in accordance with the instructions contained in the despatches from the Secretary of State for Foreign Affairs, of which copies were transmitted in my despatch under reference and my predecessor's despatch No. 487 of the 8th October.‡

2. I enclose a copy of the *procès-verbal* of signature, containing reserves inserted at the requests of the French, Roumanian and Peruvian Governments.

I have, &c.,
L. S. AMERY.

Enclosure in No. 809.

PROCÈS-VERBAL DE SIGNATURE.

Le Procès-verbal de signature concernant l'arrangement relatif aux facilités à donner aux marins du commerce pour le traitment des maladies vénériennes a été ouvert au Ministère des Affaires Etrangères, le 1er décembre, 1924.

---

* No. 842 in Dominions No. 93. † No. 854 in Dominions No. 93. ‡ No. 848 in Dominions No. 93.

Au moment d'apposer leurs signatures sur ledit acte, les Représentants de la France, du Pérou et de la Roumanie formulent au nom de leurs Gouvernements respectifs les déclarations suivantes :—

I. Déclaration formulée par le Gouvernement français :—Le Gouvernement français déclare que le présent arrangement est applicable à la Tunisie.

II. Déclaration formulée par le Gouvernement péruvien :—Le Gouvernement péruvien déclare, que pour le moment, les dispositions du présent arrangement ne seront appliquées par lui que dans le port du Callao. Lorsqu'il sera en mesure d'en étendre l'application à d'autres de ses ports, il en fera la notification au Gouvernement belge qui la communiquera aux autres Puissances contractantes.

III. Déclaration formulée par le Gouvernement roumain :—Le Gouvernement roumain ne s'impose par le fait de la signature du présent arrangement que les obligations suivantes :—

1. Hospitaliser et traiter gratuitement les marins étrangers atteints de maladies vénériennes, dans les hopitaux existant actuellement dans les ports maritimes et fluviaux roumains en leur accordant le régime commun aux malades admis gratuitement.

2. Accorder gratuitement les médicaments nécessaires jusqu'à la prochaine escale;

3. Prescrire aux autorités sanitaires locales d'établir le carnet-type et d'y inscrire les diverses indications mentionnées dans l'Arrangement;

4. Hospitaliser tous les marins qui auront été jugés hospitalisables par le médecin de la localité sans être toutefois tenu de créer des services sanitaires spéciaux pour marins.

En foi de quoi, les soussignés ont dressé le présent Procès-verbal.

Fait à Bruxelles, le en un seul exemplaire dont une copie conforme sera délivrée à chacun des Gouvernements signataires.

(Suivant les signatures de tous les Plénipotentiaires).

19326

No. 810.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 29th April, 1925.)

[*Answered by No.* 811.]

(No. 52.)

SIR, Government House, Wellington, 18th March, 1925.

WITH reference to your despatch No. 237 of the 23rd December, 1924,* I have the honour to inform you that my Ministers advise me that the Government of New Zealand desires that notice be given of its accession under Article 7 of the International Agreement, relating to the Treatment of Venereal Disease among Seamen.

I have, &c.,

CHARLES FERGUSSON,
Governor-General.

40142

No. 811.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
Irish Free State.
(Newfoundland.

Dominions No. 403.)

[MY LORD,] [SIR,] Downing Street, 11th September, 1925.

WITH reference to [*To Canada only:* Mr. Thomas' despatch No. 457 of the 24th of October, 1924,†] [*To New Zealand only:* Your Excellency's despatch No. 52

* No. 855 in Dominions No. 93. † No. 851 in Dominions No. 93.

of the 18th of March,*] [*Not to Canada and New Zealand:* my despatch Dominions No. 52 of the 11th of February,†] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a despatch from His Majesty's Ambassador at Brussels reporting the deposit of His Majesty's ratification of the International Agreement respecting the treatment of Venereal Diseases amongst Seamen, and of notification of the accessions of Canada and New Zealand to the Agreement.

I have, &c.,
L. S. AMERY.

Enclosure in No. 811.

(No. 654.)

SIR, Brussels, 21st August, 1925.

WITH reference to your despatch No. 917 of 31st July, instructing me to deposit with the Belgian Government The King's ratification of the International Agreement respecting the treatment of Venereal Diseases amongst Seamen, I have the honour to state that I deposited the instrument at the Ministry of Foreign Affairs in accordance with your instructions, and signed the usual protocol.

2. At the same time, I handed in a note, copy of which I beg leave to transmit to you herewith, informing the Minister for Foreign Affairs of the accessions of the Governments of Canada and New Zealand to this Agreement.

3. I have received a note from the Minister for Foreign Affairs acknowledging the deposit of the instrument and the notification regarding Canada and New Zealand, and also enclosing copy of the Protocol of ratification signed by me. I beg leave to enclose herein copy of this note and its enclosure.

I have, &c.,
(For the Ambassador),
CHARLES WINGFIELD.

The Right Honourable
Austen Chamberlain, M.P.,
&c., &c., &c.

MONSIEUR LE MINISTRE, Brussels, 21st August, 1925.

J'AI L'HONNEUR, under instructions from His Majesty's Principal Secretary of State for Foreign Affairs, to transmit to Your Excellency, herewith, the instrument by which His Majesty The King has been graciously pleased to ratify the International Agreement relating to the treatment of Venereal Diseases amongst Seamen, which I signed on behalf of Great Britain and Northern Ireland on 1st December last.

I am also instructed to take this opportunity to notify to Your Excellency the accessions of the Governments of Canada and New Zealand to this Convention.

I should be grateful if Your Excellency, in acknowledging receipt of this note, would be good enough to furnish me with a copy of the protocol recording the deposit of this ratification and of any others that may already have been made.

I avail, &c.,
GEORGE GRAHAME.

His Excellency
Monsieur Emile Vandervelde,
Minister for Foreign Affairs.

Ministère des Affaires Etrangères.

Direction P.B.
Sect. E.E.B. 369/1914.
1 Annexe.

MONSIEUR L'AMBASSADEUR, Bruxelles, le 21 août, 1925.

J'AI L'HONNEUR d'accuser réception de la lettre du 21 août courant, par laquelle Votre Excellence a bien voulu me transmettre l'instrument des ratifications de Sa Majesté Britannique sur l'Arrangement international relatif aux facilités à donner aux marins du commerce pour le traitment des maladies vénériennes, signé le 1er décembre 1924, à Bruxelles.

* No. 810. † No. 809.

D'autre part, je prends acte de la notification faite par Votre Excellence de l'adhésion des Gouvernements du Canada et de la Nouvelle-Zélande à l'Arrangement dont il s'agit.

Je joins à la présente communication une copie du procès-verbal de dépôt des ratifications, et je saisis cette occasion, Monsieur l'Ambassadeur, de renouveler à Votre Excellence les assurances de ma haute considération.

E. VANDERVELDE.

A Son Excellence
le Très Honorable Sir George Grahame,
Ambassadeur de Sa Majesté Britannique,
à Bruxelles.

Procès-Verbal.

LES ratifications sur l'Arrangement relatif aux facilités à donner aux marins du commerce pour le traitement des maladies vénériennes conclu entre la République Argentine, la Belgique, la République Cubaine, le Danemark, la Finlande, la France et la Tunisie, la Grande-Bretagne, la Grèce, l'Italie, la Principauté de Monaco, le Pérou, la Roumanie et la Suède et signé à Bruxelles le 1er décembre, 1924, devant être déposées au Ministère des Affaires Etrangères à Bruxelles, le présent procès-verbal, destiné à constater ce dépôt, a été ouvert aujourd'hui le 21 août, 1925.

Ont été successivement présentées au dépôt : le 21 août, 1925, les ratifications de Sa Majesté le Roi du Royaume-Uni de Grande-Bretagne et d'Irlande et des Possessions britannique au delà des mers, Empereur des Indes.

GEORGE GRAHAME.

WEIHAIWEI.

Proposed Convention for Retrocession of

10124

No. 842.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. — Secret. Dominions No. 89.)

[MY LORD,] [SIR,] Downing Street, 3rd March, 1925.

WITH reference to my predecessor's Secret despatch Dominions No. 509 of the 24th October,* regarding the retrocession of Weihaiwei, I have the honour to request [Your Excellency] [you] to inform your Ministers that the Government which has assumed power in Peking, though recognized by the Powers as the *de facto* Government of China, has not received *de jure* recognition. The Secretary of State for Foreign Affairs is advised that *de jure* recognition would be involved if the recently negotiated convention for the retrocession of Weihaiwei were to be concluded with this Government, and he therefore considers that the conclusion of the convention must be suspended until a government is in office in China which the Powers having diplomatic relations with that country can fully and formally recognize.

2. In this connexion I would refer to my Secret despatches Dominions Nos. 529 and 578 of the 12th November† and 16th December‡ respectively on the subject of the situation in China.

I have, &c.,
L. S. AMERY.

---

* No. 858 in Dominions No. 93. † 53246/24; it dealt with the general situation in China.
‡ 58841/24; not printed; it dealt with the general situation in China.

CO 886/11/3

95

Dominions
No. 95.

CONFIDENTIAL.

CORRESPONDENCE
(1925)

RELATING TO THE

IMPERIAL CONFERENCE, 1911,

IMPERIAL WAR CONFERENCES of 1917 and 1918,

IMPERIAL MEETINGS, 1921,

IMPERIAL CONFERENCE, 1923,

AND THE

IMPERIAL ECONOMIC CONFERENCE, 1923.

(*In continuation of Dominions No.* 91 ; *continued by Dominions No.* 103).

SUMMARY OF CONTENTS.

PAGE

I.—Correspondence arising out of the Resolutions of the Imperial Conference, 1911.

Resolution VIII.—Provision for Deserted Wives and Children 1

II.—Correspondence arising out of the Resolutions of the Imperial War Conference, 1917.

Resolutions VIII and XII.—Care of Soldiers' Graves 5

Resolution XV.—Double Income Tax 7

III.—Correspondence arising out of the Resolutions of the Imperial War Conference, 1918.

Resolution I.—Imperial War Graves Commission (see under Resolutions VIII and XII of Imperial War Conference, 1917).. 5

Resolution X.—Dye Manufacturing Industry 11

IV.—Imperial Conference, 1923.

Summary of Proceedings (Cmd. 1987)

(i) Status of High Commissioners 14

Taxation of High Commissioners 14

(ii) Nationality Questions 20

V.—Imperial Economic Conference, 1923.

Summary of Conclusions (Cmd. 1990) : Report (Cmd. 2009)

(1) Oversea Settlement within the Empire 29

(2) Co-operation in Financial Assistance to Imperial Development 30

(3) Imperial Preference 31

(i) Tariff Preference 31

(a) United Kingdom 31

(b) Commonwealth of Australia 33

(c) Union of South Africa 35

(ii) Imperial Preference in Public Contracts 38

(4) Further Steps for the Improvement of Mutual Trade 18

36118. Wt. 12802/1709. 30. 8/27. J. J. K. & Co., Ltd.

PAGE

(A) Imperial Co-operation in respect of Commercial Intelligence .. 48
(i) Commercial Diplomatic and Consular Services 48
(ii) Commercial Travellers' Samples 51
(iii) Trade Catalogues 51

(C) Imperial Communications 55
(i) Shipping 55
(a) Imperial Shipping Committee 55
(b) Carriage of Goods by Sea 56
(c) Shipping Taxation 58
(ii) Air Navigation.. 65
Exchange of Information 65
(iii) Cables and Wireless 68
(a) Beam Stations 68
(b) Station at Rugby 82
(c) Standing Committee on Imperial Wireless Services 86
(d) Sub-Committee on Technical Wireless Regulations 90

(D) Reciprocal Enforcement of Judgments, including Arbitration Awards 101

(G) Customs Formalities 104
(i) Valuation of Goods for Customs Duty purposes 104
(ii) International Conference on Customs Formalities 104

(J) Co-operation for Technical Research and Information 108
(i) Imperial Institute and Imperial Mineral Resources Bureau .. 108
(ii) Co-operation for Technical Research and Information 119

(K) Immunity of State Enterprises 121

(5) Imperial Policy with regard to the Import and Export of Live stock .. 132

(6) Imperial Policy with regard to Forestry 138

(7) Workmen's Compensation 141

(8) Imperial Economic Committee 144

VI.—Pacific Cable Board. 170

VII.—Reciprocal arrangements for preventing interference with Wireless Broadcasting. 172

VIII.—North Atlantic Shipping Rates. 197

IX.—Merchant Shipping (Equivalent Provisions) Act, 1925. 201

X.—Activities of United States Customs Agents. 207

XI.—Position of Foreign Consuls in the Dominions. 216

XII.—Dominion Loans. 225

XIII.—Arrangements for Imperial Conference, 1926. 233

TABLE OF CONTENTS.

I.

CORRESPONDENCE ARISING OUT OF THE RESOLUTIONS OF THE IMPERIAL CONFERENCE, 1911.

RESOLUTION VIII: PROVISION FOR DESERTED WIVES AND CHILDREN.

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
1 The Governor New South Wales, 117 November 26, 1924 (Rec. Jan. 5, 1925)	Transmits copy of proclamation, with copy of Act and Rules made thereunder, regarding reciprocal enforcement of Maintenance Orders between New South Wales and the Isle of Man. States that Ministers have decided to declare reciprocal States as soon as they receive notification of the willingness of other parts of the Empire to reciprocate and draws attention to proclamation which extends the provisions of New South Wales to a number of Colonies and Protectorates 1
2 To the Governor New South Wales, 18 February 20	Transmits copies of an Order extending the Isle of Man Maintenance Orders (Facilities for Enforcement) Act, 1921, to New South Wales 2
3 The Governor-General Commonwealth of Australia, 60 ... March 19 (Rec. May 4)	Enumerates documents which should accompany provisional Maintenance Orders sent to Papua for enforcement 2
4 The Governor-General Commonwealth of Australia, 67 ... March 26 (Rec. May 4)	Inquires whether the Maintenance Orders (Facilities for Enforcement) Act, 1920, could be so amended as to permit of the enforcement in the Mandated Territory of New Guinea of Maintenance Orders from the parts of His Majesty's Dominions to which the Act applies 3
5 To the Governor-General Canada, 256 ... June 4	Transmits copy of letter from the Clerk to the Odiham Justices inquiring as to the extension to Canada of the Maintenance Orders (Facilities Enforcement) Act, 1920, and of the reply returned thereto (No. 6) ... 3
6 To the Clerk to the Odiham Justices ... June 8	States that no action has been taken by any of the Provincial Governments in Canada with a view to passing legislation reciprocal to the Act of 1920, and it is impossible to say what prospect there is of any such legislation being passed in the future 4
7 To the Governor-General Commonwealth of Australia 245 September 5	States, in reply to No. 4, that as regards possibility of introducing amending legislation to enable reciprocity to be established between this country and Mandated Territories it is preferred that matter be left in abeyance, but that the establishment of reciprocity between Mandated New Guinea and any part of the Empire other than Great Britain and Ireland would appear to be a matter to be effected by direct arrangement, subject to the existence of appropriate legislation in New Guinea and such part of the Empire.. 4

II.

CORRESPONDENCE ARISING OUT OF THE RESOLUTIONS OF THE IMPERIAL WAR CONFERENCE, 1917.

RESOLUTION VIII: CARE OF SOLDIERS' GRAVES.
RESOLUTION XII: CARE OF SOLDIERS' GRAVES.

IMPERIAL WAR CONFERENCE, 1918.

RESOLUTION I: IMPERIAL WAR GRAVES COMMISSION.

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
8 To the Governor-General Irish Free State, 42 February 9	Notes, with appreciation, Ministers offer to take over responsibility for all British Military graves in the Free State, but before accepting offer explains more fully financial liabilities involved should the Irish Free State participate in the activities of the Imperial War Graves Commission, and suggests reconsideration of Ministers decision not to so participate 5

IMPERIAL WAR CONFERENCE, 1917.

RESOLUTION XV: DOUBLE INCOME TAX.

1925	
9 To the Governor-General New Zealand, 8 January 12	States that should the New Zealand Government decide to introduce legislation complementary to Section 27 of the United Kingdom Finance Act, 1920, the Board of Inland Revenue would be glad to co-operate in the preparation of such legislation. Points out that arrangements for relief should not place British investors in New Zealand on a better footing than New Zealand investors 7
10 To the Governor-General Commonwealth of Australia, 88 ... March 13	Transmits copy of a memorandum containing the observations of the Board of Inland Revenue on the statement by the Commonwealth Commissioner of Taxation on the subject of Double Income Tax, forwarded in Governor-General's despatch of 2nd April, 1924 (No. 48 in Dominions No. 91) 8
11 The Governor-General New Zealand, 44 March 4 (Rec. April 20)	States, in reply to No. 9, that New Zealand Government does not at present propose to introduce legislation in pursuance of recommendation of the Royal Commission, but appreciates the offer of co-operation by the Board of Inland Revenue 10

III.

CORRESPONDENCE ARISING OUT OF THE RESOLUTIONS OF THE IMPERIAL WAR CONFERENCE, 1918.

RESOLUTION X: DYE MANUFACTURING INDUSTRY.

1925	
12 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Confidential November 7	Conveys decision of His Majesty's Government to dispose of their holdings in the British Dyestuffs Corporation, subject to certain stated conditions ... 11

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
13 To the Governor-General Irish Free State, Confidential ... November 9	Transmits copy of No. 12 11
14 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 508 November 30	Transmits copy of Parliamentary Question and Answer of 23rd November regarding the disposal of the interests of His Majesty's Government in the British Dyestuff Corporation 12
15 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 526 December 15	Transmits copies of Parliamentary Paper, Cmd. 2545, containing papers relative to the liquidation of the Government interests in the British Dyestuffs Corporation, Limited 13

IV.

IMPERIAL CONFERENCE, 1923.

Summary of Proceedings, Cmd. 1987.

(i) STATUS OF HIGH COMMISSIONERS. TAXATION OF HIGH COMMISSIONERS.

1925	
16 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Telegram January 2	Requests that Prime Minister be informed that certain documents are being communicated to High Commissioner 14
17 The Private Secretary to the Secretary of State to [Mr. P. C. Larkin] [Sir Joseph Cook] [Sir James Allen] [Sir Edgar Walton] [Mr. James McNeill] [Capt. V. Gordon] ... March 9	Transmits copy of Treasury letter setting out the arrangements proposed in regard to the payment of rates on High Commissioners' private residences ... 14
18 Mr. W. C. Hankinson (Colonial Office) to [Mr. P. C. Larkin] [Sir Joseph Cook] [Sir James Allen] [Mr. J. S. Smit] [Mr. J. McNeill] [Captain V. Gordon] ... ... May 12	Transmits copy of memorandum setting out the procedure proposed by Treasury in regard to exemption of Dominion High Commissioners from certain forms of British taxation, and requests formal notice of any change in private address 15
19 Mr. W. C. Hankinson (Colonial Office) to [Sir A. Cooke] [Mr. G. Fairbairn] [Mr. J. Huxham] [Mr. H. P. Colebatch] [Lt.-Col. R. E. Snowden] [Mr. W. C. Noxon] [Mr. J. Howard] [Mr. F. A. Pauline] [Sir F. Newton] ... ... May 12	States that it has been decided to include in the forthcoming Finance Bill provision for the exemption of High Commissioners and Agents General and, under certain items, members of their staff resident in this country for purposes of their official duties, from British Income Tax on certain stated items of income 17

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
20 The Private Secretary to the Secretary of State to [Mr. P. C. Larkin] [Sir Joseph Cook] [Sir James Allen] [Mr. J. S. Smit] [Mr. James McNeill] [Captain V. Gordon] ... ... July 15	States that the Treasury are prepared to make an allowance in respect of the rates on High Commissioners' offices on the lines set out in enclosure to No. 17 17
21 Mr. W. C. Hankinson (Dominions Office) to [Mr. P. C. Larkin] [Sir J. Cook] [Sir J. Allen] [Mr. J. S. Smit] [Mr. J. McNeill] [Captain V. Gordon] [Sir F. Newton] [Sir A. Cocks] [Mr. G. Fairbairn] [Mr. J. Huxham] [Mr. H. P. Colebatch] [Lt.-Col. B. E. Snowden] [Mr. W. C. Noxon] [Mr. J. Howard] [Mr. F. A. Pauline] [Mr. L. J. Lemieux] ... ... July 28	Transmits copy of memorandum setting out fully the arrangements in regard to exemption from Income Tax here for High Commissioners, Agents General and their staffs, which have been brought into force by Section 26 of the Finance Act, 1925 18

(ii) Nationality Questions.

1925	
22 The Governor Newfoundland, 5 January 7 (Rec. Jan. 26)	States that Ministers have no observations to offer on the provisions of the draft Bill, and after having considered the memorandum dealing with two further proposals for the amendment of the 1914 Act concur in the amendment in the manner indicated 20
23 The Governor-General Union of South Africa, 28 ... ... January 23 (Rec. Feb. 16)	Transmits copy of Ministers' Minute giving their views regarding the grant of naturalization to persons resident in Mandated Territory, and the nationality of British-born married women 20
24 The Governor-General Commonwealth of Australia, 7 ... January 19 (Rec. March 9)	States that Commonwealth desires to introduce legislation which would enable residents in New Guinea to become naturalized under the Commonwealth Nationality Act, but before taking action would be glad to learn whether His Majesty's Government contemplates an early amendment of the British Act in this direction 21
25 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 106 ... ... March 11	Transmits copies of an extract from the House of Commons official report of 18th February, containing a debate on the subject of the nationality of married women 22
26 To the Governor-General Commonwealth of Australia, 93 ... March 18	Acknowledges No. 24 and invites attention to Mr. Thomas' despatch of 6th November (No. 278 in Dominions No. 91) 22
27 The Governor-General Commonwealth of Australia, 20 ... February 4 (Rec. March 23)	States the view of the Commonwealth Law Authorities that naturalized persons whose countries still regard them as retaining their original nationality may be deemed to possess dual nationality, and inquires the practice of His Majesty's Government in dealing with applications from subjects of countries attaching conditions to release from original nationality 22

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
28 The Governor-General New Zealand, 30 February 23 (Rec. April 1)	Gives reasons why Ministers do not desire that the provisions of the Imperial Act should be made applicable to Mandated Western Samoa. With regard to the proposed amendments relating to the nationality of married women, states that the New Zealand Government will adopt any alteration which the Imperial Parliament passes 23
29 To the Governor-General Union of South Africa, Telegram ... ... May 7	Conveys comments of Secretary of State for Home Affairs on the proposed Union Bill on the question of the nationality and status of aliens 24
30 The Governor-General Commonwealth of Australia, 58 ... March 19 (Rec. May 18)	Submits, in reply to the Secretary of State's despatch, Dominions No. 526 of the 6th November, 1924 (No. 278 in Dominions No. 91), views of Commonwealth Government on the proposed amendments of the British Nationality and Status of Aliens Act 25
31 The Governor-General Commonwealth of Australia, Telegram May 19 (Rec. May 19)	States that Prime Minister urges that a bill be introduced as soon as possible into British Parliament providing for all amendments as to which the different parts of the Empire are in accord regarding the nationality of married women 25
32 To the Governor-General Commonwealth of Australia, Telegram June 8	States, in reply to No. 31, that replies of other Dominions are not yet complete, that reminders are being sent to those outstanding 25
33 To the Governor-General New Zealand, 115 June 23	States that views expressed in paragraphs 1-5 of No. 28 have been noted. Points out that these views are met by the wording of Clause 9A(3) in the draft British Nationality and Status of Aliens Bill and presumes that Ministers have no observations to offer on the proposal as to children of the third generation 26
34 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 359 ... ... August 18	States, with reference to No. 25, that Secretary of State for Home Affairs would be glad to receive any observations which Ministers may wish to offer on the subject 26
35 To the Governors-General Canada, 351, Irish Free State, 324 August 18	Asks for Ministers' views on the questions referred to in Secretary of State's despatch, Dominions No. 526 of 6th November, 1924 (No. 278 in Dominions No. 91) 26
36 To the Governors-General Commonwealth of Australia, 228, Union of South Africa, 167 August 18	States that it has been observed that [Commonwealth] [Union] Government desire the maintenance of the existing principle that the nationality of a married woman depends on that of her husband 27
37 The Governor-General Irish Free State, 288 October 7 (Rec. Oct. 8)	States that Ministers have no objection to the amendments suggested to the British Nationality and Status of Aliens Act, 1914 27
38 The Governor-General New Zealand, 284 October 23 (Rec. Nov. 30)	States, in reply to No. 34, that Ministers have no observations to offer on the law of British Nationality beyond the statement contained in No. 28 27
39 To the Governor-General Canada, 530 ... Dec. 15	Transmits copy of a Parliamentary Question and Answer of 7th December regarding the shortening of the residential period which is required before Canadians who have become naturalized in the United States, but who have returned to Canada, can resume their British nationality 28

V.

IMPERIAL ECONOMIC CONFERENCE, 1923.

Summary of Conclusions [Cmd. 1990]: Record of Proceedings [Cmd. 2009].

1. OVERSEA SETTLEMENT WITHIN THE EMPIRE.

(See Dominions No. 89).

2. CO-OPERATION IN FINANCIAL ASSISTANCE TO IMPERIAL DEVELOPMENT.

(See Note on page 30).

3. IMPERIAL PREFERENCE.

(i) Tariff Preference.

(a) United Kingdom.

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
40 The Governor-General Commonwealth of Australia, Telegram May 1 (Rec. May 1)	Transmits message for Prime Minister from Prime Minister urging that the increased preferences to be accorded to Empire produce should become immediately operative, or failing this, that the increased preference on dried fruits should take effect immediately 31
41 To the Governor-General Commonwealth of Australia, Telegram May 25	Transmits message from Prime Minister for Prime Minister expressing regret that, in the circumstances explained, it is not possible to bring the increase of preferences into effect earlier than the 1st July 32

(b) Commonwealth of Australia.

1925	
42 To the Governor-General Commonwealth of Australia, Telegram September 14	States that representations have been made by trade interests regarding the proposed increased Commonwealth import duties on cotton, tweeds and piece goods containing wool. Explains position and urges reconsideration of the revised tariff 33
43 To the Governor-General Commonwealth of Australia, Telegram September 19	Details representations made by Leicester hosiery trade in respect of adverse effect of item 110 (B) (1) of Commonwealth revised tariff on cotton and woollen underwear and bathing costumes 33
44 To the Governor-General Commonwealth of Australia, Telegram, Personal ... September 22	States that President, Board of Trade, is anxious to learn whether it is intended that new tariff should finally come into operation before dissolution of Parliament or whether it should come into provisional operation pending discussion by new Parliament 34
45 The Governor-General Commonwealth of Australia, Telegram, Personal ... September 24	States, in reply to No. 44, that Government propose to pass Validatory Act before dissolution and so legalize collection of duties until the next Parliament has opportunity to settle rates 34
46 The Governor-General Commonwealth of Australia, Telegram October 12 (Rec. Oct. 12)	States, with reference to No. 42, that prior to introduction of new duties weaving industry was inadequately protected resulting in about one-third of the looms being idle and that it was after mature consideration that new duties were imposed for protective reasons 34
47 The Governor-General Commonwealth of Australia, Telegram October 12 (Rec. Oct. 12)	States, with reference to No. 43, that prior to introduction of new duties knitting industry was unable to compete with unfair overseas trade, and that as Australia produces the raw materials for this industry it was decided to impose new duties as a protective measure 35

649

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
(c) Union of South Africa.	
1925	
48 To the Governor-General Union of South Africa, Telegram, Private and Personal ... ... April 24	Inquires as to the position as regards the entry into South Africa of British goods under the new budget proposals 35
49 The Governor-General Union of South Africa, Telegram, Secret April 28 (Rec. April 29)	States that it is not yet clear what position of Great Britain will be under the new customs tariff rates and gives information regarding Ministers' views on the subject 36
50 The Governor-General Union of South Africa, Telegram ... ... May 5 (Rec. May 5)	Reports statement of Minister of Finance in Budget Debate that Government have no intention of making any trade agreement under which Great Britain will be placed in less favourable position than other countries with which the agreement is effected ... 36
51 The Governor-General Union of South Africa, Telegram, Secret May 5 (Rec. May 5)	Comments on Union Government's decision to accord Great Britain most-favoured-nation treatment ... 37
(ii) Imperial Preference in Public Contracts.	
1925	
52 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, New South Wales, Victoria, Queensland, South Australia, Western Australia, Tasmania, Dominions 57, Southern Rhodesia 47 February 13	Transmits copies of an extract from the proceedings of the Imperial Economic Conference, 1923, containing the record of discussions, and a Resolution adopted, on the subject of Imperial Preference in Public Contracts. States that His Majesty's Government adhere to this Resolution and inquires as to the attitude of the Dominions 38
53 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, New South Wales, Victoria, Queensland, South Australia, Western Australia, Tasmania, Dominions 82, Southern Rhodesia, 69 February 25	Transmits copy of question asked by Mr. Hurd in Parliament as to whether His Majesty's Government adhere to the Resolution, and of the reply thereto 39
54 The Governor Newfoundland, 34 March 10 (Rec. March 24)	States, in reply to No. 52, that Ministers concur in the principle of preference and that such principle is, as a rule, carried out in actual practice in the Colony 39
55 The Governor-General Irish Free State, 90 March 30 (Rec. March 31)	States, in reply to No. 52, that Ministers are of opinion that circumstances to which the Resolution would be applied are not likely to arise in the Free State, but that they have noted its terms should such circumstances at any time present themselves 40

650

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
56 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, New South Wales, Victoria, Queensland, South Australia, Western Australia, Tasmania, Dominions 155, Southern Rhodesia 124 ... April 14	Transmits copies of circular to Local Authorities regarding the Resolution on Imperial Preference in Public Contracts, together with a copy of the circular of 15th May, 1923, referred to therein ... 40
57 The Governor Southern Rhodesia, 96 ... ... April 3 (Rec. April 27)	States, in reply to No. 52, that effective preference to Empire manufactures and productions is given in Section 47 of the Order in Council of 1898, and that the proportion of British goods imported into Southern Rhodesia averages over 70 per cent. of the total imports 42
58 The Governor South Australia, 45 April 15 (Rec. May 18)	Ministers approve the Resolution referred to in No. 52 42
59 The Governor Queensland, 16 ... April 11 (Rec. May 25)	Forwards copy of a letter from the Premier stating, in reply to No. 52, that the matter will be considered when the Estimates for the next financial year are dealt with 42
60 The Governor Victoria, 7 ... April 24 (Rec. June 2)	States, in reply to No. 52, that the policy of the Victorian Government is to encourage trade in goods produced in Victoria and that Imperial preference is always placed next to Australian preference, and gives statement of trade in imports from the United Kingdom from 1920 to 1924 43
61 The Governor Western Australia, 20 May 11 (Rec. June 15)	States, in reply to No. 52, that Ministers have intimated that such preference is shown wherever possible by the Western Australian Government ... 44
62 The Governor New South Wales, 101 June 4 (Rec. July 27)	States that it was decided in December, 1915, that a ten per cent. preference should be allowed on products of the United Kingdom for Government contracts. This preference is inclusive of any preference in Customs Duty allowed by Commonwealth and is still in force 44
63 The Governor New South Wales, 123 July 8 (Rec. Aug. 18)	Quotes Minute from Premier expressing satisfaction at decision of His Majesty's Government to adhere to Resolution regarding Imperial Preference in Public Contracts and stating that it has been the policy of New South Wales since 1915 to give a 10 per cent. preference to British-made products over the products of other countries outside Australia. Indicates the necessity for fixing of competitive prices by English producers if the preference is to become really effective 44
64 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, New South Wales, Victoria, Queensland, South Australia, Western Australia, Tasmania, Dominions 531, Southern Rhodesia, 484 December 18	Transmits copies of Parliamentary Questions and Answers on 7th and 8th December on the subject of preference to Dominions products in supplies for the Navy, Royal Air Force and the Army respectively 45

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
65 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, New South Wales, Victoria, Queensland, South Australia, Western Australia, Tasmania, Dominions 539, Southern Rhodesia, 486 December 21	Transmits copies of a circular letter to Local Authorities from the President of the Board of Trade and the Minister of Health regarding the purchase of British and Empire goods, and suggesting the usefulness of organizing a British Shopping Week ... 46

4. FURTHER STEPS FOR THE IMPROVEMENT OF MUTUAL TRADE.

(A) Imperial Co-operation in respect of Commercial Intelligence.

(i) Commercial Diplomatic and Consular Services.

1925	
66 The Governor-General Union of South Africa, 621 ... December 17, 1924 (Rec. Jan. 5, 1925)	Transmits copy of Ministers' Minute stating that the Union Government endorses the offer of the services of the Dominions' Trade Commissioners and transmitting a list of the South African trade representatives 48
67 The Governor Southern Rhodesia, 380 ... December 22, 1924 (Rec. Jan. 13, 1925)	Conveys thanks of Ministers to His Majesty's Government for placing the services of Commercial Diplomatic and Consular Officers at the disposal of Colonial Governments 49
68 The Governor-General New Zealand, 284 December 24, 1924 (Rec. Feb. 4, 1925)	States that New Zealand Government endorses the offer of the services of their Trade Commissioners referred to in paragraph 3 of the Resolutions relating to Commercial Intelligence Services passed by the Imperial Economic Conference, 1923 50
69 The Governor-General Commonwealth of Australia, 46 February 27 (Rec. April 20)	States that Commonwealth Government has no trade representatives in oversea countries, but in the event of such appointments being made it would be glad to make an arrangement for the utilisation of their services by the Governments of other parts of the Empire 50
70 The Governor Newfoundland, 61 May 22 (Rec. June 6)	Concurs in the Resolution of the Imperial Economic Conference, 1923, regarding the utilization of the services of Dominion Trade Commissioners by Empire Governments. States that Newfoundland has only one Trade Commissioner, who holds a nominal appointment in Italy but is not in the pay of the Newfoundland Government 50

(ii) Commercial Travellers' Samples.

(iii) Trade Catalogues.

1925	
71 The Governor-General Commonwealth of Australia, 326 November 20, 1924 (Rec. Jan. 5, 1925)	States procedure adopted in respect to the importation of travellers' samples and that, if any modification is desired, consideration will be given by Ministers to proposals from His Majesty's Government. Adds, with regard to trade catalogues and price lists, that it is proposed to invite Parliament to make the necessary alteration in the tariff ... 52

650

Serial No., From or to whom, Despatch No., &c., and Date.			Subject and Page No.
		1925	
72	The Governor-General Irish Free State, 216	July 17 (Rec. July 18)	States that Ministers have made the necessary arrangements for reciprocal free admission of Commercial Travellers' Samples 52
73	Office of the High Commissioner, Irish Free State	September 10	Inquires whether it is proposed that grant of reciprocal concessions as regards treatment of Commercial Travellers' Samples in the Customs should be extended to all British Dominions, Colonies and Protectorates, and in particular whether Canada desires to conclude an agreement and also whether the Dominions are prepared to accept any marks, stamps or seals placed by the Irish Free State authorities on exported samples and any lists officially attested by them 53
74	To Office of the High Commissioner, Irish Free State ...	October 19	States, in reply to No. 73, that it had been assumed that any necessary reciprocal arrangements between Dominions would be made direct. Encloses copy of correspondence with self-governing Dominions and Southern Rhodesia on the subject. States that there is no reason to suppose that Colonies and Protectorates will not be willing to grant to the Irish Free State similar concessions as to all other parts of the Empire 53
75	The Governor-General Commonwealth of Australia, 241	September 29 (Rec. Nov. 2)	States that the question of making reciprocal arrangements for the admission of commercial travellers' samples, trade catalogues and price lists is still under the consideration of the Tariff Board 54

(C) IMPERIAL COMMUNICATIONS.

(i) Shipping.

(a) Imperial Shipping Committee.

(See note on page 55).

(b) Carriage of Goods by Sea.

		1925	
76	To the Governors-General and Governor Canada, 378, New Zealand, 164, Union of South Africa, 183, Irish Free State, 349, Newfoundland, 95	September 7	Hopes that, with a view to securing uniformity of legislation on the matter in all maritime countries of the world, Ministers will further consider the question of introducing legislation to provide for the adoption of the Rules relating to Bills of Lading drawn up at the International Conference on Maritime Law held in Brussels in October, 1922 ... 56
77	To Office of High Commissioner for New Zealand ...	September 8	Transmits copy of No. 76 and hopes that in the light of further information contained therein the New Zealand Government will reconsider decision conveyed in letter of 16th August, 1924 (No. 334 in Dominions No. 91). Indicates the final form in which the Rules appeared in the Carriage of Goods by Sea Act, 1924 57
78	The Deputy Governor-General Canada, 407	September 30 (Rec. Oct. 13)	States that pamphlets comparing the British "Carriage of Goods by Sea Act, 1924," with existing Canadian legislation on the subject have been distributed with a request that views of various bodies as to the desirability of adopting similar legislation should be placed before the Department of Marine and Fisheries, and that question is still under consideration 57

651

(c) Shipping Taxation.

		1925	
79	The Governor-General Commonwealth of Australia, 3 ...	January 13 (Rec. Feb. 16)	Transmits report by the Commissioner of Taxation in respect of the recommendations of the Shipping Taxation Committee. States that Commonwealth Government considers that an alternative scheme is desirable, and requests views regarding the proposal submitted by the Commonwealth Commissioner ... 58
80	To the Governor Queensland, 53	March 19	States that His Majesty's Government hope that, in the light of the observations stated, the Queensland Government will give further consideration to the recommendations of the Imperial Economic Conference relating to Shipping Taxation 60
81	To the Governor-General Commonwealth of Australia, 96 ...	March 19	Transmits copy of No. 80 60
82	The Governor South Australia, 39	March 4 (Rec. April 6)	States that until a decision has been reached at the next conference of Premiers, respecting the adoption of uniform legislation with regard to the reciprocal exemption of shipping profits from income tax, it is not possible to state what action the South Australian Government will adopt... 61
83	To the Governor-General Commonwealth of Australia, 129 ...	April 30	Transmits copy of memorandum by the Board of Inland Revenue on the Report of the Commonwealth Commissioner of Taxation enclosed in No. 79, and hopes that Ministers will find themselves able to accept Conference proposals 61
84	To the Governor-General Union of South Africa, Telegram	June 19	Hopes that Union Government may be able to give effect to recommendations of Shipping Taxation Committee 63
85	To the Governor-General Commonwealth of Australia, Telegram	June 26	Transmits message for Prime Minister urging that Commonwealth Government will give sympathetic consideration to proposals of Shipping Taxation Committee 63
86	The Governor-General Union of South Africa, Telegram	June 27 (Rec. June 27)	States, in reply to No. 84, that it is not proposed to change method now being followed but consideration will be given to recommendation of Shipping Taxation Committee after present Session of Parliament ... 63
87	The Governor Queensland, 24 ...	July 4 (Rec. Aug. 10)	Transmits copy of letter from Premier embodying report by Queensland Commissioner of Taxes stating that amendment of the law in accordance with suggestions contained in Report of Economic Conference, 1923, cannot be recommended, and states that Queensland Government endorses views of the Commissioner 64
88	To the Governor-General Commonwealth of Australia, 225	August 17	Transmits copy of No. 87 65

(ii) Air Navigation.

Exchange of Information.

		1925	
89	The Governor-General Canada, 28 ...	January 21 (Rec. Feb. 4)	Points out that the Intelligence Officer, Royal Canadian Air Force, was named as Liaison Officer for Civil Aeronautics, considers a monthly news letter is not justified and that the quarterly liaison letter should contain all information, and states the procedure *re* accidents which will be adopted 65

129

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
90 The Governor-General Union of South Africa, 41 ... ... February 6 (Rec. Feb. 23)	Transmits copy of Ministers' Minute stating that arrangements have been made to give effect to procedure for exchange of "News letters" between liaison officers and of information regarding accidents due to defects in aircraft, etc. 66
91 The Governor-General Commonwealth of Australia, 23 ... February 5 (Rec. March 23)	Concurs in the proposals for the interchange of information, details the nature of information already supplied, and intimates the further action contemplated 66
92 The Governor-General New Zealand, 33 February 23 (Rec. April 1)	States that any information relating to civil aeronautics will be forwarded, as suggested, by the Staff Officer for Air Services in New Zealand, who is nominated to act as Liaison Officer for the purpose of the exchange of "news letters" 67
93 The Governor-General Commonwealth of Australia, 98 ... April 23 (Rec. June 2)	Notifies the appointment of Controller of Civil Aviation to act as Liaison Officer in Australia and concurs in suggestion as to procedure in cases of dangerous defects in aircraft 67
(iii) Cables and Wireless.	
(a) Beam Stations.	
1925	
94 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 76, Confidential February 21	Transmits copies of telegraphic correspondence with the Government of India relative to the erection of a beam station in India and a reciprocating station in the United Kingdom 68
95 The Governor-General Commonwealth of Australia, Telegram, Confidential ... February 23 (Rec. Feb. 23)	Agrees with recommendations of Imperial Wireless Sub-Committee concerning the modernization of stations at Perth, Darwin, Rabaul, and Townsville, and linking up with certain other stations in the Pacific 70
96 To the Governor-General Union of South Africa, Telegram ... March 10	Inquires whether the South African Wireless Company are actually proceeding with the erection of a beam station for communication with this country ... 70
97 The Governor-General Union of South Africa, Telegram ... March 16 (Rec. March 16)	States that the South African Company is proceeding with the erection of a beam station in the Union which will be completed in a few months, and inquires as to the progress of the establishment of a beam station in England and approximate date of its completion 70
98 The Governor-General New Zealand, Telegram March 17 (Rec. March 17)	Points out the special advantages of the erection of a Pacific High Power Station at the site of the Arapuni electric power station in North Island ... 71
99 The Governor-General New Zealand, Confidential ... ... January 28 (Rec. March 23)	States that no understanding has been reached with the Admiralty regarding the modernization of the stations at Awanui and Apia and that it is not considered desirable to modernize Awanui at its present site 71
100 To the Governor-General Union of South Africa, Telegram ... ... April 3	States that site for sending station was handed over to the Marconi Company on 26th March, and that it is hoped that receiving site will be handed over early next week after which station must be completed within six months 71

652

Serial No., From to or whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
101 To the Governor-General Union of South Africa, Telegram ... ... April 8	States, with reference to No. 100, that receiving site was placed at the disposal of the Marconi Company on 6th April. Station must be completed by 7th October next 72
102 To the Governor-General Canada, 189, Commonwealth of Australia, 120, New Zealand, 74, Union of South Africa, 75 ... April 17	Transmits copy of a Parliamentary Question asked by Mr. T. Thomson inquiring what stage has been reached in the promotion of the scheme to provide an efficient Imperial wireless service, and the reply thereto 72
103 To the Governor-General Canada, Telegram April 17	States that sites in this country for sending and receiving stations for service with Canada were handed to the Marconi Company on 26th March and 6th April respectively, and that stations must be completed by 6th October. Inquires as to probable date of completion of Canadian beam station for communication with this country 73
104 To the Governor-General Union of South Africa, Telegram April 17	States that Postmaster-General desires to learn precise date when beam station in Union will be ready ... 73
105 The Governor-General Canada, Telegram April 21 (Rec. April 22)	States progress which is being made with the erection of the Canadian beam station 73
106 The Governor-General Union of South Africa, Telegram ... ... April 23 (Rec. April 23)	States that beam station will be completed about 1st September next, and that in conjunction with the Marconi Company it is hoped to commence trial of beam system between South Africa and England sometime in September 74
107 The Governor-General Commonwealth of Australia, Telegram April 29 (Rec. April 29)	States that it is expected that erection of beam station will be commenced at the end of the month. Transmitting and receiving stations will be located in the vicinity of Ballan and Rockbank respectively ... 74
108 To the Governor-General New Zealand, Telegram, Confidential May 20	Agrees as to the suitability of a site near Arapuni electric-power station for a high-power station. States that station at Rugby will be ready by October or November and asks to be informed in due course of decision of New Zealand Government as to erection of station in New Zealand with which Rugby station could correspond 74
109 The Governor-General Commonwealth of Australia, Telegram May 23 (Rec. May 23)	Inquires whether British station will be ready for service about January next when it is anticipated that the Australian station will be available ... 75
110 To the Governor-General Commonwealth of Australia, Telegram May 28	States, in reply to No. 109, that, provided no unforeseen difficulties arise, it is hoped to hand over sites to Marconi Company during June in which case stations must be completed by March next ... 75
111 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 202 ... ... July 15	Transmits copy of Licence for the establishment, maintenance and working of a commercial radio service between India and the United Kingdom by means of beam stations 75

625

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
112 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Secret ... July 24	Transmits copies of a Report by a special Sub-Committee of the Imperial Communications Committee on the strategical value of short wave and beam wireless telegraph stations 76
113 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 356, Southern Rhodesia, 314 ... August 14	Transmits copies of an extract from a speech by the Postmaster-General in the House of Commons reporting on the progress in the erection of beam stations for communication with the Dominions, together with copies of the Supplementary Agreement with Marconi Company referred to therein 78
114 To the Governor-General Union of South Africa, Telegram, Confidential ... ... October 2	States that the Lord Commissioners of the Admiralty regret impossibility of making provision for modernization of Mauritius station during financial year 1926-27, but propose to review position annually so that proposal can be carried out as soon as financial position admits. Suggests possibility of transferring power plant and arc set from Port Nolloth Station to Walfis Bay. Considers that whole matter might be further discussed with Colonel Sturman on his return from Paris Conference 79
115 The Governor-General Union of South Africa, Telegram Confidential ... ... October 8 (Rec. Oct. 8)	States, with reference to No. 114, that Ministers concur in suggestion that whole matter might be further discussed with Colonel Sturman on his return to London 80
116 The Governor-General Commonwealth of Australia, Telegram December 15 (Rec. Dec. 15)	Transmits message for Prime Minister from Prime Minister strongly urging that request for Australian control of terminal station in Great Britain be granted 80
117 The Governor-General Commonwealth of Australia, Telegram December 16 (Rec. Dec. 16)	States that Commonwealth Government do not desire to adhere to views previously expressed regarding decomposition of wireless rates, and states that Clause 4 of Schedule to Act No. 24 of 1924 will be modified, if necessary, in the light of negotiations which the High Commissioner is being authorized to conduct 81
118 To the Governor-General Commonwealth of Australia, Telegram December 21	Transmits message for Prime Minister from Prime Minister reciprocating desire of Commonwealth Government for early establishment of an up-to-date wireless service between Great Britain and Australia, but explaining that if is still considered necessary to retain the control of the terminal station here in the hands of the Post Office... 81
119 To the Governor-General Union of South Africa, Confidential ... December 31	States that, in view of the present urgent need for economy, His Majesty's Government regret impossibility of considering proposed erection of a wireless station at Freetown, Sierra Leone, but that the matter will be reconsidered in three years' time ... 82
(b) Station at Rugby.	
1925	
120 The Governor-General Commonwealth of Australia, Telegram June 5 (Rec. June 5)	States that, in view of the effect of the scheme in diverting traffic from the Pacific cable and beam wireless service, the Commonwealth Government has refused Reuters permission to make use of the proposed contract service with the British Post Office for broadcasting in Australia. Ministers suggest that contract should not be entertained and inquire if His Majesty's Government propose to broadcast daily Government news 82

653

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
121 To the Governor-General Commonwealth of Australia, Telegram July 14	States that application has been received from Reuters for grant of facilities for transmission from Rugby station, when opened, of hourly news bulletins for reception simultaneously in Dominions and foreign countries. States that before taking action Postmaster-General proposes to consult new Imperial Wireless Committee on the subject and also as regards use of Rugby station for transmission of Government news bulletins 83
122 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 545, Southern Rhodesia, 493 ... December 23	Anticipates that the Wireless Station at Rugby will be ready for commercial work in a few weeks, and that it will be used for transmission of British official news bulletins; gives details of transmission of commercial intelligence and states position as to conditions for control over reception of messages and effect on beam wireless services 83
(c) Standing Committee on Imperial Wireless Services.	
1925	
123 To the Governors-General Canada, 59, Commonwealth of Australia, 44, Union of South Africa, 28 ... February 9	Gives details of proposal to appoint a Standing Committee to advise on matters of detail and routine which may arise out of the conduct of the Imperial Wireless Services which are to be opened, suggests that two representatives be nominated 85
124 To the Governor-General New Zealand, 29 February 19	Transmits copy of No. 123, and states that, if Ministers consider it desirable, the Postmaster-General would welcome the nomination of not more than two representatives of New Zealand on the Standing Committee 86
125 The Governor-General Union of South Africa, Telegram ... March 10 (Rec. March 10)	Agrees to arrange for the Union to be represented on Committee. Inquires whether other Dominions and India have concurred, the date when Committee is likely to meet and the names of intended representatives of other Dominions 86
126 The Governor-General Canada, 110 ... March 11 (Rec. March 23)	Recommends that Mr. Lucien Pacaud be appointed as regular representative of Canada on Standing Committee, and Mr. Allen, a Director of Marconi Wireless Telegraph Company of Canada, Limited, be appointed as second representative, to attend certain specified meetings 86
127 To the Governor-General Union of South Africa, Telegram ... ... April 1	Gives names of representatives nominated by Canada and India. States that no reply has been received from Australia and New Zealand but decisions will be telegraphed when known together with date of first meeting 87
128 The Governor-General Commonwealth of Australia, Telegram May 1 (Rec. May 1)	Agrees to be represented on Standing Committee ... 87
129 To the Governor-General Commonwealth of Australia, Telegram May 6	Explains that Committee should begin its meetings at an early date and requests nomination of representatives as soon as possible 87
130 To the Governor-General New Zealand, Telegram ... ... May 6	States that Postmaster-General is anxious that Committee should meet at an early date, and would be glad therefore to learn whether New Zealand Government desires to be represented on Committee and if so by whom 88

633

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
131 To the Governor-General Union of South Africa, Telegram ... ... May 6	Gives the substance of Nos. 128, 129 and 130 ... 88
132 The Governor-General Union of South Africa, Telegram ... ... May 12 (Rec. May 12)	Desires that the South African Wireless Telegraph Company be represented on the Committee which it is considered should meet in the early part of July at the latest 88
133 The Governor-General Commonwealth of Australia, Telegram, Confidential ... May 19 (Rec. May 19)	Nominates Sir J. Cook with Mr. G. W. Mason Allard as second member as representatives on the Committee for the time being 89
134 To the Governor-General Commonwealth of Australia, Telegram May 21	Gives date of first meeting of Committee and states that High Commissioner will be informed direct ... 89
135 To the Governor-General New Zealand, Telegram ... ... May 21	Gives date of first meeting of Committee 89
136 To the Governor-General Union of South Africa, Telegram ... ... May 21	Points out that Committee will be of permanent character and hopes that Government will appoint at least one representative who will be available. Details indefinitely Australia's nominations and states that date of first meeting is 23rd June 89
137 The Governor-General Union of South Africa, Telegram ... ... May 29 (Rec. May 29)	States that Union will be represented on the Committee by the High Commissioner in London and, also, during his stay in London, by the Postmaster-General of the Union 90
138 The Governor-General New Zealand, Telegram ... ... June 1 (Rec. June 1)	Nominates High Commissioner and Mr. J. Milward as New Zealand representatives on Committee and requests that invitations may be sent to both for the first meeting on 23rd June 90
(d) Sub-Committee on Technical Wireless Regulations.	
1925	
139 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 284, Confidential July 10	States that Imperial Communications Committee have decided to appoint a Sub-Committee to (*a*) draft technical wireless regulations which, while applicable in the first instance to Great Britain and Northern Ireland, might be suitable for adoption by the other Governments of the Empire, and (*b*) to render a preliminary report at an early date indicating the subject matter on which it is proposed to frame regulations. Gives summary of previous negotiations and events which have led to setting up of Sub-Committee, and encloses copies of Preliminary Report prepared in accordance with (*b*). Inquires whether Ministers consider the latter sufficiently comprehensive and whether they desire that either of their representatives on the Advisory Committee should be invited to attend the Sub-Committee meetings in order to advise regarding the technical regulations suitable to the Dominions, which they represent. Remarks on the possibility of summoning an Imperial Wireless Conference before the Radio-telegraph Conference at Washington 93
140 The Governor-General Irish Free State, Confidential ... ... July 28 (Rec. July 30)	Considers subject matter in Preliminary Report of Sub-Committee on Technical Wireless Regulations sufficiently comprehensive. States that Ministers have no additional subjects to propose for inclusion in Regulations and do not think it necessary to appoint officers to consult with Sub-Committee on drafting of the Regulations 95

654

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
141 To the Governor Southern Rhodesia, Confidential ... August 1	Explains appointment of Sub-Committee as in No. 139 95
142 The Governor-General Union of South Africa, Telegram, Confidential ... ... August 22 (Rec. Aug. 22)	States Ministers would be glad if arrangements could be made for Colonel Sturman, to attend meetings of Sub-Committee 97
143 The Governor-General Union of South Africa, Telegram, Confidential ... ... September 8 (Rec. Sept. 8)	States that Ministers consider that prohibition of service from point to point operating with "Damped" waves should be considered for incorporation in new Regulations 98
144 The Governor-General Commonwealth of Australia, Telegram, Confidential ... October 1 (Rec. Oct. 1)	States in reply to No. 139 that there is no suitable Commonwealth officer available in Great Britain to consult Sub-Committee, but that it is presumed that detailed recommendations will be forwarded for observations and also arguments in support of proposals 98
145 The Governor Newfoundland, Confidential ... September 24 (Rec. Oct. 7)	States in reply to No. 139 that Ministers have no observations to offer and no officers to appoint on Sub-Committee 98
146 The Deputy Governor-General Canada, Confidential October 13 (Rec. Oct. 27)	Transmits copy of a letter from the Department of External Affairs concurring in suggestion to include requirements of Canada in draft Technical Regulations and in suggestion to hold a preliminary Conference and stating that in the event of one of the Canadian technical officers proceeding to England arrangements will be made for him to discuss technical points affecting Canada with Sub-Committee ... 99
147 The Governor Southern Rhodesia, Confidential ... September 29 (Rec. Oct. 30)	Considers that subject matter on which it is proposed to draft Regulations as set out in Preliminary Report in No. 141 is sufficiently comprehensive 100
148 The Governor-General New Zealand, Confidential ... ... October 6 (Rec. Nov. 10)	States that it is considered that list of subjects set out in Preliminary Report of the Sub-Committee in No. 139 is sufficiently comprehensive, that advantage cannot be taken of offer to consult Dominion officers on preparation of Regulations and encloses copies of documents relating to New Zealand requirements regarding mobile radio telegraph stations in connexion with proposed Conference in 1926 100
(D) Reciprocal Enforcement of Judgments, including Arbitration Awards.	
1925	
149 The Governor New South Wales, 110 November 20, 1924 (Rec. Jan. 5, 1925)	States that the requisite provisions in connexion with the reciprocal enforcement of judgments throughout the Empire are included in the Administration of Justice Bill which it is hoped will be introduced into the Legislative Assembly shortly 101
150 The Governor New South Wales, 14 January 23 (Rec. March 9)	States that Bill providing for reciprocal enforcement of judgments was duly passed and encloses copies thereof 101
151 To the Governor New South Wales, Telegram ... ... May 2	Explains with reference to No. 150 difficulty that has arisen over exclusion of Northern Ireland from definition of United Kingdom in Section 3, subsection 1, of the Act. Suggests that Proclamation be made under Section 4 (2) of the New South Wales Act extending the Act to Northern Ireland, following which an Order in Council would be issued under Section 14 of 1920 Act for extension of that Act to New South Wales 102

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
152 The Governor New South Wales, Telegram ... ... July 11 (Rec. July 11)	States that Prime Minister considers that there is legal objection to course proposed in No. 151, and that it is considered that amendments in Act are necessary 102
153 The Governor New South Wales, 127 ... ... July 16 (Rec. Aug. 24)	Amplifies No. 152 and encloses copies of proclamations applying Part II of the Act to Malta and Fiji ... 102

(G) CUSTOMS FORMALITIES.

(i) Valuation of Goods for Customs Duty Purposes.

(ii) International Conference on Customs Formalities.

(See Dominions No. 94).

1925	
154 To the Governor-General Commonwealth of Australia, Telegram January 31	Transmits message for Prime Minister from President of the Board of Trade and Secretary of State indicating the apprehension caused amongst important British exporting industries by the proposed new Commonwealth regulations and expressing the hope that the application of these regulations may be postponed 105
155 The Governor-General Commonwealth of Australia, Telegram February 16 (Rec. Feb. 16)	Transmits message from Prime Minister stating that representations put forward have been carefully considered and have been acceded to as far as possible... 105
156 The Governor-General New Zealand, Telegram ... ... February 16 (Rec. Feb. 16)	States that New Zealand Government has decided to postpone until 1st October, 1925, operation of amended conditions and is giving further consideration to question as to the adoption of 50 per cent. British materials and labour as the basis of preference 106
157 To the Governors-General and Governors Canada, 90, Commonwealth of Australia, 66, Union of South Africa, 40, Irish Free State, 61, Newfoundland, 18, Southern Rhodesia, 67 February 25	Transmits copy of No. 156 106
158 The Governor-General New Zealand, Telegram ... ... June 18 (Rec. June 18)	States, with reference to No. 156, that it has been decided to postpone, until 1st January, 1926, the operation of amended conditions to be decided upon 106
159 To the Governors-General and Governors Canada, 283, Commonwealth of Australia, 177, Union of South Africa, 121, Irish Free State, 244, Newfoundland, 63, Southern Rhodesia, 207 ... ... June 22	Transmits copy of No. 158 107
160 The Governor-General New Zealand, Telegram ... ... November 26 (Rec. Nov. 26)	Details conditions under which tariff preference will be granted in New Zealand as from 1st April, 1926, to goods produced or manufactured in other parts of the Empire 107

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
161 To the Governors-General and Governors Canada, 503, Commonwealth of Australia, 348, Union of South Africa, 299, Irish Free State, 445, Newfoundland, 127, Southern Rhodesia, 457 ... ... December 1	Transmits copy of No. 160 107

(J) CO-OPERATION FOR TECHNICAL RESEARCH AND INFORMATION.

(i) Imperial Institute and Imperial Mineral Resources Bureau.

1925	
162 To the Governor Southern Rhodesia, 10 ... ... January 10	Suggests certain financial arrangements to be made in order to continue the work of the Imperial Institute pending the passage of the Bill to provide for the re-organization of the Institute 109
163 The Governor Newfoundland, 19 February 3 (Rec. Feb. 21)	Agrees to contribute £200 to the Institute for 1924-25 and £64 towards the retention of the Exhibition Galleries 109
164 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 90, Southern Rhodesia, 75 ... ... March 3	Transmits copies of the Imperial Institute Bill introduced on 23rd February, together with copies of a memorandum on the Financial Resolution relating thereto 109
165 Sir James Allen [High Commissioner for New Zealand] to Mr. Amery ... March 9	Suggests alterations in the draft Bill to provide for a representative of the Dominions on the Board of Trustees, the appointment of a Director, and in regard to the constitution of Advisory Councils or Committees 110
166 The Governor-General Union of South Africa, 64 ... ... February 20 (Rec. March 10)	Transmits copy of Ministers' Minute stating that the High Commissioner is being instructed to pay over contribution for 1924-25 provided the amalgamation of the Institute and the Imperial [Mineral] Resources Bureau will be given effect to at an early date; that they are not prepared to contribute funds in excess of amount agreed upon at the Economic Conference, and that Union cannot make any further contributions until the amalgamation is effected ... 111
167 Mr. Ormsby-Gore to Sir James Allen [High Commissioner for New Zealand] ... ... March 23	Deals with the suggested amendments to the Bill proposed in No. 165, and points out the impossibility of introducing these amendments at this late stage ... 111
168 The Governor Southern Rhodesia, 70 ... ... March 3 (Rec. March 30)	States with reference to No. 162 that High Commissioner has been instructed to pay contribution of £250 in respect of year ended 31st March, 1925 ... 113
169 Mr. Ormsby-Gore to Sir James Allen [High Commissioner for New Zealand] ... ... April 3	Replies to the points raised in connexion with the Bill as regards Sir R. Redmayne's prospective appointment, representation of the Dominions on the Governing Body and accommodation 113

220

	Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
	1925	
170	Sir James Allen [High Commissioner for New Zealand] to Mr. Ormsby-Gore April 9	Replies to the points raised in No. 169 114
171	The Governor-General New Zealand, 59 March 26 (Rec. April 20)	States that New Zealand will contribute for 1924-25 the sum of £1,200 towards the upkeep of the Institute, and £384 towards the retention of the Exhibition Galleries 115
172	The Governor-General Canada, 178 ... April 23 (Rec. May 2)	States that a cheque for £2,640 to cover Canada's contribution to the Imperial Institute and towards the retention of the Exhibition Galleries for 1924-25 has been forwarded to the High Commissioner for Canada 115
173	The Governor-General Commonwealth of Australia, 57 ... March 18 (Rec. May 4)	States that Commonwealth Government has approved the contribution to the Imperial Institute of £2,000 for 1924-25, and in addition a provisional contribution of £640 towards the retention of the Galleries. Adds that the High Commissioner has been asked to effect the necessary financial settlement 115
174	To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Southern Rhodesia, Telegram May 30	States that Imperial Institute Bill was passed without amendment and received Royal assent on 28th May 116
175	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram June 24	States, with reference to No. 174, that steps are being taken to constitute Board of Governors under the Act and inquires whom Ministers desire to appoint in accordance with provisions of Second Schedule... 116
176	To the Governor-General Irish Free State, Confidential (2) ... June 26	States that steps are being taken to constitute Board of Governors under the Second Schedule of the Act, and that if Ministers should at any time reconsider their decision in the matter, His Majesty's Government would welcome the appointment to the Board of a representative of the Free State 116
177	To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 275, Southern Rhodesia, 224 ... July 3	Transmits copies of the Imperial Institute Act, 1925 (15 and 16 Geo. 5, Ch. 17) 117
178	The Governor Newfoundland, Telegram ... ... July 7 (Rec. July 7)	States that Ministers appoint High Commissioner on Board of Governors 117
179	The Governor-General Commonwealth of Australia, Telegram July 8 (Rec. July 8)	States that Ministers appoint High Commissioner on Board of Governors 117
180	The Governor-General New Zealand, Telegram ... ... July 17 (Rec. July 17)	States that Ministers appoint High Commissioner on Board of Governors 118

656

	Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
	1925	
181	The Governor-General Union of South Africa, Telegram ... ... July 25 (Rec. July 25)	Reports appointment of High Commissioner for the Union in London on Board of Governors 118
182	The Governor-General Canada, Telegram July 28 (Rec. July 28)	Reports nomination of the High Commissioner in London as a Governor of the Imperial Institute ... 118
183	India Office to Department of Overseas Trade September 4 (Rec. in Dominions Office, Sept. 5)	States that the High Commissioner for India has been appointed representative of Government of India on the Board of Governors of the Imperial Institute, and that Mr. H. A. F. Lindsay will act as substitute in his absence 118
	(ii) Co-operation for Technical Research and Information.	
	1925	
184	The Governor Southern Rhodesia, 237 ... ... July 16 (Rec. Aug. 10)	Submits Ministers' observations on suggestions as to mode of co-operation in technical research 119
185	To the Governor Southern Rhodesia, 405 ... ... October 17	States that copy of No. 184 has been communicated to the Committee of the Privy Council for Scientific and Industrial Research who desire to be informed in due course of subsequent developments 119
186	To the Governor Southern Rhodesia, 480 ... ... December 16	States that Ministry of Agriculture and Fisheries will be happy to arrange for any practical measure of co-operation with Southern Rhodesian Government in connexion with agricultural and veterinary research referred to in No. 184. Encloses Report of the Intelligence Department of the Ministry of Agriculture and Fisheries for 1921-24 120
	(K) IMMUNITY OF STATE ENTERPRISES.	
	1925	
187	The Governor Queensland, 76 December 4, 1924 (Rec. Jan. 12, 1925)	States that Queensland Government approves the recommendations of the Colwyn Committee and is prepared to adopt them if the Commonwealth Government and the other States do so 122
188	The Governor Victoria, Confidential December 16, 1924 (Rec. Jan. 26, 1925)	States that Premier proposes to arrange for the whole question to be discussed at the next meeting of State Premiers 122
189	The Governor Western Australia, Confidential ... January 22 (Rec. Feb. 23)	Transmits copy of memorandum from Premier stating that it is considered preferable that no taxation of any kind should be levied by any Government upon the property of any other Government within the Empire, suggests that this may not be considered satisfactory and that Secretary of State may see fit to mention the matter to the Premier when he is in England 123
190	The Governor New South Wales, Confidential ... February 14 (Rec. March 23)	Transmits copy of Ministers' Minute setting out the position as regards the immunity from taxation of State enterprises 123

020

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
191 The Governor South Australia, 40 March 4 (Rec. April 6)	States that the question of adopting uniform legislation in the matter of immunity from taxation of State enterprises will be referred for discussion at the next Premiers' Conference; until then it is not possible to state the action which Government will adopt ... 125
192 The Governor Tasmania, Confidential March 12 (Rec. April 21)	Transmits copy of despatch from Premier stating that in view of the importance of the principles involved in the recommendations of the Colwyn Committee and of the desirability of the decisions of the Australian States being uniform, it has been decided to hold the matter in abeyance until the next Premiers' Conference 126
193 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Southern Rhodesia, Telegram, Confidential ... ... May 28	Quotes section included in this year's Finance Bill to give effect to Resolution of Imperial Economic Conference, 1923, relating to immunity from taxation of State enterprises 126
194 To the Governor-General Commonwealth of Australia, Telegram May 28	Requests repetition of No. 193 to Australian States ... 127
195 To the Governor Southern Rhodesia, Telegram ... ... May 28	Corrects reference in No. 193 127
196 To the Governor-General Irish Free State, Confidential (2) ... May 29	Transmits copy of No. 193 127
197 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, New South Wales, Victoria, Queensland, South Australia, Western Australia, Tasmania, Dominions 363, Southern Rhodesia, 322 August 19	States that effect has now been given, so far as His Majesty's Government are concerned, to the Resolution relating to immunity from taxation of State enterprises by Section 25 of the Finance Act, 1925 128
198 The Governor New South Wales, 102 ... ... October 14 (Rec. Nov. 27)	States that as question of immunity from taxation of State enterprises has been listed for discussion at next Conference of Premiers, no action will be taken for the present 129
199 The Governor Newfoundland, Telegram ... ... November 28 (Rec. Nov. 29)	States that Ministers accept the Resolution regarding immunity from taxation of State enterprises and State-owned ships and are prepared to introduce the necessary legislation on condition that similar measures will be introduced by Imperial Government 129
200 The Governor-General Union of South Africa, 610 ... ... November 6 (Rec. Dec. 1)	Transmits copy of Ministers' Minute quoting the provision made in the new Income Tax law for exemption from tax of any revenues accruing to other Governments from Union sources except such revenues as are derived from State trading 129

657

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
201 To the Governors-General and Governors Canada, 540, Commonwealth of Australia, 376, New Zealand, 230, Irish Free State, 473, Southern Rhodesia, 491, New South Wales, 159, Victoria, 39, Queensland, 86, South Australia, 101, Western Australia, 61, Tasmania, 42 December 22	Transmits copy of No. 200 130
202 To the Governor Newfoundland, 142 December 22	States that legislation in the matter of immunity from taxation of State enterprises has already been passed in this country as indicated in No. 197, and that similar legislation has also been passed in the Union of South Africa as indicated in No. 200 131

(5) IMPERIAL POLICY WITH REGARD TO THE IMPORT AND EXPORT OF LIVE STOCK.

1925	
203 The Governor Newfoundland, Telegram, Confidential January 6 (Rec. Jan. 7)	States that Ministers have no objection to offer to terms of draft Importation of Pedigree Animals Bill 132
204 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 20, Southern Rhodesia, 20 January 14	Transmits copy of Bill as introduced into the House of Commons 132
205 The Governor-General Union of South Africa, Telegram ... ... June 15 (Rec. June 15)	Inquires whether Bill has been passed by Parliament and asks to be furnished with detailed conditions, governing the admission into Great Britain of horned cattle 133
206 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Southern Rhodesia, Telegram June 17	States that Importation of Pedigree Animals Bill has been passed without modification except for certain additions in Section 1 (i) 133
207 To the Governor-General Union of South Africa, Telegram ... ... June 17	Invites reference to No. 206 and states that reply to No. 205 will be sent as soon as possible 133
208 To the Governor Southern Rhodesia, Telegram ... ... June 17	Corrects references in No. 206 133
209 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 297, Southern Rhodesia, 245 ... ... July 17	Transmits copies of the Importation of Pedigree Animals Act, 1925, together with relative extracts from Parliamentary debates 134

627

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
210 To the Governor-General Union of South Africa, Telegram ... ... July 17	States with reference to No. 205, that detailed conditions are being sent by mail and communicated to the High Commissioner 134
211 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 303, Southern Rhodesia, 255 ... ... July 21	Transmits copy of a memorandum of conditions under which Minister of Agriculture and Fisheries is prepared to consider applications for the landing in Great Britain of Pedigree Animals. [*To Union of South Africa*: States that the period of quarantine in one of four months] 134
212 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 333, Southern Rhodesia, 298 ... ... August 7	Quotes amendments which should be made in Memorandum of Conditions enclosed in No. 211 135
213 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 391, Southern Rhodesia, 345 ... ... September 4	Transmits, with reference to No. 212, copies of Memorandum as amended 135

(6) IMPERIAL POLICY WITH REGARD TO FORESTRY.

1925	
214 To the Governors-General Canada, 20, Commonwealth of Australia, 13 ... ... January 10	Inquires whether Ministers can arrange to appoint a representative on the proposed Standing Committee on Empire Forestry, and states that Major Furse has been appointed to represent the Colonial Office ... 128
215 The Governor New South Wales, 120 December 2, 1924 (Rec. Jan. 12, 1925)	States that the syllabus of the course of study at the Forestry Institute at Oxford will be published in the *Australian Forestry Journal* and will be brought under the notice of any prospective students ... 128
216 The Governor-General Canada, Telegram June 17 (Rec. June 17)	Nominates Mr. Finlayson, Director of the Forestry Department of the Interior, Ottawa, as representative on the Empire Forestry Standing Committee, and expresses pleasure in the appointment of Major Furse to represent the Colonial Office 128
217 The Governor-General Commonwealth of Australia, Telegram August 10 (Rec. Aug. 10)	States that Mr. Lane Poole, Commonwealth Forestry Adviser, has been nominated as representative on Empire Forestry Standing Committee and that High Commissioner is being requested to arrange for Mr. R. L. Robinson of the British Forestry Commission to act on behalf of the Commonwealth at meetings of the Committee 130
218 To the Governor-General Commonwealth of Australia, Telegram August 27	States that arrangements have been made for Mr. R. L. Robinson to act on behalf of Commonwealth Government at meetings of Committee 130

658

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
219 To the Governor-General Canada, 380 September 9	Transmits copies of Nos. 217 and 218 139
220 The Governor-General Commonwealth of Australia, 200 ... August 10 (Rec. Oct. 5)	Confirms No. 217 140

(7) WORKMEN'S COMPENSATION.

1925	
221 The Governor-General Canada, 116 ... March 24 (Rec. April 6)	Transmits replies from the several Provincial Governments concerning Resolutions I and II of the Imperial Economic Conference 142

(8) IMPERIAL ECONOMIC COMMITTEE.

1925	
222 To the Governor-General Canada, Telegram, Confidential ... January 6	Considers title originally agreed upon for Committee most suitable and trusts that Ministers will not press question of alternative title 144
223 To the Governor-General Canada, Telegram, Confidential ... January 6	Transmits personal message for Prime Minister urging the necessity of an affirmative reply being sent to No. 222 145
224 The Governor-General Union of South Africa, Telegram, Confidential January 6 (Rec. Jan. 6)	States that Ministers concur in proposed alteration of terms of reference and in proposal that Committee should concentrate its attention first on meat and fruit; also to the appointment of Sir H. Mackinder as Chairman. Mr. Dimond has been nominated as Union representative *vice* Mr. Canham 145
225 India Office to Board of Trade January 6 (Rec. in Colonial Office, Jan. 7)	Accepts the altered terms of reference and also the appointment of Sir H. Mackinder as Chairman of the Committee, and nominates representatives of India 145
226 The Governor-General New Zealand, Telegram ... ... January 8 (Rec. Jan. 8)	Agrees to proposed alteration in terms of reference, and the appointment of Sir H. Mackinder as Chairman of the Committee. Proposes to appoint Sir J. Allen to be New Zealand's representative 146
227 To the Governors-General and Governor Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Confidential ... January 8	Transmits copies of correspondence with Canada (No. 533 in Dominions No. 91 and No. 222 above)... 146
228 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Irish Free State, Newfoundland, Confidential January 9	Transmits copy of No. 224 147

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
229 To the Governors-General and Governor Canada, Confidential (4), Commonwealth of Australia, Confidential (4), Union of South Africa, Confidential (2), Irish Free State, Confidential (3), Newfoundland, Confidential (2) ... January 9	Transmits copy of No. 226 147
230 The Governor-General Canada, Telegram, Confidential ... January 11 (Rec. Jan. 12)	States that while preferring title of Overseas Produce Marketing Committee, Canadian Government is prepared to accept title proposed. Inquires as to the date of commencement of sittings of Committee and length of inquiry, and states that representative will be nominated 148
231 To the Governor-General Irish Free State, Telegram, Confidential January 15	Assumes that Ministers have no special comments to offer as regards (*a*) terms of reference, (*b*) appointment of Chairman, (*c*) allocation of expenses, and steps will accordingly be taken for setting up Committee. Inquires whether proposal for representation of Irish Free State by the High Commissioner still holds 148
232 To the Governor-General Canada, Telegram, Confidential ... January 20	Is gratified to learn that Canadian Government are prepared to acquiesce in title for proposed Committee. Agrees that present proposal is to establish Committee with one specific reference and that any suggestions for further inquiries by same or similar body should be considered on their merits 149
233 To the Governors-General and Governor Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Confidential ... ... January 21	Transmits copies of Nos. 230 and 232 149
234 The Governor Newfoundland, Telegram ... ... January 23 (Rec. Jan. 23)	States that Ministers have appointed the High Commissioner for Newfoundland in London to represent Newfoundland on the Committee 149
235 To the Governor-General Canada, Telegram, Confidential ... January 24	States that it is hoped to begin sittings of the Committee immediately on appointment of remaining members and requests names of representatives. Anticipates that business of Committee will occupy several months 150
236 To the Governor-General Commonwealth of Australia, Telegram, Confidential ... January 24	Ditto 150
237 The Governor-General Irish Free State, Confidential ... ... January 26 (Rec. Jan. 27)	States with reference to No. 231 that Ministers have no objections to offer, and nominate Mr. Meyrick, Secretary to the Department of Agriculture, as their second representative, it being understood that his place could be taken if considered desirable by some other officer 150
238 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Confidential January 31	Transmits copies of Nos. 231, 235, 236, 237 and 234 ... 151

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
239 The Governor-General Canada, Telegram, Confidential ... February 6 (Rec. Feb. 7)	Nominates representatives appointed on the Committee on *ad hoc* basis 151
240 To the Governors-General and Governor Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Confidential ... ... February 13	Transmits copy of No. 239 151
241 National Farmers' Union February 14	Hopes that the Union will be given representation on the proposed Committee which will deal with the utilization of the grant appropriated for the assistance of marketing of Empire produce 152
242 The Governor-General Commonwealth of Australia, Telegram February 16 (Rec. Feb. 16)	States that principal delegate whom the Commonwealth desire to appoint cannot arrive in England until the beginning of June. Requests views as to making immediate temporary appointment 153
243 The Governor-General New Zealand, Telegram ... ... February 17 (Rec. Feb. 17)	States that Ministers would be glad if, in addition to the High Commissioner, Mr. R. S. Forsyth, London Manager of the New Zealand Producers Board, could also represent the Dominion 153
244 To the Governor-General Commonwealth of Australia, Telegram February 17	Requests that immediate appointment of representative be made pending arrival of principal delegate as it is hoped that sittings of Committee will begin almost at once 153
245 The Governor-General Commonwealth of Australia, Telegram February 18 (Rec. Feb. 18)	States that steps will be taken for immediate appointment of delegate 153
246 The Governor-General Commonwealth of Australia, Telegram February 20 (Rec. Feb. 20)	States that Sir Mark Sheldon has been appointed as one of the Australian representatives and that the name of the other representative will be communicated in the course of a few days 154
247 The Governor-General Canada, Confidential February 11 (Rec. Feb. 23)	Transmits copy of Privy Council Minute upon which No. 239 was based 154
248 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 78, Confidential ... February 23	Transmits [*not to Australia*: copies of Nos. 242, 244 and 245,] and [*not to New Zealand*: copy of No. 243] 155
249 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram February 24	Quotes text of announcement of setting-up of Committee, which it is proposed to issue to Press ... 156

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
250 To the Governor-General Irish Free State, Confidential ... February 25	Transmits copy of No. 249 156
251 The Governor-General Commonwealth of Australia, Telegram February 26 (Rec. Feb. 26)	Nominates Mr. F. L. McDougall as Australia's second representative on the Committee 156
252 The Governor-General Commonwealth of Australia, Telegram March 3 (Rec. March 3)	States, in reply to No. 249, that Commonwealth Government concurs in terms of suggested statement 157
253 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Telegram ... March 3	States that announcement in terms set out in No. 249 will be issued to Press on 6th March, and gives names of representatives of His Majesty's Government and Secretary of Committee 157
254 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 95, Confidential ... March 4	Transmits [*not to Canada*: copy of No. 247] and [*not to Australia*: copies of Nos. 246 and 251] 157
255 To National Farmers' Union March 5	Regrets impossibility of arranging direct representation of Union on Committee but states that points mentioned in No. 241 will receive careful consideration. Explains the functions of the Committee 158
256 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 98, March 6	Transmits copies of the formal announcement of the establishment of the Imperial Economic Committee 158
257 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Confidential ... March 14	Suggests the appointment of a representative of Southern Rhodesia on the Committee and requests views on the subject 160
258 To the Governor-General Irish Free State, Confidential ... ... March 16	Transmits copy of No. 257 and inquires whether Ministers see any objection to the appointment of a representative of Southern Rhodesia on the Committee 160
259 To India Office ... March 16	Inquires whether the Secretary of State for India sees any objection to the appointment of a representative of Southern Rhodesia on the Committee 160
260 The Governor-General Canada, Telegram, Confidential ... March 16 (Rec. March 16)	States that Ministers have no objection to the appointment of a Southern Rhodesia representative on the Committee 161

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
261 The Governor-General Commonwealth of Australia, Telegram March 18 (Rec. March 18)	States that Ministers have no objection to the appointment of a Southern Rhodesia representative on the Committee 161
262 The Governor Newfoundland, Telegram, Confidential March 19 (Rec. March 20)	Ditto 161
263 The Governor-General Union of South Africa, Telegram, Confidential ... ... March 23 (Rec. March 23)	Ditto 161
264 India Office ... March 23	Ditto 162
265 The Governor-General New Zealand, Telegram, Confidential March 20 (Rec. March 29)	Ditto 162
266 The Governor-General Irish Free State, Confidential ... ... April 2 (Rec. April 3)	Ditto 162
267 To the Governor Southern Rhodesia, Telegram ... ... April 3	States the functions of the Committee and also that all Governments now represented on the Committee have agreed to the appointment of a representative of Southern Rhodesia. If Ministers desire to make such appointment, asks that name of representative be communicated as soon as possible 162
268 The Governor-General New Zealand, Telegram ... ... April 11 (Rec. April 11)	Approves of Mr. A. Crabb acting on the Committee on such occasions when Sir J. Allen is unable to do so 163
269 The Governor Southern Rhodesia, Telegram ... ... April 18 (Rec. April 18)	Nominates High Commissioner to represent Southern Rhodesia on the Committee 163
270 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 178, Confidential ... April 25	Transmits copies of Nos. 267 and 269 163
271 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Southern Rhodesia, Telegram, Confidential ... ... July 29	Quotes message from Chairman of Imperial Economic Committee stating that General and Ment Reports will be signed and published on 5th August provided no Government opposes before 4th August, and giving summary of recommendations thereof ... 164
272 The Governor-General Union of South Africa Telegram, Confidential August 4 (Rec. Aug. 4)	States in reply to No. 271 that Union Government cannot object to publication of Reports but will not hold itself bound by any recommendation made therein and that any recommendation affecting Union will be considered when full drafts are received ... 165

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
273 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Southern Rhodesia, Telegram, Confidential ... ... August 4	States will telegraph later regarding publication of reports of Committee; meantime release of summary of reports should be deferred 165
274 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Southern Rhodesia, Telegram, Confidential ... ... August 8	Gives date of publication of General Report and states that there is no objection to simultaneous publication of epitome contained in No. 271 with slight modification 165
275 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 353, Southern Rhodesia, 318 ... ... August 14	Transmits copies of First General Report of the Committee together with copy of letter addressed to the Chairman of the Committee by the Prime Minister 166
276 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Southern Rhodesia, Telegram, Confidential ... ... August 15	States that Meat Report of the Committee will be published on 20th August, summarizes recommendations of Report and states that views of His Majesty's Government regarding recommendation (4) importation of live animals will also be published with the Report 166
277 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Telegram, Confidential ... ... August 15	Transmits message from Prime Minister for Prime Minister explaining the impossibility of adopting recommendation (4) of the Meat Report regarding the importation of live animals 167
278 To the Governor Southern Rhodesia, Telegram, Confidential ... ... August 15	States that, simultaneously with the Meat Report, an intimation from the Prime Minister will be published, making clear the inability of His Majesty's Government to accept recommendation (4) regarding importation of live animals 168
279 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions, 372, Southern Rhodesia, 331 ... ... August 25	Transmits copies of the Second Report of the Committee, dealing with Meat, together with a statement authorized by the Prime Minister in connexion with the Report 168

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
280 The Governor Southern Rhodesia, Confidential ... August 17 (Rec. Sept. 8)	States with reference to General and Meat Reports that Government accepts recommendations of Committee, the summary of which has been published... 168
281 The Governor-General Commonwealth of Australia, Telegram December 7 (Rec. Dec. 7)	Transmits message from Prime Minister stating that Government notes with pleasure advances made towards furtherance of inter-Imperial trade as evidenced in recommendations of Committee, inquires whether it is proposed to continue meetings of Committee, requests to be informed early of subjects likely to be dealt with, and hopes that matter will not be allowed to rest at this stage 169

VI.

PACIFIC CABLE BOARD.

1925	
282 To the Governors-General Canada, Commonwealth of Australia, New Zealand, Telegram, Confidential October 23	States that Chairmanship of Pacific Cable Board is likely to become vacant, suggests Sir Matthew Nathan as suitable candidate and requests Prime Minister's views 170
283 The Governor-General Commonwealth of Australia, Telegram, Confidential ... October 27 (Rec. Oct. 27)	Approves appointment of Sir Matthew Nathan as successor to Sir William Mercer as Chairman of the Board 170
284 The Governor-General New Zealand, Telegram ... ... November 2 (Rec. Nov. 2)	Ditto 170
285 The Governor-General Canada, Telegram, Confidential ... November 2 (Rec. Nov. 3)	Considers appointment of Chairman to the Board inadvisable until a satisfactory adjustment of matters now at issue between the Board and Canada is assured 171

VII.

RECIPROCAL ARRANGEMENTS FOR PREVENTING INTERFERENCE WITH WIRELESS BROADCASTING.

1925	
286 To the Governor-General and Governor Canada, Newfoundland, Confidential ... May 2	Transmits copy of note from United States Government commenting on proposal to prohibit use of 450 metre wave length by ships within 250 miles of respective coasts and putting forward certain other suggestions together with a despatch to Washington conveying views of His Majesty's Government on these proposals. Transmits also despatch to His Majesty's Representatives in certain European countries regarding the proposals. Inquires whether Government desires certain reciprocal arrangements to be entered into on its behalf 172
287 The Deputy Governor-General Canada, Confidential June 23 (Rec. July 2)	Requests that proposed reciprocal arrangements be made between Canada and the places mentioned in No. 286, and states that a similar arrangement is being concluded direct with Newfoundland 177

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
288 To the Governor-General and Governor Canada, Newfoundland, Confidential August 7	Transmits copy of Note from United States Government stating that it is desired to conclude proposed reciprocal arrangement. States that terms of reply to Note are under consideration but it is hoped that arrangement will come into operation on 1st September. Suggests that arrangement between United States and Canada should be concluded as from the same date. Transmits also copy of Note from French Government on the subject 178
289 To the Governor-General and Governor Canada, Newfoundland, Confidential August 17	States that arrangements are being made for prohibition, on and after 1st September, of the use on British ships of the 300 metres wave within 250 miles of the coasts of Canada and Newfoundland and hopes Ministers will issue instructions for similar prohibition. Transmits copy of despatch from Belgian Government setting out position in Belgium with regard to proposed regulation 180
290 To the Governor-General Canada, Telegram, Confidential ... September 2	States that Note is being addressed to United States Government in order to establish reciprocal arrangement prohibiting ships registered in Great Britain and Northern Ireland and in United States from using waves of 300 and 450 metres within 250 miles of their respective coasts as from 1st October and inquires whether Ministers desire that similar Note be sent to United States on their behalf 181
291 To the Governor-General and Governor Canada, Newfoundland, Confidential September 4	Transmits copy of despatch to His Majesty's representative at Washington authorizing the conclusion of proposed agreement by means of an exchange of Notes. [*To Newfoundland*: Inquires whether Ministers desire a similar reciprocal arrangement between Newfoundland and the United States] ... 181
292 The Governor-General Canada, Telegram September 8 (Rec. Sept. 8)	States in reply to No. 290 that Government desires Note to be addressed to United States Government as suggested 182
293 The Governor Newfoundland, Confidential ... August 29 (Rec. Sept. 14)	States that Government is agreeable to conclusion of reciprocal arrangements with United States, Canada and such European countries as are disposed for the discontinuance of the use of the 450 and 300 metres wave-lengths 182
294 To the Governor-General and Governor Canada, Newfoundland, Confidential September 19	Transmits copy of despatch from Copenhagen enclosing copy of Note from Danish Government stating that it is considered advisable to defer decision regarding conclusion of proposed international agreement until the meeting at Washington of the International Congress on Radio-telegraphy 183
295 The Governor Newfoundland, Telegram ... ... September 22 (Rec. Sept. 23)	Requests that steps be taken to bring arrangements into force as between Newfoundland and United States on 1st October 184
296 To the Governor-General and Governor Canada, Newfoundland, Confidential September 26	Transmits copy of despatch from Stockholm enclosing copy of Note from Swedish Government stating that there is no objection to agreement proposed providing that it does not apply to ships of war and that coast and shore stations called by 220 metres wave-length can reply by a 600 metres wave-length ... 184
297 The Governor-General Canada, Confidential September 16 (Rec. Sept. 28)	Agrees to proposal outlined in No. 289 and states that suitable instructions are being issued to Canadian ships 186

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
298 To the Governor-General and Governor Canada, Newfoundland, Telegram October 3	States that United States Government have agreed to proposed reciprocal arrangements with His Majesty's Government, Canada and Newfoundland and have taken steps to make arrangements effective as far as United States vessels are concerned as from 1st October 186
299 To the Governor-General and Governor Canada, Newfoundland, Confidential October 14	Transmits copy of despatch from His Majesty's Ambassador at Berlin forwarding copy of a Note from the German Government stating views on the question 186
300 To the Governor-General and Governor Canada, Newfoundland, Confidential... October 17	Transmits copy of a despatch from His Majesty's Ambassador at Lisbon forwarding copy of a Note from the Portuguese Government stating that they are prepared to prohibit the use of the 450 metres wave-length provided that English ships will not use a wave-length which will be notified later, and stating that proposal regarding the use of 220 metres wave-length cannot be accepted before the next International Radio-Telephony Congress 188
301 The Governor-General Canada, Telegram October 21 (Rec. Oct. 21)	States that United States acceptance of reciprocal arrangement with His Majesty's Government, Canada and Newfoundland has been noted by Department of Marine and that orders to place arrangements in effect in so far as British ships registered in Canada are concerned have already been issued 189
302 The Deputy Governor-General Canada, Confidential October 22 (Rec. Nov. 2)	Accepts temporary arrangement outlined in communication from Danish Minister in No. 294, requests to be informed whether Danish Government would be prepared to prohibit use of 450 metre waves by Danish ships when within 250 miles of Canadian coasts during hours 5 p.m. to 2 a.m. daily and if so from what date 189
303 The Deputy Governor-General Canada, Confidential October 27 (Rec. Nov. 10)	Requests that expression of thanks be conveyed to the Government of Sweden that negotiations respecting the prohibition of the use by Swedish ships of the 450 and 300 metre wave-lengths have been successfully concluded 190
304 To the Governor-General and Governor Canada, Newfoundland, Confidential November 10	Transmits copies of Notes from the Italian, Spanish and Netherlands Ministers for Foreign Affairs regarding the prevention of interference by ships with broadcasting, together with a copy of a despatch to His Majesty's Ambassador at Lisbon regarding the conclusion of a reciprocal agreement with Portugal on the subject 190
305 To the Governor-General and Governor Canada, Newfoundland, Confidential November 23	Transmits copy of despatch from Oslo forwarding Note from Norwegian Government in connexion with proposals for reciprocal agreement, suggesting that matter be left for discussion at Washington Conference in 1926 193
306 The Governor-General Canada, Confidential (2) November 14 (Rec. Nov. 30)	Requests that thanks be conveyed to Portuguese Government for their action in prohibiting the use of the 450 metre wave by Portuguese ships when within 250 miles of the Canadian coastline 194
307 The Governor-General Canada, Confidential November 16 (Rec. Nov. 30)	Requests that German Government may be again approached with a view to prohibition of the use of 450 and 300 metre waves by German ships when within 250 miles of Canadian coastline 194
308 To the Governor-General Canada, Confidential December 17	Suggests that action proposed in No. 306 should be postponed pending reply from Canadian Government to No. 304 194
309 The Governor-General Canada, Confidential December 9 (Rec. Dec. 23)	Requests that the thanks of the Department of Marine and Fisheries be conveyed to the Netherlands Government for action taken 195

Serial No., From or to whom, Despatch No., &c., and Date.		Subject and Page No.
	1925	
310	To the Governor-General Canada, Confidential (2) December 30	Transmits copies of despatches to His Majesty's Ministers at Copenhagen, Stockholm and Berlin, executing action proposed in Nos. 302, 303 and 307 135

VIII. NORTH ATLANTIC SHIPPING RATES.

	1925		
311	To the Governor-General Canada, Telegram	February 23	Quotes letter from Chamber of Shipping of the United Kingdom to Board of Trade drawing attention to certain charges made against the North Atlantic Lines and inviting a searching investigation of the charges by the Imperial Shipping Committee. Inquires whether Ministers concur in such an investigation being made 197
312	The Governor-General Canada, Telegram (Rec. Feb. 28)	February 27	States that Canadian Government will welcome before the Special Committee to be appointed by the House of Commons to consider the Bill to aid in controlling Ocean rates, representatives from the United Kingdom of Shipping. Ministers would not wish their course of action however to deter investigation by the Imperial Shipping Committee 197
313	To the Governor-General Canada, Telegram (Rec. Mar. 12)	March 12	States that the North Atlantic Lines will be glad to be represented on Special Committee appointed to consider proposed Bill to aid in controlling ocean rates, but they are also desirous that investigation should be made as proposed in No. 311 and His Majesty's Government propose to request Imperial Shipping Committee to investigate the question of North Atlantic shipping rates and their effect on Empire trade with special reference to the Conference system 198
314	The Governor-General Canada, Telegram (Rec. Mar. 13)	March 13	Hopes that British Government will arrange for placing before Imperial Shipping Committee evidence taken by the Special Committee of the Canadian House of Commons. If advised that this course is acceptable, Ministers will forward certified copies of this evidence from day to day 198
315	To the Governor-General Canada, Telegram	March 19	Approves action proposed in No. 314 and states that Chairman of Shipping Committee will get into direct touch with Canadian Government with a view to arranging details of procedure 199
316	To the Governor-General Canada, 136	March 24	Transmits copy of letter from the Board of Trade to the Imperial Shipping Committee requesting the investigation of the question of North Atlantic shipping rates 199

IX. MERCHANT SHIPPING (Equivalent Provisions) ACT, 1925.

	1925		
317	Board of Trade ...	February 9	Transmits copy of draft Merchant Shipping (Foreign Ships) Bill which it is proposed to introduce for the purpose of taking power to make arrangements with foreign countries for the mutual acceptance of shipping regulations. Gives reasons why it was not thought desirable to extend the Bill to deal with other than foreign ships and asks for any observations on the questions raised 201

Serial No., From or to whom, Despatch No., &c., and Date.		Subject and Page No.
	1925	
318	To Board of Trade February 23	Discusses two points to which further consideration should be given before the Bill is introduced into Parliament: (*a*) the expression "British Ships" in Clause I (i) (b) of the draft Bill, (*b*) the desirability of taking the present opportunity to modify the position as to the application of the Merchant Shipping (Wireless Telegraphy) Act, 1919, to British ships registered elsewhere than in the United Kingdom 202
319	Mr. C. Hipwood to Mr. E. J. Harding March 3	Transmits copy of correspondence with Parliamentary Counsel on the subject of exemptions. Agrees that a clause should be inserted empowering the acceptance of Dominion legislation so far as wireless is concerned, but considers that Clause 1 (i) (b) should remain unaltered 203
320	Mr. C. Hipwood to Mr. E. J. Harding March 5	Transmits for concurrence draft clause for insertion in the Bill giving His Majesty's Government power to accept equivalent foreign regulations. Quotes new title of the Bill 205
321	Mr. E. J. Harding to Mr. C. Hipwood March 7	Concurs generally in draft clause enclosed in No. 320, but suggests that it might be extended to deal with British ships registered outside His Majesty's Dominions by the addition to the draft of words indicated 205
322	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 115 March 18	Transmits copies of the Bill as introduced in the House of Lords on the 5th March 206
323	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 309 July 22	Transmits copies of the Merchant Shipping (Equivalent Provisions Act, 1925 206

X. ACTIVITIES OF UNITED STATES CUSTOMS AGENTS.

	1925		
324	To the Governors-General Canada, Commonwealth of Australia, Union of South Africa, Telegram, Confidential	June 25	States that United States Government have addressed to His Majesty's Government and various European Governments official request for recognition of Customs Agents as members of diplomatic body. Indicates grounds on which His Majesty's Government will refuse this request and states that in a separate communication to United States will be set out what is understood to be the limits of the functions of such agents and also quotes a draft paragraph which it is proposed to include regarding the duties of Canadian and Australian Customs Agents in United States 207
325	The Governor-General Commonwealth of Australia, Telegram, Confidential ... (Rec. June 27)	June 27	States that the facts shown in draft paragraph quoted in No. 324 set forth fairly the position with regard to activities of the Australian Inquiry Officers in the United States 207

808

Serial No., From or to whom, Despatch No., &c., and Date.		Subject and Page No.
	1925	
326	The Governor-General Union of South Africa, Telegram, Confidential June 27 (Rec. June 27)	States, with reference to No. 324, that Union Government concur in reply to be sent to United States, and that paragraph regarding Canadian and Australian Customs Agents correctly reflects position of Union Officers 208
327	The Governor-General Canada, Telegram, Confidential ... June 27 (Rec. June 27)	States that paragraph quoted at the end of No. 324 correctly represents situation 208
328	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 321, Confidential ... July 29	Transmits copies of correspondence with the United States Ambassador and of notes from the United States Government regarding the activities of United States Customs attachés in Europe especially in regard to investigations into the costs of production, together with copies of a Parliamentary Question and Answer on the subject 208
329	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, Dominions 477, Confidential ... November 3	Transmits copy of Note from United States Ambassador replying to notes addressed to him regarding the activities of Customs Agents in this country ... 213
330	To the Governor Southern Rhodesia, Confidential ... November 23	Transmits copies of correspondence with the United States Government regarding the activities of their Customs Agents 215

XI. POSITION OF FOREIGN CONSULS IN THE DOMINIONS.

	1925	
331	The Governor-General Commonwealth of Australia, 339 December 6, 1924 (Rec. Jan. 12, 1925)	Considers a revised procedure should be substituted for existing instructions with regard to the status of foreign Consuls in the Dominions, encloses two lists giving names and designations of the Consular representatives and of the Consuls de Carrière in Australia, states the privileges enjoyed in the Commonwealth and suggests for the consideration of the other Dominion Governments and His Majesty's Government some improvements in the present position 215
332	Office of the High Commissioner Commonwealth of Australia ... ... June 27	States that representations have been made by the Consular Representatives of foreign countries in the Commonwealth to secure exemption from the payment of licence fees on their motor-cars and inquires what position is in this respect in Great Britain and foreign countries 219
333	To the Governor-General Commonwealth of Australia, 193 ... July 8	Replies to points raised in No. 332 and transmits copy of No. 334 219
334	Colonial Office	Memorandum regarding the exemption of Consular Officers from payment of income tax and Customs duties in the Dominions 220
335	To the Governors-General and Governor Canada, 309, New Zealand, 123, Union of South Africa, 134, Irish Free State, 270, Newfoundland, 71 ... July 8	Transmits copies of Nos. 331 and 333 221

664

Serial No., From or to whom, Despatch No., &c., and Date.		Subject and Page No.
	1925	
336	To Office of the High Commissioner Commonwealth of Australia ... ... July 22	States in reply to No. 332 that foreign Consular officers in Great Britain are not exempted from payment of motor-car licence fees, and that His Majesty's Government could not support any claim by British Consular officers in foreign countries to exemption from similar charges 222
337	To the Governors-General and Governor Canada, 359, New Zealand, 154, Union of South Africa, 174, Irish Free State, 337, Newfoundland, 87 August 24	Transmits copies of Nos. 332 and 336. States that an inquiry has also been received from Commonwealth authorities as to position of Consuls as regards passes for free travelling on railways, and other matters, and transmits memorandum dealing with the question generally 222
338	The Governor-General New Zealand, 221 October 14 (Rec. Nov. 30)	Quotes observations of Prime Minister regarding the position of foreign Consuls in the Dominions ... 223

XII. DOMINION LOANS.

	1925	
339	To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram June 15	Transmits message for Prime Minister stating that His Majesty's Government view with concern the pressure on the London market for overseas loans and would welcome any action Dominions can take to diminish for the present their demands on London for loans or to give as long notice as possible of any loans which it is essential to place 225
340	To the Governor Southern Rhodesia, Telegram ... ... June 15	Ditto 225
341	The Governor-General Commonwealth of Australia, Telegram, Very Confidential ... June 18 (Rec. June 17)	Transmits message from Prime Minister outlining loan programme for year ending June, 1926, discussed by Council comprising Commonwealth and States' Treasurers, and the possible necessity of borrowing direct from New York if London market is unable to issue full amount required 226
342	The Governor-General Commonwealth of Australia, Telegram, Confidential ... June 18 (Rec. June 18)	Transmits message from Prime Minister suggesting desirability of communicating contents of No. 339 to States' Treasurers 227
343	The Governor-General Union of South Africa, Telegram, Secret ... June 18 (Rec. June 18)	Transmits message from Prime Minister stating that High Commissioner in London has been requested to advise His Majesty's Treasury of financial operations in hand and in contemplation 227
344	To the Governor New South Wales, Telegram ... ... June 19	Quotes No. 340 for information of Prime Minister and communication to Governors of other States ... 227
345	To the Governor-General Commonwealth of Australia, Telegram, Confidential ... ... June 22	Transmits message for Prime Minister reporting action taken in No. 344 228
346	To the Governor-General Commonwealth of Australia, Telegram June 24	Conveys message from Chancellor of the Exchequer to the Prime Minister inquiring as to the exact amount which it will be necessary to raise before December, 1925, and stating views regarding manner of negotiation with America 228

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
347 The Governor-General Commonwealth of Australia, Telegram June 27 (Rec. June 27)	Transmits message from Prime Minister replying to points raised in No. 340, and suggesting that matter should be discussed with the High Commissioner in London 228
348 The Governor-General New Zealand, Telegram, Very Confidential June 29 (Rec. June 29)	Agrees to adopt procedure suggested in No. 339 regarding any essential loans 229
349 The Governor New South Wales, Telegram ... ... June 30 (Rec. June 30)	States that No. 344 has been repeated to Governors of other States, and that he has discussed matter with Prime Minister who is anxious not to go to America for money 229
350 The Governor-General Canada, Telegram, Confidential ... July 10 (Rec. July 11)	States in reply to No. 339 that Canadian Government has not in mind at present the placing of any new issue on the London market 229
351 The Governor New South Wales, Confidential ... August 22 (Rec. Oct. 6)	States that it is imperative that New South Wales should have access to the financial market, and that failing British market the best expedient would be the United States; that Ministers are opposed to this course and would prefer delaying application to New York until the London market is definitely and finally closed to them. States that they have decided not to join the Australian Loan Council ... 229
352 The Governor-General Commonwealth of Australia, Telegram October 19 (Rec. Oct. 19)	States that Press cables have reported an embargo in London on Dominion loans, and that Ministers would appreciate advice of the action taken and the reason 230
353 To the Governor-General Commonwealth of Australia, Telegram, Secret ... ... October 23	Conveys explanatory statement made by Chancellor of the Exchequer in reply to No. 352 230
354 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Southern Rhodesia, Telegram, Confidential ... November 3	Reports intention of Chancellor of Exchequer to announce that henceforth no restrictions will be placed on issue of loans in London market 231
355 To the Governor New South Wales, Telegram, Confidential November 3	Ditto 231
356 To the Governors-General and Governors Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland, New South Wales, Victoria, Queensland, South Australia, Western Australia, Tasmania, Dominions 501, Southern Rhodesia, 449 November 25	Transmits copy of Parliamentary Question and Answer of 17th November regarding the decision to raise the embargo on Dominion and Foreign loans raised in this country 231

XIII. ARRANGEMENTS FOR THE IMPERIAL CONFERENCE, 1926.

Serial No., From or to whom, Despatch No., &c., and Date.	Subject and Page No.
1925	
357 House of Commons ... April 6	Question asked by Sir H. Brittain as to the holding of the next Imperial Conference in one of the Dominions; and the Prime Minister's reply thereto 233
358 To the Governors-General and Governor Canada, Commonwealth of Australia, New Zealand, Union of South Africa, Newfoundland, Telegram, Confidential ... December 21	Conveys message from Prime Minister for Prime Minister stating views as to the date of the holding of the next Imperial Conference and requests views of Dominion Government as to the most suitable date 233
359 To the Governor-General Irish Free State, Confidential (2) ... December 22	Transmits copy of No. 358, and requests views thereon 233
360 The Governor-General New Zealand, Telegram, Confidential December 23 (Rec. Dec. 23)	Transmits message from Prime Minister for Prime Minister forwarding views in favour of holding the next meeting of the Conference in 1927 234
361 The Governor Newfoundland, Telegram, Confidential December 23 (Rec. Dec. 24)	States that if next meeting of Conference is held in 1926, October would be the more suitable time for Prime Minister to attend 234
362 The Governor-General Commonwealth of Australia, Telegram December 24 (Rec. Dec. 24)	Transmits message from Prime Minister for Prime Minister urging the necessity of holding the next Imperial Conference in June, 1926 234

RELATING TO

IMPERIAL CONFERENCE, 1911,
IMPERIAL WAR CONFERENCES of 1917 and 1918,
IMPERIAL MEETINGS, 1921,
IMPERIAL CONFERENCE, 1923,

AND THE

IMPERIAL ECONOMIC CONFERENCE, 1923.

I.

CORRESPONDENCE ARISING OUT OF THE RESOLUTIONS OF THE IMPERIAL CONFERENCE, 1911.

RESOLUTION VIII.: PROVISION FOR DESERTED WIVES AND CHILDREN.

That, in order to secure justice and protection for wives and children who have been deserted by their legal guardians either in the United Kingdom or any of the Dominions, reciprocal legal provisions should be adopted in the constituent parts of the Empire in the interests of such destitute and deserted persons.

(*See pages* 1-30 *of Dominions No.* 91.)

448

No. 1.

NEW SOUTH WALES.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 5th January, 1925.)

[*Answered by No.* 2.]

(No. 117.)

SIR, Government House, Sydney, 26th November, 1924.

I HAVE the honour, at the instance of Ministers, to inform you that upon receipt of your predecessor's despatch No. 95 of the 8th August last,* respecting the reciprocal enforcement of maintenance orders between this State and the Isle of Man, a proclamation was issued declaring that the Isle of Man is a reciprocating State for the purposes of the New South Wales "Maintenance Orders (Facilities for Enforcement) Act." I transmit herewith copy of the proclamation,† together with copy of the said Act and Rules† made thereunder, for the information of the Government of the Isle of Man.

* No. 33 in Dominions No. 91. † Not reprinted.

2. I have to explain that Ministers have decided on the course of declaring reciprocal States as soon as they receive notification of the willingness of other parts of the Empire to reciprocate in this matter, together with evidence of the necessary legislation, rather than incur the delay caused by the fixing of a date for mutual action.

3. Ministers desire me to draw your attention to the proclamation,* copy of which is attached, which extends the provisions of the New South Wales Act to a number of the Colonies and Protectorates.

I have, &c.,
D. R. S. DE CHAIR.
Governor.

7161

No. 2.

NEW SOUTH WALES.

THE SECRETARY OF STATE to THE GOVERNOR.

(No. 18.)

SIR, Downing Street, 20th February, 1925.

WITH reference to paragraph 1 of your despatch No. 117 of the 26th of November,† I have the honour to transmit to you, for the information of your Ministers, copies of an Order* of the Lieutenant-Governor of the Isle of Man extending the Isle of Man Maintenance Orders (Facilities for Enforcement) Act, 1921, to New South Wales.

I have, &c.,
L. S. AMERY.

19983

No. 3.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4th May, 1925.)

(No. 60.)

SIR, Governor-General's Office, Melbourne, 19th March, 1925.

WITH reference to your predecessor's despatch dated 9th July, 1924, No. 244,‡ covering copies of an Order in Council dated 25th June, 1924, applying the Maintenance Orders (Facilities for Enforcement) Act, 1920, to the Territory of Papua, I have the honour, at the instance of my Prime Minister, to inform you that provisional maintenance orders sent to Papua for enforcement should be accompanied by the under-mentioned documents:—

(1) A certified copy of the Maintenance Order;
(2) A certified copy of the depositions taken at the hearing;
(3) Some means for the identification of the person against whom the order was made with the person in Papua believed to be the person against whom the order was made, i.e., the full name and address and the personal description of the defendant, together with his photograph, if possible;
(4) Any grounds of defence the defendant might have had if he had appeared in obedience to a summons as certified to by the magistrate who made the provisional order; and
(5) A certified copy of the entry in the marriage register, or the marriage certificate if the first cannot be obtained.

I have, &c.,
FORSTER,
Governor-General.

---

* Not reprinted. † No. 1. ‡ No. 30 in Dominions No. 91.

19987

667

No. 4.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4th May, 1925.)

[*Answered by No.* 7.]

(No. 67.)

SIR, Governor-General's Office, Melbourne, 26th March, 1925.

WITH reference to previous correspondence relative to the Maintenance Orders (Facilities for Enforcement) Act, 1920, I have the honour, at the instance of my Prime Minister, to inform you that, as the Act in question has been made applicable to the Northern Territory of Australia and the Territories of Papua and Norfolk Island, the Commonwealth Government is of opinion that, if possible, arrangements should be made for the enforcement in the Mandated Territory of New Guinea of maintenance orders from the parts of His Majesty's Dominions to which the Act applies.

I should be glad if the consideration of His Majesty's Government could be given to the question of amending the Act to permit of such arrangements being made.

I have, &c.,
FORSTER,
Governor-General.

22683

No. 5.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 256.)

MY LORD, Downing Street, 4th June, 1925.

WITH reference to Sir John Idington's despatch No. 414 of the 6th of July, 1921,* and connected correspondence, I have the honour to transmit to Your Excellency, to be laid before your Ministers, the accompanying copy of a letter from the Clerk to the Odiham Justices regarding the extension to Canada of the provisions of the Maintenance Orders (Facilities for Enforcement) Act, 1920, together with a copy of the letter† sent in reply.

2. I would observe that the Act of 1920 has now been applied on reciprocal terms to all the Australian States (except Victoria) and also to New Zealand and the Union of South Africa, and, so far as I am aware, no difficulty has been experienced in the working of the system.

I have, &c.,
L. S. AMERY.

Enclosure in No. 5.

Magistrates' Clerk's Office, 105, High Street,
SIR, Aldershot, 13th May, 1925.

Maintenance Orders (Facilities for Enforcement) Act, 1920.

FROM time to time I have had applications made to me by wives of Canadian soldiers who were stationed in Aldershot and the vicinity during the War, for summonses against their husbands for deserting them and their children—the men having returned to Canada, leaving them behind.

I have had to tell them that the Canadian Government has not yet made reciprocal provisions for the enforcement within the Dominion of Canada, of Orders made in England under the above Act.

---

* No. 28 in Dominions No. 73. † No. 6.

I shall be glad to know whether there is, in the near future, any likelihood that the Canadian Government will make reciprocal provisions, or whether it has definitely been "turned down" by them.

I am, &c.,
JAMES C. BROOKS,
Clerk to the Justices.

The Secretary of State,
Home Office,
Whitehall, S.W.

22683

No. 6.

DOMINIONS OFFICE to THE CLERK TO THE ODIHAM JUSTICES.

SIR, Downing Street, 3rd June, 1925.

I AM directed by Mr. Secretary Amery to inform you that your letter of the 13th of May* to the Home Office regarding the extension to Canada of the provisions of the Maintenance Orders (Facilities for Enforcement) Act, 1920, has been referred to this Department.

In reply I am to state that this is a matter in Canada for the several Provinces. So far as Mr. Amery is aware, no action has been taken by any of the Provincial Governments with a view to the passage of legislation reciprocal to the Act of 1920, and he is unable to say what prospect there is of any such legislation being passed in the future.

A copy of this correspondence is being sent to the Canadian Government.

I have, &c.,
A. C. C. PARKINSON.

38410

No. 7.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 245.)

MY LORD, Downing Street, 5th September, 1925.

I HAVE the honour to acknowledge the receipt of Your Excellency's despatch No. 67 of the 26th March,† regarding the reciprocal enforcement of maintenance orders, and to request you to inform your Ministers that His Majesty's Government have given consideration to the possibility of introducing legislation to amend the Maintenance Orders (Facilities for Enforcement) Act, 1920, so as to enable reciprocity to be established between this country and Mandated Territories. So far, however, as they are aware, no definite instance has occurred in which the absence of such reciprocity has given rise to hardship to individuals, and in all the circumstances they would prefer that the question should stand over for the present for further consideration.

2. As regards the establishment of reciprocity between the Mandated Territory of New Guinea and any part of the Empire other than Great Britain and Ireland, this would appear to be a matter to be effected by direct arrangement, subject to the existence of appropriate legislation in New Guinea and such part of the Empire.

I have, &c.,
L. S. AMERY.

---

* Enclosure in No. 5. † No. 4.

II.

CORRESPONDENCE ARISING OUT OF THE RESOLUTIONS OF THE IMPERIAL WAR CONFERENCE, 1917.

RESOLUTION VIII.: CARE OF SOLDIERS' GRAVES.

The Conference, having considered the Minute addressed to the Prime Minister on the 15th March, 1917, by His Royal Highness the Prince of Wales, concurs in the proposals made therein, and humbly prays His Majesty to constitute by Royal Charter an Imperial War Graves Commission for the purposes stated by His Royal Highness, and along the lines therein set forth as embodied in the draft charter submitted to the Conference. The Conference places on record its very deep appreciation of the generous action of the French Government in allotting in perpetuity the land in that country where our men are buried, and urges that similar arrangements should be made, if possible, in the terms of peace with all Governments—Ally, Enemy, or Neutral—for a similar concession in Gallipoli, Mesopotamia, Africa, and all other theatres of war. The Conference desires to record its grateful appreciation of the work already done by the Prince of Wales and his Committee in caring for the graves of those who have fallen in the common cause of the Empire, and its satisfaction that His Royal Highness has consented to become the President of the permanent Commission.

RESOLUTION XII.: CARE OF SOLDIERS' GRAVES.

That the Imperial War Graves Commission be requested as soon as possible after their appointment and organization to prepare an estimate of the probable cost of carrying on the work entrusted to them and to submit the same to the Governments of the United Kingdom and Oversea Dominions with their recommendation as to the proportion that should be borne by each.

IMPERIAL WAR CONFERENCE, 1918.

RESOLUTION I.: IMPERIAL WAR GRAVES COMMISSION.

The Conference desires to place on record its appreciation of the labours of the Imperial War Graves Commission and is in favour of the cost of carrying out the decisions of the Commission being borne by the respective Governments in proportion to the numbers of the graves of their dead.

(*See pages* 36-38 *of Dominions No.* 91.)

59721

No. 8.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 42.)

SIR, Downing Street, 9th February, 1925.

I HAVE the honour to refer to the correspondence terminating with Your Excellency's despatch No. 260 of the 7th July, 1924,* relative to the future care and maintenance of British military graves in the Irish Free State.

2. His Majesty's Government have noted with appreciation your Ministers' offer to take over the responsibility for all such graves in the Free State. Before deciding whether to avail themselves of it, however, they desire me to lay before your Government certain further particulars in regard to the financial aspect of the proposals made in my predecessor's despatch No. 115 of the 21st February, 1924.†

---

* No. 46 in Dominions No. 91 † No. 45 in Dominions No. 91.

3. Included among the obligations imposed upon the Imperial War Graves Commission by their Charter is that of placing headstones over the graves which fall to their care. It is not clear from your despatch under reference whether this service would be included among the responsibilities which your Ministers offer to accept, but it is an obligation which, in the absence of any other arrangement, the Commission would feel unable to evade.

4. It appears possible that your Ministers may have been moved to reject the suggestion that the Irish Free State should participate in the activities of the Imperial War Graves Commission by an imperfect acquaintance with the financial liabilities involved by such a step. His Majesty's Government, far from proposing that the Irish Free State should accept responsibility for such a proportion of the total expenses of the Commission as the number of war graves of Irishmen throughout the world bears to the whole number of war graves, intended to propose that the share of the Irish Free State should be ascertained by reference to the number of war graves situated in Free State Territory. According to an approximate estimate, which should be regarded as subject to revision in detail, it is calculated that on this basis the contribution of the Irish Free State to the funds of the Commission could not exceed £5,000 a year during the short time before the constructive work of the Commission is finished, and it is considered that the expenditure on maintenance thereafter to which the Irish Free State would be called on to contribute rateably should be a comparatively modest sum.

5. His Majesty's Government will be grateful if your Ministers should feel able to reconsider, in the light of the figures quoted above, their decision not to participate in the work of the Imperial War Graves Commission, and if I may be informed in due course whether they can now see their way to accepting the proposals outlined in Mr. Thomas's despatch of the 21st February, 1924.

I have, &c.,
L. S. AMERY

IMPERIAL WAR CONFERENCE, 1917.

RESOLUTION XV.: DOUBLE INCOME TAX.

The present system of Double Income Taxation within the Empire calls for review in relation—

(i) to firms in the United Kingdom doing business with the Oversea Dominions, India, and the Colonies;

(ii) to private individuals resident in the United Kingdom who have capital invested elsewhere in the Empire, or who depend upon remittances from elsewhere within the Empire, and

(iii) to its influence on the investment of capital in the United Kingdom, the Dominions, and India, and to the effect of any change on the position of British capital invested abroad.

The Conference, therefore, urges that this matter should be taken in hand immediately after the conclusion of the War, and that an amendment of the law should be made which will remedy the present unsatisfactory position.

(*See pages* 40-46 *of Dominions No.* 91.)

126

No. 9.

NEW ZEALAND.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 11.]

(No. 8.)

SIR, Downing Street, 12th January, 1925.

I HAVE the honour to request Your Excellency to inform your Ministers that the attention of the Board of Inland Revenue has been called to the recommendation of the Royal Commission, appointed to inquire into the subject of Land and Income Taxation in New Zealand, concerning double taxation (recommendation (o) on page 6 of New Zealand Parliamentary Paper I-B.5 of 1924).

2. If the New Zealand Government should decide, in pursuance of that recommendation, to introduce legislation complementary to Section 27 of the United Kingdom Finance Act 1920 (a copy of which was enclosed in Lord Milner's despatch Dominions No. 427 of the 4th October, 1920*) in regard to relief in respect of double income tax, the terms of such legislation would seem to require consideration in the light of that section, and in the circumstances the Board of Inland Revenue would be happy to co-operate, should the New Zealand Government so wish, in the preparation of the legislation required.

3. It may be observed, with reference to the proviso contained in the recommendation that the arrangements for relief in respect of double taxation should not operate to place British investors in New Zealand on a better footing than New Zealand investors, that if provision were made in New Zealand for the complementary relief recommended by the Royal Commission on Income Tax in paragraph 70 of their Report of the 11th March, 1920 (a copy of which was enclosed in Lord Milner's despatch Dominions No. 114 of the 24th of March, 1920†), the relief would not have that result, as the measure of the total relief to be given in this country and in New Zealand would be the lower of the two rates of tax: so that the investor, after allowance of the relief in both countries, could not bear less in all than the higher of the two rates to which he might be liable in either country before allowance of the relief.

I have, &c.,
L. S. AMERY.

* No. 77 in Dominions No. 78. † Not printed: see note on page 62 of Dominions No. 73.

9494

No. 10.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 88.)

MY LORD, Downing Street, 13th March, 1925.

WITH reference to Your Excellency's despatch No. 72 of the 2nd April, 1924,* I have the honour to transmit to you, to be laid before your Ministers, the accompanying copy of a memorandum containing the observations of the Board of Inland Revenue on the statement by the Commonwealth Commissioner of Taxation on the subject of Double Income Tax forwarded in your despatch under reference.

2. The Board of Inland Revenue desire to express their thanks to the Federal Commissioner of Taxation for his careful consideration of their previous memorandum, and for the information conveyed in his statement.

I have, &c.,
L. S. AMERY.

Enclosure in No. 10.

NOTE BY THE BOARD OF INLAND REVENUE ON DESPATCH OF 2ND APRIL, 1924, FROM THE GOVERNOR-GENERAL OF THE COMMONWEALTH OF AUSTRALIA, FORWARDING A STATEMENT BY THE COMMONWEALTH COMMISSIONER OF TAXATION ON THE SUBJECT OF DOUBLE INCOME TAX.

1. THE Board note from the observations which the Commonwealth Commissioner of Taxation makes in regard to paragraphs 3, 4 and 6 of their memorandum, that the methods of dealing, for the purposes of relief from Commonwealth tax, with differences between Commonwealth and United Kingdom assessments in relation to

(*a*) admissible or inadmissible deductions from gross income and
(*b*) basis of assessment,

differ from the methods adopted (on the recommendation of the Royal Commission on the Income Tax) for the purpose of relief from United Kingdom tax.

While this diversity of method is, perhaps, confusing to the taxpayer, it does not appear, if the principles adopted by the Commonwealth Authorities are correctly understood, that the result will be inequitable. It is not entirely clear, however, from the Commissioner's comments on paragraphs 3 and 4, whether the correct conclusions are drawn from his comments on paragraph 6. The comments on paragraphs 3 and 4 refer to the example given in paragraph 74 of the Report of the Royal Commission on the Income Tax, which was as follows:—

1st Year.		*United Kingdom.*		*Dominion.*
Tax before relief	...	£1,000 at 3s. 9d.	...	£600 at 1s. 6d.
Relief ...	...	£1,000 at 1s. 6d.	...	Nil.
Tax after relief	...	£1,000 at 2s. 3d.	...	£600 at 1s. 6d.
2nd Year.	...	*United Kingdom.*		*Dominion.*
Tax before relief	...	£300 at 3s. 0d.	...	£900 at 1s. 6d.
Relief ...	...	£300 at 1s. 6d.	...	Nil.
Tax after relief	...	£300 at 1s. 6d.	...	£900 at 1s. 6d.

The Commissioner with regard to this example says: "If the Commonwealth rates of tax in the two years involved rebate of tax, the rebate would be calculated on £600 in the first year and £300 in the second year, as these amounts represent the income falling to be doubly taxed."

If it were to be concluded from this statement that, because the United Kingdom assessment for the year two was £300 only, the Commonwealth could not allow relief on more than £300 of their assessment of £900 for the year two, the result

* No. 48 in Dominions No. 91.

670

would appear to be inequitable to the taxpayer. The taxpayer would obtain relief from Commonwealth tax on the amount of the Commonwealth assessment in years when that was less than the United Kingdom assessment, and only on an amount equivalent to the United Kingdom assessment in years when the Commonwealth assessment exceeded the United Kingdom assessment, and would rarely obtain, over a series of years, relief from Commonwealth tax on a total amount equivalent to the total Australian profits charged to United Kingdom tax.

It does not appear from the comments on paragraph 6 of the Board's memorandum that this result is intended. If those comments are correctly understood, it is assumed that the Commonwealth would allow relief on the whole of the assessment of £900 for the year two, provided it were shown either that the whole of that assessment formed part of the United Kingdom assessment of £1,000 for the year one, or that the whole of the £900 were charged to United Kingdom Income Tax at any time, either before the year one or after the year two.

2. With regard to the comments by the Commissioner of Taxation on paragraph 9 of the Board's memorandum, it is noted that certificates in the form suggested in paragraph 10 of the memorandum, together with details obtained from the taxpayer, have enabled the Commonwealth relief to be granted. It is observed, however, that the Commissioner suggests that the taxpayer should prepare dissected accounts which should be certified by the assessing authority to be those used in its assessment. Such certificates could not, apparently, serve any useful purpose unless the dissected accounts were at least compared and reconciled in detail by the assessing authority with the accounts produced to that authority as adjusted for Income Tax purposes. In these circumstances, and for the reasons indicated in paragraph 9 of their previous memorandum, the Board regret that they cannot see their way to arrange for such certificates to be given.

3. It appears from the Commissioner's comments on paragraph 13 of the Board's memorandum that paragraphs 12 and 13 of the memorandum have not been correctly understood. The Commissioner says:—"It is noticed that the United Kingdom relief from double taxation paid by a company on dividends distributed to shareholders who are not Australian residents is first granted to the Company, and is subsequently granted to the shareholder (paragraph 13), notwithstanding the fact that the Company in nearly every instance deducts the dividend tax from the dividends paid to the non-Australian residents."

This is not the case; to the extent that relief is granted to a Company it is not again granted by the Revenue to the shareholder. Moreover, relief in respect of the Australian dividend tax would only be granted to the Company if the Company did not deduct that tax from the dividends to absentee shareholders; as the Board understand the position, a company incorporated outside Australia rarely, if ever, deducts Australian tax from dividends, and would probably not be entitled to do so. Paragraph 13 dealt with the allowance of relief to shareholders resident in the United Kingdom of Companies which are not liable to United Kingdom Income Tax on their profits. Such Companies have no title to, and would not be allowed, relief in the United Kingdom.

With regard to the further comment that "the relief granted by the Board of Inland Revenue proceeds on the assumption that any tax paid by a Company is paid on behalf of the shareholders," the Board are aware that in certain cases a Dominion Income Tax paid by a Company on its profits is not, under the Dominion law, regarded as paid on behalf of the shareholders, but, in pursuance of the general intention of the scheme to allow relief to all persons who actually bear the burden of double taxation, the Board have taken into account the fact that, whether or not under the Dominion law the Dominion tax is paid by the Company on behalf of the shareholders, the payment of the Dominion tax by the Company is borne by the ordinary shareholders, and, in certain circumstances, by preference shareholders, in the sense that it diminishes the funds available for distribution by the Company as dividends.

4. The Board note the illustrative examples appended to the Commissioner's memorandum, which make clear the method of calculation of the Commonwealth rebate to a Company and to a shareholder in a Company.

February, 1925.

17723

No. 11.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 20th April, 1925.)

(No. 44.)

SIR, Government House, Wellington, 4th March, 1925.

WITH reference to your despatch No. 8 of the 12th January,* I have the honour to inform you that the New Zealand Government does not at present propose to introduce legislation in pursuance of the recommendation concerning double income tax of the Royal Commission appointed to inquire into the subject of Land and Income Taxation in New Zealand.

2. Ministers would be glad, however, if an expression of their appreciation may be conveyed to the Board of Inland Revenue for its kind offer of co-operation in the event of the introduction of legislation being contemplated.

I have, &c.,
CHARLES FERGUSSON,
Governor-General.

* No. 9.

III.

CORRESPONDENCE ARISING OUT OF THE RESOLUTIONS OF THE IMPERIAL WAR CONFERENCE, 1918.

RESOLUTION X: DYE MANUFACTURING INDUSTRY.

The Conference takes note of the action taken and contemplated by His Majesty's Government with a view to freeing the industry of the United Kingdom from dependence on German dve-stuffs, and recommends the Governments of the Empire to consider immediately what steps can be taken to co-operate with the efforts of the Imperial Government to promote the successful development of the dye industry in the British Empire, and so to avoid enemy domination over our essential industries.

(*See pages* 110-122 *of Dominions No.* 73.)

47480

No. 12.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 1.5 p.m., 7th November, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

7TH NOVEMBER. Confidential. My despatch 31st October, 1918, Dominions 628,* and subsequent correspondence regarding Resolution of Imperial War Conference, 1918, on the subject of the dye manufacturing industry. In view of representations received from British Dyestuffs Corporation, His Majesty's Government after careful consideration and in order to enable the Corporation to carry on business on ordinary commercial lines have expressed their readiness to withdraw their representatives from the Board of the Corporation and to terminate their existing rights of veto and control at the same time in effect selling to Corporation the Government's holding therein, subject to condition that Article of Association which provides that not more than 25 per cent. of shares should be held by foreigners is not altered and assurances being given that in all matters of technical information and research the Corporation will keep in touch with the Government. This proposal will have to be considered by general meeting of shareholders in connexion with the scheme of reconstruction.

In reaching this decision His Majesty's Government do not intend in any way to depart from policy embodied in Dyestuffs Import Regulation Act, 1920 (see my despatch 15th January, 1921, Dominions 29†), the necessity for which they regard as in no way diminished by these changes.—AMERY.

47480

No. 13.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Confidential.)

SIR, Downing Street, 9th November, 1925.

I HAVE the honour to transmit to Your Excellency, to be laid before your Ministers, a copy of a telegram‡ to the other self-governing Dominions regarding

* No. 268 in Dominions No. 61. † No. 184 in Dominions No. 73. ‡ No. 12.

the decision of His Majesty's Government to dispose of their holdings in the British Dyestuffs Corporation.

2. A copy of the Resolution* of the Imperial War Conference, 1918, and of the despatch of 31st October, 1918.† to which reference is made, is enclosed.

I have, &c.,
L. S. AMERY.

52661

No. 14.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
— Dominions No. 508.)

[MY LORD,] [SIR,] Downing Street, 30th November, 1925.

WITH reference to previous correspondence on the subject of British Dyes, I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a Parliamentary Question and Answer of the 23rd of November regarding the interests of His Majesty's Government in the British Dyestuff Corporation.

I have, &c.,
L. S. AMERY.

Enclosure in No. 14.

HOUSE OF COMMONS.

(23rd November, 1925.)

British Dyestuffs Corporation.

SIR F. HALL asked the President of the Board of Trade whether the Government has surrendered its interest in the British Dyestuffs Corporation; if so, upon what terms; and what steps will be taken to ensure that this country shall not in future find itself handicapped, as was the case during the Great War, owing to its dependence upon foreign countries for the supply of aniline dyes?

THE PRESIDENT OF THE BOARD OF TRADE (Sir Philip Cunliffe-Lister): His Majesty's Government have indicated to the directors of the British Dyestuffs Corporation their willingness to dispose of their shares in the Corporation for the sum of £600,000, and to terminate their existing rights of veto and control on the conditions that the Corporation enters into an agreement that no more than 25 per cent. of its shares shall be held by foreigners, and that the Corporation will in all matters of technical information and research keep in touch with the Government in such manner as the President of the Board of Trade for the time being may direct. These arrangements, if approved by the shareholders, will give the Corporation the same freedom in the conduct of its undertaking as is enjoyed by the other dye-making companies in this country. The course taken is one which the Government believe, after full consideration, to be in the best interests, not merely of the particular company, but of the dye-making industry in this country as a whole. I may add, with regard to the last part of the question, that the Government have no intention of modifying the Dyestuffs (Import Regulation) Act.

---

* See page 194 in Dominions No. 61. † No. 208 in Dominions No. 61.

55429

No. 15.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
— Dominions No. 526.)

[MY LORD,] [SIR,] Downing Street, 15th December, 1925.

WITH reference to my despatch Dominions No. 508 of the 30th of November,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of a Parliamentary Paper, Cmd. 2545, containing papers relative to the liquidation of the Government interests in the British Dyestuffs Corporation, Limited.

[*Not to New Zealand or Irish Free State:* 2. Further copies are being sent in Library despatch.]

I have, &c.,
L. S. AMERY.

---

* No. 14.

IV.

IMPERIAL CONFERENCE, 1923.

(Summary of Proceedings, Cmd. 1987).

(i) STATUS OF HIGH COMMISSIONERS.

Taxation of High Commissioners.

(*See pages* 163-167 *of Dominions No.* 91.)

59853

No. 16.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 3.50 p.m., 2nd January, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)

2ND JANUARY. My telegram 20th December.* Please inform your Prime Minister that I am communicating to High Commissioner copy of Memorandum enclosed in my predecessor's private letter to him of 10th October,† regarding position of Dominion High Commissioners in matter of taxation here, together with extract of last part of my telegram of 20th December beginning at words "statement of additional personal privileges."—AMERY.

10057

No. 17.

THE PRIVATE SECRETARY to THE SECRETARY OF STATE, to [MR. P. C. LARKIN.] [SIR JOSEPH COOK.] [SIR JAMES ALLEN.] [SIR EDGAR WALTON.] [MR. JAMES McNEILL.] [CAPTAIN V. GORDON.]

DEAR ——, Downing Street, 9th March, 1925.

MR. AMERY wishes me to send you, in connexion with his letter of 3rd January,‡ a copy of a letter from the Treasury setting out the arrangements proposed in regard to the payment of rates on your private residence: in particular he asks me to draw your attention to the suggestion in the last paragraph as to the payment of rates for the current rating period.

Mr. Amery hopes that the arrangements outlined in the Treasury letter will prove satisfactory.

[*To Mr. Larkin only:* He also desires me to enclose a letter§ from the Treasury Valuer on the subject: perhaps you would be so good as to arrange for someone on your behalf to see the Treasury Valuer and settle the matter with him as he suggests.]

Yours sincerely,
A. EDGCUMBE.

* No. 274 in Dominions No. 91. † No. 273 in Dominions No. 91. ‡ Not printed: see No. 16.
§ 10329/25; not printed; it asked for certain particulars as to the rates due on Mr. Larkin's private house, and suggested personal discussion.

[10057] 673

Enclosure in No. 17.

SIR, Treasury Chambers, 3rd March, 1925.

THE Lords Commissioners of His Majesty's Treasury have had under consideration the question of the payment of local rates on the residences in this country occupied by the High Commissioners for the British Dominions and they have decided that such a proportion of the rates as is levied in respect of the following matters shall be borne on the Vote for Rates on Government Property, viz.:—

(*a*) Expenses of the County Council in connexion with Elementary and Higher Education;
Police;
Relief of the Poor;
Baths and Washhouses Acts;
Burial Acts;
Public Libraries Acts;
Housing Acts;
Food and Drugs Acts;
Miscellaneous and Administrative Expenses.

The proportion of the rates falling to be borne by the High Commissioners will, therefore, be limited to such components of the rates as relate to:—

(*b*) Expenses of the County Council in connexion with matters other than Elementary and Higher Education; including Equalization Charges;
Water charges;
House refuse: removal and disposal;
Sewerage and drainage;
Lighting, cleansing, repairing and maintenance of public streets and pavements.

With regard to the machinery for giving effect to this decision, My Lords have directed that Demands for Rates shall be dealt with by the Treasury Valuer, by whom payment of the claims of the local authorities will be made in the first instance in full. He will then furnish a statement of such payments to the Colonial Office showing the sum repayable by the High Commissioners respectively in respect of the proportion referred to at (*b*) above. On repayment of such sums to the Colonial Office they should be transferred to this Department for the credit of the Vote for Rates on Government Property.

The addresses of the houses to which this decision applies should be furnished to the Treasury Valuer who should also be given early intimation of any changes occurring from time to time in those addresses.

I am accordingly to request that in communicating this decision to the High Commissioners the Secretary of State for the Colonies will be so good as to ask High Commissioners to refer local authorities making any claims for rates upon them to the Treasury Valuer, whose address is 29, Abingdon Street, S.W.1, and in the event of High Commissioners having paid the rates for the current rating period that they be asked to send their receipts to the above-named officer in order that refundment may be made to them of the proportionate part of the rates relative to the matters mentioned at (*a*) above, calculated from 1st January, 1925.

I am, &c.,
G. L. BARSTOW.

The Under Secretary of State,
Colonial Office.

17319

No. 18.

MR. W. C. HANKINSON (COLONIAL OFFICE) to [MR. P. C. LARKIN.] [SIR JOSEPH COOK.] [SIR JAMES ALLEN.] [MR. J. S. SMIT.] [MR. J. McNEILL.] [CAPTAIN V. GORDON.]

DEAR ——, Downing Street, 12th May, 1925.

WITH reference to Mr. Edgcumbe's letter of the 9th March* [*To Mr. J. S. Smit only:* to Sir E. Walton, which no doubt you will have seen,] Mr. Amery desires

* No. 17.

me to enclose a memorandum setting out the procedure proposed by the Treasury in regard to the exemption of the High Commissioners for the self-governing Dominions from certain forms of taxation in this country.

The memorandum is, I think, self-explanatory; but if any doubtful points occur to you, perhaps you would let me know, and I will endeavour to have them cleared up.

We have been asked by the Treasury to notify formally to the various authorities concerned any change in your private address, and Mr. Amery would accordingly be glad if you would give instructions for any such change to be communicated to us, so that we may pass it on.

[*To Mr. Larkin and Sir J. Cook only:* I enclose a copy of a letter* which I have sent to the Agents-General for the [Canadian Provinces.] [Australian States.]]

Your sincerely,
W. C. HANKINSON.

Enclosure in No. 18.

PROCEDURE TO BE ADOPTED IN CONNEXION WITH THE EXEMPTION OF THE HIGH COMMISSIONERS FOR THE SELF-GOVERNING DOMINIONS FROM CERTAIN FORMS OF TAXATION IN THIS COUNTRY.

I. *Income Tax.*

IT IS proposed to include the necessary provisions under this head in the coming Finance Bill.

The relief to be given will be in respect of British Income Tax (i) on private remittances from abroad (ii) on income from British Government securities (iii) on income from foreign and colonial securities payable under deduction of tax in this country, and (iv) on the annual value of premises owned and occupied for official purposes.

On the passage of the necessary legislation this relief will take effect as from the year 1925-26, assessments in respect of previous years being payable in the ordinary course.

It is proposed that this relief should extend also to the High Commissioner for Southern Rhodesia, to the Agents-General for the Australian States and Canadian Provinces and, except in respect of (ii), income from British Government securities, to such members of the High Commissioners' and Agent-Generals' staffs as are ordinarily resident out of this country and resident here only for the performance of their official duties. In this connexion, it should be explained that exemption from Income Tax on British Government securities is at present accorded only to foreign Ambassadors and Ministers personally, and not to their staffs. But members of the staffs are normally entitled, as being not ordinarily resident in this country, to claim relief on Income Tax from certain British Government securities.

II. *Customs Duties.*

The following reliefs will be granted to the High Commissioners for the self-governing Dominions:—

(i) Exemption from examination of baggage and waiver of duty on any dutiable articles therein (*a*) on first arrival (when taking up their posts), (*b*) on subsequent arrivals (when returning from journeys abroad), on production of an official "Baggage Pass."

(ii) Delivery duty-free of packages imported for the personal use of the High Commissioner and that of his family.

Arrangements are being made for the issue of "Baggage Passes" to the present holders of the Office of High Commissioner. A new High Commissioner will be furnished with a Pass on application to the Colonial Office, and return of his predecessor's Pass.

In order to secure the benefit of (ii) above, the procedure proposed is that the High Commissioner should make a signed application to the Board of Customs stating formally that the goods are for his personal use and that of his family. It would facilitate the necessary Customs action if information could at the same time be given as to the port or place at which the goods are to be found and the name of the firm acting as agents in the matter.

The above arrangements come into force immediately.

* No. 10.

674

III. *Establishment Licences.*

Exemption is granted in respect of the following Licences:—Armorial Bearings Licences, Male Servant Licences, Dog Licences and Gun and Game Licences.

The London County Council are being asked to instruct their collectors to avoid demanding the usual declarations on which payment for Licence duty is invited and paid.

IV. *Motor-Car Licence Duties.*

Licensing Authorities are being notified by the Minister of Transport that the motor-cars owned by the High Commissioners are exempt from Motor-Car Licence Duty, and instructed that exempt licences should be issued to them on application.

On the next occasion of application for renewal or issue of a licence, the High Commissioners should apply for "exempt" licences.

V. *Local Rates.*

This is dealt with in the Treasury letter of the 3rd March (enclosed in Colonial Office letter of 9th March*).

May, 1925.

17319

No. 19.

MR. W. C. HANKINSON (COLONIAL OFFICE) to [SIR A. COCKS.] [MR. G. FAIRBAIRN.] [MR. J. HUXHAM.] [MR. H. P. COLEBATCH.] [LT.-COL. R. E. SNOWDEN.] [MR. W. C. NOXON.] [MR. J. HOWARD.] [MR. F. A. PAULINE.] [SIR F. NEWTON.]

DEAR ——, Downing Street, 12th May, 1925.

MR. AMERY desires me to inform you that, in connexion with Section 19 of the Finance Act, 1923 (which provided for the exemption from British Income Tax of the official emoluments of High Commissioners, Agents-General and their staffs) further consideration has recently been given to the position of High Commissioners and Agents-General in regard to Income Tax here.

Mr. Amery thinks you will like to know that it has now been decided to include, in the forthcoming Finance Bill, provision for the exemption of High Commissioners and Agents-General from British Income Tax (i) on private remittances from abroad (ii) on income from British Government securities (iii) on income from foreign and colonial securities payable under deduction of tax in this country, and (iv) on the annual value of premises owned and occupied for official purposes. On the passage of the necessary legislation this exemption will take effect as from the year 1925-26, assessments in respect of previous years being payable in the ordinary course.

It is proposed that the exemption should, except in respect of (ii) (income from British Government securities) extend also to such members of the High Commissioners' and Agents-Generals' staff as are ordinarily resident out of this country and resident here only for the performance of their official duties. Such members of the staffs are normally entitled, as being not ordinarily resident in this country, to claim relief on income from certain British Government securities.

Yours sincerely,
W. C. HANKINSON.

29325

No. 20.

THE PRIVATE SECRETARY to THE SECRETARY OF STATE, to [MR. P. C. LARKIN.] [SIR JOSEPH COOK.] [SIR JAMES ALLEN.] [MR. J. S. SMIT.] [MR. JAMES McNEILL.] [CAPTAIN V. GORDON.]

DEAR ——, Downing Street, 15th July, 1925.

WITH reference to my letter of the 9th March,* concerning the payment of rates in this country, Mr. Amery desires me to let you know that further consideration

* No. 17.

has now been given to the question of the payment of rates on your and the other High Commissioners' offices, as distinct from private residences.

The principle which, as you know, His Majesty's Government would wish to carry out is that, where a concession is given to Ambassadors and Ministers, an analogous concession should be given to the High Commissioners. In applying the principle here, it would seem proper that there should be a payment of rates made by the Treasury in respect of office accommodation required for the personal use of the High Commissioner and of the Secretariat and accounting staff of his office, but not in respect of accommodation required for other officials of the Dominion Governments who may be employed in this country, such as Trade Commissioners and others concerned in banking, shipping and emigration work, etc., or in respect of rooms used for commercial purposes. This differentiation would correspond to that actually in force in the case of foreign countries, since, so far as office accommodation is concerned, concessions in respect of rates are limited to the accommodation required for the diplomatic staffs, and are not given, for example, to Consuls.

In the circumstances, we gather that the Treasury are prepared, on learning that such an arrangement would be satisfactory to you, and to the other High Commissioners, to whom I am also writing, to make an allowance in respect of the rates on the High Commissioners' offices, on the lines set out in their letter of the 3rd March (see my letter of the 9th of March*). The only stipulation made by the Treasury is that the allowance in respect of the offices of any High Commissioner should not exceed that granted in respect of the Embassy of any first-class foreign Power. Subject to the general considerations set out above, the detailed arrangements in the case of each office would be left for discussion with the Treasury Valuer.

Yours very truly,

A. EDGCUMBE.

33410

No. 21.

MR. W. C. HANKINSON (DOMINIONS OFFICE) to [MR. P. C. LARKIN.] [SIR J. COOK.] [SIR J. ALLEN.] [MR. J. S. SMIT.] [MR. J. McNEILL.] [CAPTAIN V. GORDON.] [SIR F. NEWTON.] [SIR A. COCKS.] [MR. G. FAIRBAIRN.] [MR. J. HUXHAM.] [MR. H. P. COLEBATCH.] [LT.-COL. R. E. SNOWDEN.] [MR. W. C. NOXON.] [MR. J. HOWARD.] [MR. F. A. PAULINE.] [MR. L. J. LEMIEUX.]

DEAR ——, Downing Street, 28th July, 1925.

[*Not to Mr. Lemieux:* With reference to my letter of the 12th May,†] I am desired by Mr. Amery to enclose a copy of a memorandum setting out (rather more fully) the arrangements in regard to exemption from Income Tax here for High Commissioners, Agents-General, and their staffs which have been brought into force by Section 26 of the Finance Act, 1925, of which a copy is enclosed. [*To Sir J. Cook:* I am sending a copy of the Memorandum to the Agents-General for the Australian States.] [*To Mr. Larkin:* I am sending a copy of the Memorandum to the Agents-General for Ontario, Nova Scotia and British Columbia in continuation of the letters of which I sent you copies on 12th May,‡ and also a copy to the newly-appointed Agent-General for Quebec in a letter marked "to await arrival."]

I am, &c.,

W. C. HANKINSON.

Enclosure in No. 21.

MEMORANDUM.

As far as Inland Revenue duties are concerned, the effect of Section 26 of the Finance Act, 1925, is as follows:—

* No. 17. † Nos. 18 and 19. ‡ No. 18.

675

"A High Commissioner or Agent-General will be entitled to relief from Income Tax under Schedule C, on any income which he may receive by way of interest on Government securities payable in the United Kingdom; this is a statutory relief which is given to the 'accredited Minister of any foreign State resident in the United Kingdom' by Rule 2 (*c*) of the Rules applicable to Schedule C.* The High Commissioner or Agent-General will also be entitled to the following reliefs from Income Tax, which an Ambassador of a foreign State enjoys by virtue of 'diplomatic privilege,' as a matter of International Law:—

(*a*) under Schedule A, in respect of any property owned by him and occupied by him for official purposes;
(*b*) under Schedule B, in respect of any land occupied by him which can properly be regarded as occupied for official purposes;
(*c*) under Schedule C and D, in respect of any income from foreign or colonial investments payable in this country;
(*d*) under Schedule D, in respect of any income arising outside this country, whether retained abroad or remitted here.

"The High Commissioner or Agent-General will also be entitled to total relief from Land Tax in respect of any property owned and occupied by him for official purposes.

"The foregoing reliefs are in addition to the relief which the High Commissioner or Agent-General already enjoys in respect of his official emoluments by virtue of Section 19 of the Finance Act, 1923.

"The members of the staff of the High Commissioner or Agent-General and the Official Agents to whom the section applies are the members and Agents who are certified by the High Commissioner, or Agent-General as the case may be, to be ordinarily resident outside Great Britain and Northern Ireland and to be resident solely for the purpose of their official duties. They will be entitled to all the above-mentioned reliefs which the section confers on the High Commissioner or Agent-General, with the exception of the relief under Schedule C, in respect of income from British Government securities. As is explained above, the latter is a statutory relief and is confined to the foreign Ambassador himself; it is therefore extended to the High Commissioner or Agent-General, but not to the members of their staffs.

"A member of the staff of a High Commissioner or Agent-General or an Official Agent would, however, be entitled, as being not ordinarily resident in Great Britain or Northern Ireland, to relief from Income Tax on the interest of certain British Government securities (e.g., 5 per cent. War Loan and 4 per cent. Funding Loan) which were issued subject to the condition that the interest thereon shall not be liable to tax so long as the securities are in the beneficial ownership of persons who are not ordinarily resident in Great Britain or Northern Ireland."

Enclosure 2 in No. 21.

FINANCE ACT, 1925.

(15-16 Geo. 5, Ch. 36.)

* * * * * * *

Further relief from tax in respect of income of High Commissioners, Agents-General and their staffs.

26. A High Commissioner or Agent-General within the meaning of Section 19 of the Finance Act, 1923 (which exempts from income tax the salaries of High Commissioners, Agents-General and their staffs), who is resident in Great Britain or Northern Ireland shall be entitled to the same immunity from income tax (including super-tax) and land tax as that to which an accredited Minister of a foreign state so resident is entitled, whether by virtue of any Act or otherwise and any person having or exercising any employment to which the said section nineteen applies shall be entitled to the same immunity from income tax (including super-tax) and land tax as that to which a member of the staff of an accredited Minister of a foreign state is entitled, whether by virtue of any Act or otherwise.

---

* Rule 2(*c*) of the Rules applicable to Schedule C, Income Tax Act, 1918, reads as follows:—

2. No tax shall be chargeable in respect of—

* * * * * *

c. The stock, dividends or interest of any accredited minister of any foreign State resident in the United Kingdom: Provided that if the same stand in the name of a trustee, the property therein of any such minister shall be proved by the trustee to the special commissioners.

(ii) NATIONALITY QUESTIONS.

(*See pages* 167-176 *of Dominions No.* 91.)

3605

No. 22.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 26th January, 1925.)

(No. 5.)

SIR, Government House, St. John's, 7th January, 1925.

I HAVE the honour to acknowledge the receipt of your predecessor's despatch Dominions No. 526 of the 6th November, 1924,* on the subject of certain questions connected with the law of British Nationality, and to inform you that my Ministers have no observations to offer on the provisions of the draft Bill.

2. My Ministers have considered the memorandum dealing with the two further proposals for the amendment of the British Nationality and Status of Aliens Act, 1914, and concur in the amendment of that Act in the manner indicated.

3. At present our Statute Book contains the British Nationality and Status of Aliens Act with all amendments to date. Should it be decided by His Majesty's Government to amend the Act in the terms submitted my Ministers will arrange for the passing of the necessary amendments by the local Legislature.

I have, &c.,
W. L. ALLARDYCE.

7397

No. 23.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 16th February, 1925.)

[*Answered by No.* 36.]

(No. 28.)

SIR, Governor-General's Office, Pretoria, 23rd January, 1925.

I HAVE the honour to transmit to you herewith, with reference to your predecessor's despatch Dominions No. 526 of the 6th November, 1924,* copy of Minute from Ministers on the subject of the grant of naturalization to persons resident in mandated territory and the nationality of married women.

I have, &c.,
ATHLONE,
Governor-General.

Enclosure in No. 23.

Prime Minister's Office, 22nd January, 1925.

MINUTE No. 58.

WITH reference to His Excellency the Governor-General's Minute No. 48/1534 of the 27th November, 1924, on the subject of the grant of naturalization to persons resident in mandated territory and the nationality of married women, Ministers have the honour to state that they have no observations to make on these matters beyond expressing their concurrence in the proposals. Legislation already exists for the naturalization of persons in the mandated territory of South West Africa.

* No. 278 in Dominions No. 91.

676

In regard to the two further proposals mentioned in Mr. Thomas's despatch, Ministers have no comments to make on that referring to the acquisition of British nationality by children of the third generation born abroad of British parents during the War. On the question of British-born women not losing British nationality on marriage if and so long as they are debarred from acquiring the nationality of their husbands under the law of the latter's country, Ministers are in agreement with the proposed legislation to enable such women to retain their original nationality, provided it is clear that the principle of a woman acquiring the status of her husband on marriage is upheld, and that the proposed legislation is intended only to provide a nationality for women who would, in the circumstances described, become Stateless.

J. B. M. HERTZOG.

10869

No. 24.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9th March, 1925.)

[*Answered by No.* 26.]

(No. 7.)

SIR, Governor-General's Office, Melbourne, 19th January, 1925.

I HAVE the honour to inform you that my Prime Minister has invited my attention to the fact that, in connexion with the last Imperial Conference, the Committee, under the chairmanship of the Secretary of State for Home Affairs, appointed to consider a suggestion made by the Commonwealth Government that the British Nationality and Status of Aliens' Act be amended so as to permit of the grant of naturalization to persons resident in the territories mandated to the Imperial Government or the Dominions, recommended that the power of granting certificates of Imperial naturalization be extended so as to cover persons resident in "B" and "C" mandated territories and also in protectorates.

My Prime Minister has mentioned that in a joint memorandum prepared in the Home Office and the Colonial Office it was stated that " . . . the most convenient method of procedure would appear to be that, when next legislation amending the Act of 1914 is introduced, provision should at the same time be made enabling the Act to be applied, by Order of His Majesty in Council (or, in the case of territories mandated to Dominions, Order of the Governor-General in Council), to the territory in question, subject to such modifications and adaptations as may be necessary."

I am advised that the Commonwealth Government desires to introduce legislation which would enable residents in the Territory of New Guinea to become naturalized under the Commonwealth Nationality Act, but before taking that action would be glad to learn whether His Majesty's Government contemplates an early amendment of the British Act in the direction indicated.

I should be glad, therefore, if you would be so good as to inform me whether there is a definite prospect of the introduction of any such amending legislation into the British Parliament at an early date.

I have, &c.,
FORSTER,
Governor-General.

7927

No. 25.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
Dominions No. 103.)

[MY LORD,] [SIR,] Downing Street, 11th March, 1925.

WITH reference to my predecessor's despatch Dominions No. 526 of the 6th November, 1924,* I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, copies of an extract† from the House of Commons Official Report of the 18th February containing a debate on the subject of the nationality of married women.

I have, &c.,
L. S. AMERY.

10869

No. 26.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 93.)

MY LORD, Downing Street, 18th March, 1925.

I HAVE the honour to acknowledge the receipt of Your Excellency's despatch No. 7 of the 19th of January‡ regarding the grant of naturalization to persons resident in mandated territories, and to request you to invite the attention of your Ministers to my predecessor's despatch Dominions No. 526 of the 6th of November, 1924,* enclosing a copy of a draft Bill dealing with this subject.

I have, &c.,
L. S. AMERY.

13298

No. 27.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 23rd March, 1925.)

(No. 20.)

SIR, Governor-General's Office, Melbourne, 4th February, 1925.

I HAVE the honour to inform you that I am advised by my Prime Minister that the position of persons applying for naturalization in Australia, whose countries still regard them as retaining their original nationality even after naturalization in the Commonwealth, is stated by the Commonwealth law authorities to be that such persons, after taking the Oath of Allegiance and becoming naturalized British subjects, may be deemed, by virtue of the laws of the foreign country to which they belonged, to be subjects of that country, and thus possess a dual nationality.

For example, my Prime Minister informs me that in the Argentine Republic and in Switzerland nationality is not lost by naturalization abroad, and that in the countries mentioned hereunder the loss of original nationality is conditional upon the person receiving the consent of his Government :—

Germany. A German can retain his German nationality if, before becoming naturalized, he receives the written permission of his home State to do so.

* No. 278 in Dominions No. 91. † Columns 1188 to 1231: not reprinted. ‡ No. 24.

Greece. Nationality is not lost by naturalization abroad unless with the permission of the Government. Such permission is not granted if military obligations have not been performed.

Poland. Persons liable for military service can only acquire foreign nationality after they have received permission from the Ministry of War to do so.

Turkey. Nationality is not lost by naturalization abroad without authorization.

Belgium. Nationality is not lost unless it is renounced by a declaration made before the Belgian authorities in the manner prescribed.

I should be glad if you would be so good as to acquaint me, for the information of my Ministers, with the practice of His Majesty's Government in dealing with applications for naturalization by subjects of countries such as those referred to above, who would not be released, except in the circumstances mentioned, from allegiance to another country on becoming naturalized in Great Britain.

I have, &c.,
FORSTER,
Governor-General.

15120

No. 28.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1st April, 1925.)

[*Answered by No.* 33.]

(No. 30.)

SIR, Government House, Wellington, 23rd February, 1925.

WITH reference to your predecessor's despatch Dominions No. 526 of the 6th November last,* regarding the law of British nationality, I have the honour to inform you that my Ministers advise me that the New Zealand Parliament has not adopted Part 2 of British Nationality and Status of Aliens Act, 1914, but on the contrary has adopted special legislation for New Zealand on the subject by the Act entitled "The British Nationality and Status of Aliens (in New Zealand) Act, 1923," which was reserved for His Majesty's assent and has duly received Royal approval.

2. The result is that, while New Zealand can grant the status of British nationality in New Zealand to foreigners, this Dominion's certificate of naturalization does not operate to create the status of British citizen in any other part of the Empire, and, conversely, naturalization in any other part of the Empire does not create the status of British nationality in New Zealand.

3. By Section 14 of the New Zealand Act its provisions are made applicable to Western Samoa with certain modifications. It is held that it is within the power of New Zealand, under its general power to legislate under a Mandate of the "C" class, so to enact.

4. The New Zealand Government does not desire that naturalization in Western Samoa should have any greater effect than a certificate of naturalization within the boundaries of New Zealand. Indeed, it would be extremely inconvenient if there were any difference between the effect of naturalization within New Zealand and within its mandatory territory.

5. For the above reasons, my Ministers do not desire that the provisions of the Imperial Act should be made applicable to the mandatory territory of Western Samoa.

6. With regard to the proposed amendments to Part 1 of the Imperial Act relating to the status by nationality of married women, whether in respect of marriage which has ceased to exist in fact though continuing in law, or in respect of marriage with a foreigner, the laws of whose country do not create a transfer by the wife of allegiance by marriage, the New Zealand Government will adopt any alteration of the Imperial Act which the Imperial Parliament passes, and will do so in the manner which has been adopted in the New Zealand Act, namely, by declaring by schedule that the provisions of the Imperial Act relating to legal status declared by the Imperial Act are part of the law of New Zealand.

I have, &c.,
CHARLES FERGUSSON,
Governor-General.

---

* No. 278 in Dominions No. 91.

18757

No. 29.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 4.5 p.m., 7th May, 1925.)

TELEGRAM.

7TH MAY. His Majesty's Government have learnt with satisfaction decision of your Ministers to introduce legislation this session on question of nationality and status of aliens, including adoption of Part II of British Act of 1914, and they have studied with interest terms of Bill published in *Gazette* of 29th January.

It is noticed that whilst Union Bill re-enacts greater part of British Act of 1914 as amended up-to-date certain modifications and additions are proposed. Certain of these in opinion of Secretary of State for Home Affairs might possibly result in difficulties later on, particularly as regards securing uniformity of administration. For this reason he hopes that your Ministers will be able to consider following comments before wording of Union legislation is finally settled.

1. Clause 1 (*b*) (5) does not include amongst those who are deemed to be natural-born British subjects in Union persons whose birth has been allowed by Secretary of State here, on account of special circumstances, to be registered at British Consulate within two years after its occurrence.

Provisions of corresponding sub-section in British Act were in part temporary and number of persons affected is very small, but Secretary of State for Home Affairs trusts that Union legislation may be so worded that no doubt could be thrown on legal claim of persons in question to be considered natural-born British subjects in Union.

2. As regards Clause 2 (4) practice here is to issue certificate after decision to grant naturalization reached. Oath is thereupon taken by applicant and subscribed on back of certificate. It is found that Oath cannot conveniently be taken before issue of certificate. Secretary of State for Home Affairs accordingly thinks that your Ministers may find it useful to follow wording of Section 2 (4) of British Act which lays down that certificate of naturalization shall not take effect until Oath of Allegiance has been taken. Absence of any reference to date from which certificate is intended to take effect might possibly give rise to doubts as to date of its commencement.

3. As regards second proviso to Clause 12, Secretary of State for Home Affairs feels that certificate of Imperial naturalization should confer on grantee a legal title to British nationality which should be for life unless and until it is revoked for some good reason under statutory provision. For this reason he doubts whether it is desirable to insert provision which would render possible certificate of limited operation at discretion of Executive.

4. Secretary of State for Home Affairs assumes that intention of Clause 26 is to provide opportunity for rectifying any clerical error in certificate after it has been issued. Present wording would, however, suggest that this clause might be used for purpose of limiting effect of certificate in some way, and it is noticed in this connexion that marginal note to clause refers to revocation. Secretary of State for Home Affairs observes that practice here is to regard a certificate of naturalization once issued as incapable of alteration or amendment, and he would greatly prefer if Union Bill were so worded as to ensure similar practice there.

Secretary of State for Home Affairs has also asked me to call your Ministers' attention to two subsidiary points:—

(A) Provisos to Clause 1 of Bill as printed in *Gazette* though obviously intended to refer to whole of paragraph (*b*) of clause might possibly be read as relating to paragraph (*c*) only.

(B) If your Ministers decide to alter wording of Clause 2 (4) on lines indicated in (2) above it would seem desirable to insert provision in Clause 28 corresponding to Section 19 (1) (*d*) of British Act.

—AMERY.

22409

678

No. 30.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 18th May, 1925.)

[*Answered by No.* 36.]

(No. 58.)

SIR, Governor-General's Office, Melbourne, 19th March, 1925.

WITH reference to your predecessor's despatch dated 6th November, 1924, Dominions No. 526,* respecting certain suggested amendments of the British Nationality and Status of Aliens Act, I have the honour to inform you that I am advised by my Prime Minister that the Commonwealth Government concurs in the proposed amendments to enable

(*a*) persons resident in Protectorates and mandated territories to become naturalized;

(*b*) provision to be made for the re-admission of women to British nationality in cases where the married state, though subsisting in law, has to all practical purposes come to an end, and

(*c*) facilities to be provided for the acquisition of British nationality by children of the third generation born abroad of British parents during the war.

With regard to the proposal that provision be made whereby a British-born woman shall not on marriage lose her British nationality, if and so long as she does not acquire the nationality of her husband under the law of his country, the Commonwealth Government after having given careful consideration to this question, is of the opinion that it would be very undesirable to depart from the important principle embodied in the existing law, viz., that the nationality of a married woman is determined by that of her husband, and, consequently, that the proposal should not be adopted.

I have, &c.,
FORSTER,
Governor-General.

22783

No. 31.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.48 a.m., 19th May, 1925.)

TELEGRAM.

[*Answered by No.* 32.]

19TH MAY. Your despatch of 6th November, 1924, Dominions No. 526.* Nationality of Married Women. Prime Minister urges that as soon as possible a bill be introduced into the British Parliament providing for all amendments as to which the different parts of the Empire are in accord.

22783

No. 32.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 3.30 p.m., 8th June, 1925.)

TELEGRAM.

YOUR telegram 19th May,† Nationality of Married Women. Replies of other Dominions not yet complete. Reminders are being sent to those outstanding.—AMERY.

* No. 278 in Dominions No. 91. † No. 31.

878

15120

No. 33.

NEW ZEALAND.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 115.)

SIR, Downing Street, 23rd June, 1925.

I HAVE the honour to acknowledge the receipt of Your Excellency's despatch No. 30 of the 23rd of February* on the subject of the law of British nationality, and to request you to inform your Ministers that the views expressed in paragraphs 1-5 of the despatch are noted. It will be observed that these views are met by the wording of Clause 9A (3) in the draft British Nationality and Status of Aliens Bill which provides that Part II of the Imperial Act can only be extended to a territory mandated to a Dominion if the Dominion itself has adopted Part II.

2. It is gathered that Ministers have no observations on the proposal as to children of the third generation.

I have, &c.,
L. S. AMERY.

34189

No. 34.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

[*Answered by No.* 38.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa. Dominions No. 359.)
(Irish Free State.
(Newfoundland.

[MY LORD,] [SIR,] Downing Street, 18th August, 1925.

WITH reference to my despatch Dominions No. 103 of the 11th March,† forwarding copies of an extract from the House of Commons Official Report containing a debate on the Nationality of Married Women, I have the honour to request [Your Excellency,] [you,] to inform your Ministers that the Secretary of State for Home Affairs would be glad to receive any observations which they may wish to offer on the subject.

I have, &c.,
L. S. AMERY.

34189

No. 35.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

[*Answered by No.* 37.]

(Canada. No. 351.)
(Irish Free State. No. 324.)

[MY LORD,] [SIR,] Downing Street, 18th August, 1925.

WITH reference to my despatch Dominions No. 359 of even date,‡ Your Excellency's Ministers will observe that certain questions relating to the Nationality of Married Women were dealt with in Mr. Thomas's despatch Dominions No. 526 of the 6th November, 1924,§ to which no reply has yet been received.

2. His Majesty's Government would be grateful for an expression of your Ministers' views on the questions referred to in that despatch at their early convenience.

I have, &c.,
L. S. AMERY.

---

* No. 28. † No. 25. ‡ No. 31. § No. 278 in Dominions No. 91.

679

34189

No. 36.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Commonwealth of Australia. No. 228.)
(Union of South Africa. No. 167.)

MY LORD, Downing Street, 18th August, 1925.

WITH reference to my despatch Dominions No. 359 of even date,* regarding the Nationality of Married Women, I have the honour to request Your Excellency to inform your Ministers that it is observed from your despatch [No. 58 of the 19th March†] [No. 28 of the 23rd January‡] that the [Commonwealth] [Union] Government desired the maintenance of the existing principle that the nationality of a married woman depends on that of her husband.

I have, &c.,
L. S. AMERY.

45502

No. 37.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8th October, 1925.)

(No. 288.)

SIR, Vice Regal Lodge, Dublin, 7th October, 1925.

WITH reference to Mr. Thomas's despatch Dominions No. 526 of the 6th November, 1924,§ and subsequent despatches on the subject of the proposed amendments to the British Nationality and Status of Aliens Act, 1914, I have the honour to inform you that my Ministers have no objection to the amendments suggested.

I have, &c.,
T. M. HEALY.

53671

No. 38.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 30th November, 1925.)

(No. 234.)

SIR, Government House, Wellington, 23rd October, 1925.

I HAVE the honour to acknowledge the receipt of your despatch Dominions No. 359 of the 18th August,* stating that the Secretary of State for Home Affairs would be glad to receive any observations which my Ministers may wish to make on the subject of the nationality of married women, a debate on which is contained in the copies of the House of Commons Official Report which accompanied your despatch, No. 103, of the 11th March last.‖

2. Ministers advise me, in reply, that they have no comment to offer on the Law of British Nationality, beyond the statement contained in my despatch No. 30 of the 23rd February,¶ in answer to your predecessor's despatch Dominions No. 526 of the 6th November, 1924.§

I have, &c.,
CHARLES FERGUSSON,
Governor-General.

---

* No. 34. † No. 30. ‡ No. 23. § No. 278 in Dominions No. 91. ‖ No. 25. ¶ No. 28.

53804

No. 39.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 530.)

MY LORD, Downing Street, 15th December, 1925.

I HAVE the honour to transmit to Your Excellency, for the information of your Ministers, the accompanying copy of a Parliamentary Question and Answer of the 7th of December, regarding the shortening of the residential period which is required before Canadians who have become naturalized in the United States, but who have returned to Canada, can resume their British nationality.

I have, &c.,
L. S. AMERY.

Enclosure in No. 39.

HOUSE OF COMMONS.

(7th December, 1925.)

Canada (Naturalization Law).

MR. SOMERVILLE asked the Secretary of State for Dominion Affairs whether he will approach the Dominion Government of Canada with a view to shortening the period of five years' residence in Canada now necessary, according to the Agreement of 1914 between the Imperial and Canadian Governments, for Canadians who had become naturalized in the United States but had returned to Canada before they could again become British subjects throughout the Empire; and whether he is aware that Canada desires to shorten the five years' period?

THE UNDER-SECRETARY OF STATE FOR COLONIAL AFFAIRS (Mr. Ormsby-Gore): In order to effect any alteration in the conditions on which certificates of Imperial naturalization in Canada or elsewhere may be granted, legislation here would be necessary after consultation with the Governments of all the Dominions, and, in addition, legislation would be necessary in the Parliament of any Dominion which desired to adopt the change. His Majesty's Government are aware that this matter has been discussed in the Canadian House of Commons, but they have received no intimation from the Canadian Government that they desire that the period of five years' residence, which is a necessary qualification for the grant of a certificate of Imperial naturalization, should be shortened.

680

V.

IMPERIAL ECONOMIC CONFERENCE, 1923.

Summary of Conclusions [Cmd. 1990]: Record of Proceedings [Cmd. 2009.]

Note.—The numbering of the Resolutions follows that employed in [Cmd. 1990] and [Cmd. 2009].

---

1. OVERSEA SETTLEMENT WITHIN THE EMPIRE.

It was decided to adopt the following Resolution:—

This Imperial Economic Conference approves the report of the Committee appointed to consider questions relating to oversea settlement.* The Conference endorses the recommendations of the Committee, and notes with satisfaction the arrangements as recorded in the report which have been arrived at, or are in contemplation, with a view to improving the facilities for settlement within the Empire.

The Conference takes this opportunity of reaffirming its sense of the importance of the policy of oversea settlement to the well-being of the Empire.

---

* See pages 136-150 of [Cmd. 2009].

Correspondence relating to Oversea Settlement is printed in Dominions No. 89.

---

2. CO-OPERATION IN FINANCIAL ASSISTANCE TO IMPERIAL DEVELOPMENT.

It was agreed that the scheme recommended by the Committee on Co-operation in Financial Assistance to Imperial Development be adopted. The Report of the Committee reads as follows:—

The Committee on Financial Co-operation recommends for adoption by the Conference the following scheme, which was submitted to the Committee by the representatives of His Majesty's Government.

The suggestion which the Imperial Government make is that in order to facilitate the anticipation of work which otherwise would not be taken in hand for some years they should give a contribution towards the interest charges on loans raised for capital expenditure of this kind by public-utility undertakings (viz., communications, power, lighting, water, drainage, irrigation, &c.). These undertakings might be under either public or private control or management.

The assistance would be in respect of expenditure on orders placed in this country, and would be applicable only to schemes approved by the Dominion or Central Government concerned and certified by it to be in anticipation of normal expenditure. Payment would be made to the Dominion or Central Government, which would be responsible for payment to the ultimate recipient.

It is suggested that the maximum grant should be three-quarters of the interest charges for a period of five years.

In order to qualify for the Imperial contribution a scheme must be accepted by the Imperial Government within the next three years. The approval on behalf of the Imperial Government would be given after consultation with the Treasury, the Colonial or India Office, and the Board of Trade.

It would be understood that priority will be given to schemes involving the earliest placing of orders.

(*See pages* 178-188 *of Dominions No.* 91.)

Secretariat Note.—No correspondence took place in 1925 on the subject of this Resolution.

681

3. IMPERIAL PREFERENCE.

(i) Tariff Preference.

It was decided to adopt the following Resolution:—

This Imperial Economic Conference, holding that, especially in present circumstances, all possible means should be taken to develop the resources of the Empire and trade between the Empire countries; desires to reaffirm the Resolution on the subject of Imperial Preference passed by the Imperial War Conference of 1917.

Further, as regards Imperial Preference under the United Kingdom Customs Tariff to Empire goods, His Majesty's Government intimated that they intended to submit to Parliament the following proposals*:—

(*See pages* 188-197 *of Dominions No.* 91.)

(a) United Kingdom.

19723

No. 40.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9.33 a.m., 1st May, 1925.)

TELEGRAM.

[*Answered by No.* 41.]

1ST MAY. Following for Prime Minister from my Prime Minister:—

Begins: My Government most appreciative of action indicated in Budget statement to increase preferences. Action will have great effect in Australia and will do incalculable good. We would, however, have greatly preferred that increased preferences should operate immediately and would strongly urge reconsideration. If impracticable for your Government to acquiesce in our wishes in regard to all preferences would ask that dried fruits should be specially considered. My Government, relying on your undertaking to give effect to the recommendations of the Economic Conference in so far as they did not involve new duties, has recently taken steps which have led to a complete reorganization of the dried fruit industry which has placed it on a new basis, and should result in increased settlement and great assistance to migration proposals in which our Governments are both interested. Position, however, will be seriously imperilled if the present season's pack(s) do(es) not enjoy contemplated benefits as the present time is the most critical period in the solution of problem of dried fruit industry. 461 tons of new season's fruit now in London, 10,000 tons will arrive within the next two or three weeks, balance will practically all be shipped from Australia within the next month or six weeks. Financial position of industry here makes it essential that realization should take place as promptly as possible after arrival of fruit. If preference deferred until 1st July, market meantime likely to be inactive, fruit must be placed in bond resulting in heavy expense to growers for storage and interest. Knowledge of trade that large quantity of Australian fruit held in bond until 1st July also likely to adversely affect prices.

Would earnestly urge that increased preferences should operate immediately, otherwise very little benefit will accrue to the Commonwealth this year. *Ends.*

—FORSTER.

---

* See [Cmd. 1990] (pp. 4-6), [Cmd. 2009] (pp. 241-9), and [Cmd. 2084] (pp. 4-6).

24623

No. 41.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 9.45 p.m., 25th May, 1925.)

TELEGRAM.

FOLLOWING from Prime Minister for your Prime Minister :—

Begins: I much regret that I have been unable to send earlier reply to your telegram of the 1st May,* urging that the increased preferences to be accorded to Empire produce should become immediately operative or, failing this, that the increased preference on dried fruits should take effect immediately.

My colleagues and I have never weakened in our intention to make the increased preferences discussed at the Imperial Conference effective at the earliest opportunity and this opportunity is afforded by the present Budget.

In normal course the Finance Bill does not become law until August and it was very largely in view of the delay which would otherwise occur in bringing the increased preferences into operation that decided me to expedite consideration of the Finance Bill on this occasion to ensure its becoming law by 1st July. The present position is that under the law governing our financial procedure the increased preferences cannot become effective until the Finance Bill has passed into law. Thus any action such as is suggested could only be taken on an extra-legal basis which, you will appreciate, would present considerable Parliamentary difficulties.

Nevertheless, upon receipt of your telegram the Chancellor of the Exchequer and I immediately caused an analysis to be made of the duties levied upon dried fruits during the past two years in order to ascertain whether the facts relating to these years tended to show that postponement until 1st July would inflict such serious hardship as to justify exceptional action. This investigation showed that bulk of dried fruits imported from Australia did not pass into consumption and pay import duties until after end of June.

The Secretary of State for the Colonies considered this point with Mr. McDougall, who urged that during two years in question owners were holding fruit back during early months in hopes of rise in price. Accordingly, further investigations were made into figures relating to clearances for the years 1920 to 1922: these, however, reflect same feature as those for later years; bulk of Australian dried fruits do not pay duty until after June.

About the time when I received your telegram I received requests similar to yours from other parts of Empire. Unless discrimination were to be made all increased preferences would therefore necessarily be involved.

But the investigation we caused to be made into the statistics to ascertain whether there was case for exceptionally expediting any particular preference increase showed that no such discrimination could with justice be made.

Whilst I regret that in circumstances above explained I cannot see my way to bringing the increase of preferences into effect earlier I sincerely hope as a result of examining past statistics that the comparatively short delay will not entail results feared by Australian fruit growers. *Message ends.*
—AMERY.

*No. 40.

682

(b) Commonwealth of Australia.

41544

No. 42.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 8.0 p.m., 14th September, 1925.)

TELEGRAM.

[*Answered by No.* 46.]

REPRESENTATIONS have been made to His Majesty's Government by trade interests here which are affected by item 105F in revised Commonwealth tariff recently introduced that it is feared this item will have prohibitive effect on imports of cotton tweeds and lower priced piece-goods containing wool.

As regards cotton tweeds, which term presumably includes various descriptions of cotton suitings, it is pointed out that price ranges from 1s. 3d. to 2s. per lineal yard 27 inches wide, i.e., per three-fourths of a square yard, and that new duty on goods in question (which have not hitherto been dutiable) reaches in certain cases nearly 100 per cent. *ad valorem*.

It is further represented that the manufacture of this material is a new trade for which machinery and plant have been specially installed, that it forms the main output of a small number of firms, and that there is no market other than Australia. Although, therefore, this forms a comparatively small item in the whole volume of trade with Australia, its loss would bring exceptional hardship to the firms concerned.

As regards woollen piece-goods it is represented that effect of duty of 1s. per square yard will alone amount to 1s. 6d. per lineal yard of a cloth 54 inches in width which is the prevailing standard, while effect of total new duty will be to double that previously leviable on cloths of 2s. or less per lineal yard, and to increase materially duty leviable on cloths of 3s. and 4s. per lineal yard.

His Majesty's Government appreciate that in both cases new duty on foreign goods is nearly double that on British, but it is represented that the new duty on these classes of British goods is so high that trade will, in fact, be impossible so that preference is ineffective. In these circumstances and especially as it appears that these two classes of goods are treated exceptionally as compared with other classes, His Majesty's Government hope that the matter may receive further consideration. If it is found impossible to make any change His Majesty's Government would be grateful if they could be placed in a position to explain to the trades affected the considerations which have influenced the Commonwealth Government in the matter.—AMERY.

42638

No. 43.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 3.30 p.m., 19th September, 1925.)

TELEGRAM.

[*Answered by No.* 47.]

REFERENCE my telegram of 14th instant* as to affect of proposed Commonwealth tariff on cotton tweeds and cheap woollens, similar representations have now been made to His Majesty's Government by Leicester hosiery trade in respect of affect of item 110 (B) (1) on cotton and woollen underwear and bathing costumes. It is stated that these goods have hitherto been dutiable at 40 per cent. *ad valorem*. Under new proposals cotton goods will pay 1s. each and 30 per cent., which on articles worth 20s. per dozen works out at 18s. per dozen instead of 8s. as hitherto. Woollen goods worth 60s. per dozen will under new proposals pay 48s. per dozen instead of 24s. as hitherto. Interests concerned point out that in this case also the affect of combining a specific with an *ad valorem* rate results in classes of goods referred to being treated exceptionally in comparison with remaining items of new tariff.—AMERY.

* No. 42.

42638

No. 44.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 1.30 p.m., 22nd September, 1925.)

TELEGRAM.

[*Answered by No.* 45.]

PERSONAL. Reference your telegram of 18th instant* announcing approaching dissolution of Parliament. President Board of Trade anxious to learn position as regards new tariff with particular reference to my telegrams of 14th September,† 19th September,‡ relating to new duties on cotton tweeds, cheap woollens, underwear and bathing costumes. Is it intended that tariff should finally come into operation before dissolution or that it should come into provisional operation pending discussion by new Parliament?—AMERY.

43233

No. 45.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9.20 a.m., 24th September, 1925.)

TELEGRAM.

PERSONAL. Your telegram of 22nd September.§ New tariff. Government propose to pass Validatory Act before dissolution. This will legalize the collection of duties until the new Parliament has opportunity to settle rates.—FORSTER.

46091

No. 46.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1.22 p.m., 12th October, 1925.)

TELEGRAM.

12TH OCTOBER. Your telegram of 14th September.† Increased duties on cotton tweeds and low-priced woollens. Prime Minister advises that prior to introduction of the new duties the Australian weaving industry was inadequately protected from overseas competition especially in regard to the cheaper lines of woollens resulting in about one-third of the looms in Australia being idle. The reason why previous protection was inadequate was that woollen piece-goods made from shoddy and other lines being sold at below cost of production were being imported into Australia to the detriment of Australian weavers. Cotton tweeds were also making great inroads in the Australian woollen industry, hence the necessity for increased protection against such goods. Commonwealth Government after mature consideration decided to impose additional duties.—STONEHAVEN.

---

* 42411/25: not printed. † No. 42. ‡ No. 43. § No. 44.

46130

683

No. 47.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2.5 p.m., 12th October, 1925.)

TELEGRAM.

12TH OCTOBER. Your telegram of 19th September.* Increased duties on knitted goods Item No. 110 (*b*). Prime Minister advises that prior to the introduction of the new duties Australian knitting industry languished mainly owing to the unfair overseas competition. Inquiries showed that overseas exporters were selling to Australia at very low prices as well as sacrificing stocks at the end of the season. Number of Australian knitters rendered bankrupt through such unfair trade. As Australia produces the necessary raw materials for this secondary industry Commonwealth Government decided that adequate protection must be provided, hence increased rates.—STONEHAVEN.

(c) Union of South Africa.

18001

No. 48.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 1.50 p.m., 24th April, 1925.)

TELEGRAM.

[*Answered by No.* 49.]

PRIVATE and Personal. 24th April. Board of Trade have seen Press report of debate in Assembly, 22nd April, which appears to indicate that Union Government's proposals for maximum and minimum tariff rates involve possibility of maximum tariff rates being charged on certain classes of goods imported from this country while, under commercial conventions to be made with foreign countries, minimum tariff rates would be charged on same classes of goods from those countries. Board of Trade point out that latter rates would apply not only to imports from foreign countries with which conventions made but also to those from other foreign countries to which, under existing Treaties to which Union is party, Union is bound to accord most-favoured-nation treatment, see, for example, Italian Commercial Treaty, 1883.

Press report does not make clear whether policy of Union Government in this respect has been settled, and, in particular, whether consequential effect resulting from right to most-favoured-nation treatment in Union possessed by certain foreign countries had been appreciated. Could you ascertain real position confidentially?

You may find it helpful to know that, when similar point arose in Canada in 1923 in connexion with Franco-Canadian Commercial Convention, Canadian Government made special provision in legislation bringing Convention into force for giving its advantages to United Kingdom as well as to foreign countries entitled to most-favoured-nation treatment.—SECRETARY OF STATE FOR THE COLONIES.

---

* No. 43.

19448

No. 49.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 3.0 a.m., 29th April, 1925.)

TELEGRAM.

28TH APRIL. Secret. Your telegram of 24th April.* Customs tariff. Difficult for me to obtain information at present as Ministers throughout appear to have taken no one into their confidence. There is no doubt that present intention of the Union Government is to place Great Britain on the same footing as foreign countries as regards imposition of maximum rate(s) under the new tariff, the minimum rates only to be granted as a *quid pro quo*, and I doubt whether there is any chance of their agreeing to a modification in this policy. Have reason to believe that consequences of entering into agreements for granting minimum tariff rate to foreign countries were only partially realized by the Government when tariff was first drafted. The question has been raised in the House during Budget debate, and Minister of Finance may reply when he introduces Ways and Means motion next Monday. Will wire summary of his statement and keep you informed of any future developments.

I understand that when financial situation began to improve some months ago and it became certain that the financial year would end with a substantial surplus, Minister of Finance decided not to proceed with the introduction of the new tariff, but this course was strongly opposed by Cresswell, whose party are believers in high protection as solution of the unemployment problem. Nationalists saw in the new tariff opportunity for inducing foreign countries to recognize independent status of South Africa to which they attach so much importance, consequently decision of Minister of Finance was overridden.

Nature of tariff is probably largely determined by prepossessions of Board of Trade and Industry, to which was entrusted the task of preparing it. Two of its members are young Dutch South Africans graduated in Economics of the American Universities and currently (?) reported to be much under the influence of the local American Consul and American Tradé Commissioner. The other two are Fahey, an Irish Canadian, formerly a Member of the Labour Party, and said to be violently anti-British in sentiments, and H. E. S. Freemantle, whose history will be known to you. I have reason to believe that the latter was reluctant to sign Board's recommendations. There has been a good deal of mystery over Board's Report, on which tariff is based, but Opposition have prevailed on Government to permit of its publication, and copies will be sent to you by next mail.—GOVERNOR-GENERAL.

20470

No. 50.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5.13 p.m., 5th May, 1925.)

TELEGRAM.

5TH MAY. In the House of Assembly yesterday Minister of Finance in winding up the Budget debate referred to the new Customs tariff, and after reminding the House of the Prime Minister's undertaking that Great Britain and the Dominions will be consulted in regard to any future treaty agreement with other countries, went on to say "The Government had no intention of entering into and would not seek any trade agreement under which Great Britain will be placed in a less favourable position than countries with which the agreement is effected." He added that "In other words we intend to give her most-favoured-nation treatment in all cases."—GOVERNOR-GENERAL.

---

* No. 48.

20469

684

No. 51.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4.55 p.m., 5th May, 1925.)

TELEGRAM.

SECRET. 5th May. In my telegram of to-day* I have reported that the Government have changed their policy as regards application of Customs tariff to Great Britain and intend to give her most-favoured-nation treatment. There is no doubt that this is a departure from their original intention, and it is probable that arguments of the Opposition, the objections put forward by the commercial community and the strong feeling shown in Natal generally amongst the British section have had their influence on the Government in making this concession. Point raised in your telegram of 24th April† regarding commitments under existing commercial treaties although mentioned by the Opposition during the debate was not referred to in Minister's reply though it cannot well have escaped his notice.—GOVERNOR-GENERAL.

---

* No. 50. † No. 48.

(ii) Imperial Preference in Public Contracts.

It was decided to adopt the following Resolution :—

(1) "That this Imperial Economic Conference re-affirms the principle that in all Government contracts effective preference be given to goods made and materials produced within the Empire except where undertakings entered into prior to this Conference preclude such a course or special circumstances render it undesirable or unnecessary."

(2) "That so far as practicable, efforts be made to ensure that the materials used in carrying out contracts be of Empire production."

(3) "That State, provincial and local government authorities should be encouraged to take note of the foregoing Resolutions."

60575

No. 52.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNORS.

[*Answered by Nos.* 54, 55, 57, 58, 59, 60, 61, 62, *and* 63.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(New South Wales.
(Victoria.
(Queensland.
(South Australia.
(Western Australia.
(Tasmania.
(Southern Rhodesia. No. 47.) — Dominions No. 57.)

[MY LORD,] [SIR,] Downing Street, 13th February, 1925.

I HAVE the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, copies of an extract* from the proceedings of the Imperial Economic Conference, 1923, containing the record of discussions, and a resolution adopted, on the subject of Imperial Preference in Public Contracts.

2. His Majesty's Government adhere to this Resolution, and an early opportunity will be taken of making an announcement to this effect in Parliament here.

3. They would be glad to learn of any action which your Government may have taken, or be able to take, in pursuance of the Resolution.

[*To Commonwealth of Australia only:* 4. A similar despatch is being sent to the Governors of the Australian States.]

I have, &c.,
L. S. AMERY.

---

* Not reprinted; pages 249-254 of [Cmd. 2009].

6946

685

No. 53.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(New South Wales.
(Victoria.
(Queensland.
(South Australia.
(Western Australia.
(Tasmania.
(Southern Rhodesia. No. 68.) — Dominions No. 82.)

[MY LORD,] [SIR,] Downing Street, 25th February, 1925.

WITH reference to my despatch [Dominions No. 57] [No. 47] of the 13th of February,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a Parliamentary Question and Answer of the 17th of February, relating to the Resolution of the Imperial Economic Conference, 1923, on the subject of Imperial Preference in Public Contracts.

I have, &c.,
L. S. AMERY.

Enclosure in No. 53.

House of Commons.

(17*th February*, 1925.)

PUBLIC CONTRACTS (IMPERIAL PREFERENCE).

MR. HURD asked the Financial Secretary to the Treasury whether His Majesty's Government adhere to the Resolution adopted by the Imperial Economic Conference, 1923, on the subject of Imperial Preference in Public Contracts?

MR. GUINNESS: Yes, Sir.

13628

No. 54.

NEWFOUNDLAND.

THE GOVERNOR to the SECRETARY OF STATE.

(Received 24th March, 1925.)

(No. 34.)

SIR, Government House, St. John's, 10th March, 1925.

I HAVE the honour to acknowledge the receipt of your despatch Dominions No. 57 of the 13th ultimo,* on the subject of Imperial Preference in Public Contracts, and to inform you that my Ministers concur in the principle of preference, and such principle is, as a rule, carried out in actual practice in this Colony. Supplies of steel rails, coal, cement, &c., are generally procured within the Empire.

2. My Ministers regret that it was not possible to place the order for the new steamer for the Cabot Strait in the United Kingdom. It was necessary that the steamer should be completed by a given date, and no guarantee could be furnished by the English shipbuilding firms that the vessel would be delivered in time.

I have, &c.,
W. L. ALLARDYCE.

---

* No. 52.

14945

No. 55.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 31st March, 1925.)

(No. 99.)

SIR, Vice Regal Lodge, Dublin, 30th March, 1925.

I HAVE the honour to refer to your despatch of the 13th February, 1925, Dominions No. 57,* enclosing copies of an extract from the proceedings of the Imperial Economic Conference, 1923, on the subject of Imperial Preference in Public Contracts.

My Ministers are of opinion that circumstances to which the Resolution adopted by the Conference would apply, are not likely to arise in Saorstat Eireann, but they have noted the terms of the Resolution should such circumstances at any time present themselves.

I have, &c.,
T. M. HEALY.

13915

No. 56.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(New South Wales.
(Victoria.
(Queensland.
(South Australia.
(Western Australia.
(Tasmania.
(Southern Rhodesia. No. 124.)

Dominions No. 155.)

[MY LORD,] [SIR,] Downing Street, 14th April, 1925.

WITH reference to my despatch [Dominions No. 82] [No. 68] of the 25th of February,† I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of a circular addressed to Local Authorities in England and Wales regarding the Resolution of the Imperial Economic Conference, 1923, on Imperial Preference in Public Contracts, together with a copy of the circular of the 15th of May, 1923, referred to.

I have, &c.
(for the Secretary of State),
W. ORMSBY-GORE.

Enclosure 1 in No. 56.

Circular 569.

(England and Wales.)

To :—
County Councils.
Town Councils.
Metropolitan Borough Councils.
Urban District Councils.
Rural District Councils.
Boards of Guardians.
Joint Boards.
Port Sanitary Authorities.

Contracts.

Ministry of Health, Whitehall, S.W.1,
24th March, 1925.

SIR,

I AM directed by the Minister of Health to inform you that at the Imperial Economic Conference in 1923 the following Resolution was passed :—

"(1) That this Imperial Economic Conference reaffirms the principle that in all Government contracts effective preference be given to goods made and materials produced within the Empire, except where undertakings entered into prior to this Conference preclude such a course or special circumstances render it undesirable or unnecessary.

"(2) That, so far as practicable, efforts be made to ensure that the materials used in carrying out contracts be of Empire production.

"(3) That State, provincial and local government authorities should be encouraged to take note of the foregoing Resolutions."

The Government will be glad if the matter is considered by your Authority with a view to giving effect to this Resolution, subject to the condition that, in view of the present special circumstances with regard to unemployment, no alteration should be made in the policy laid down in Circular 400 of the 15th May, 1923, with regard to the placing of contracts in this country.

I am, &c.,
W. A. ROBINSON,
Secretary.

The Clerk to the Local Authority.

[4862]

Enclosure 2 in No. 56.

Circular 400.

(England and Wales.)

Circular :—
County Councils.
Town Councils.
Metropolitan Borough Councils.
Urban District Councils.
Rural District Councils.
Boards of Guardians.
Joint Boards.
Port Sanitary Authorities.

Contracts.

Ministry of Health, Whitehall, S.W.1,
15th May, 1923.

SIR,

I AM directed by the Minister of Health to inform you that the Government have decided that, as regards all works in respect of which grants are given expressly because of unemployment by the Unemployment Grants Committee or by any Government Department, it shall be a condition of the grant that all contracts for or incidental to the works are to be placed in this country.

This follows a similar condition with regard to schemes in respect of which guarantees are given under the Trade Facilities Act.

The Government also urge that, in view of present conditions, the same principle should be adopted, in the absence of special circumstances, in the case of all contracts in respect of works carried out by Local Authorities, whether or not the expenditure on the works is assisted by grants from the National Exchequer or from the Road Fund.

A copy of this Circular should be handed to the Financial Officer of the Authority.

I am, &c.,
W. A. ROBINSON,
Secretary.

The Clerk to the Local Authority.

---

* No. 52. † No. 53.

686

18971

No. 57.

SOUTHERN RHODESIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 27th April, 1925.)

(No. 96.)

Governor's Office, Salisbury, Southern Rhodesia,
3rd April, 1925.

SIR,

I HAVE the honour to acknowledge the receipt of your despatch No. 47 of the 13th February,* transmitting copies of an extract from the proceedings of the Imperial Economic Conference, 1923, containing the record of discussions, and a resolution adopted, on the subject of Imperial Preference in Public Contracts.

2. My Ministers desire me to state that effective preference to Empire manufactures and productions is given in Section 47 of the Order in Council of 1898, which provides that:—

"No Customs duties levied on any articles produced or manufactured in any part of Her Majesty's Dominions or in any British Protectorate and imported into Southern Rhodesia shall exceed in amount the duties levied on such articles according to the tariff in force in the South African Customs Union at the commencement of this Order, or the tariff contained in the Customs Union Convention concluded between the Colony, the Orange Free State, and Natal, in May, 1898, whichever are the higher."

Under this provision of the law the proportion of British goods imported into Southern Rhodesia averages over 70 per cent. of the total imports.

I have, &c.
J. R. CHANCELLOR,
Governor.

22643

No. 58.

SOUTH AUSTRALIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 18th May, 1925.)

(No. 45.)

Government House, Adelaide, 15th April, 1925.

SIR,

WITH reference to your despatch Dominions No. 57 of the 13th February last,* I have the honour to inform you that the despatch has been laid before my Ministers, who request me to inform you that they approve of the Resolution adopted by the Imperial Economic Conference on the subject of Imperial Preference in Public Contracts.

I have, &c.,
P. STANLEY POOLE,
Administrator.

23735

No. 59.

QUEENSLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 25th May, 1925.)

(No. 16.)

Government House, Brisbane, 11th April, 1925.

SIR,

WITH reference to your Dominions despatch No. 57 of the 13th February last,* and enclosures on the subject of Imperial Preference in Public Contracts, I have the honour to forward herewith a copy of a letter received from the Honourable

* No. 52.

687

the Premier, intimating that the matter of Government Preference in Contracts will be considered when the Estimates for the next financial year are being dealt with.

2. I have not sent a copy of this despatch to His Excellency the Governor-General.

I have, &c.,
WM. LENNON,
Deputy Governor.

Enclosure in No. 59.

Premier's Department, Brisbane,
8th April, 1925.

SIR,

ACKNOWLEDGING the receipt of Your Excellency's note of the 26th ultimo, accompanied by a copy of the Secretary of State's despatch of the 13th February last, with enclosures, in respect to the Imperial Preference in Public Contracts, I have the honour to inform Your Excellency that the matter of Government Preference in Contracts will be considered when the Estimates for the next financial year are being dealt with.

I have, &c.,
W. N. GILLIES,
Premier.

His Excellency the Governor,
Brisbane.

25006

No. 60.

VICTORIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 2nd June, 1925.)

(No. 7.)

State Government House, Melbourne, 24th April, 1925.

SIR,

I HAVE the honour to acknowledge the receipt of your despatch No. 57 of the 13th February last,* respecting a resolution adopted by the Imperial Economic Conference, 1923, on the subject of Imperial Preference in Public Contracts.

2. My Premier informs me that in view of the fact that this country is yet in its infancy and needs development by every means possible, the strong policy of this Government, in common with many which preceded it, is to encourage trade in goods made and materials produced in Victoria. As, however, it is the aim of my Ministers to foster trade within the Empire, Imperial preference is always placed next to Australian preference. In this connexion the following statement of the value of Victorian trade in imports from the United Kingdom during recent years may be of interest:—

	£
1920	13,498,551
1921	27,118,215
1922	18,835,097
1923	24,657,303
1924	22,925,761

The figures given for the year 1924 represent 46 per cent. of the whole of the imports, and if to these be added the trade with other parts of the Empire the total would be increased by several millions of pounds.

I have, &c.,
STRADBROKE.

* No. 52.

27054

No. 61.

WESTERN AUSTRALIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 15th June, 1925.)

(No. 20.)

Government House, Perth, Western Australia,
11th May, 1925.

SIR,

WITH reference to your Dominions despatch No. 57 of the 13th February, and your Dominions despatch No. 82 of the 25th February last*—Imperial Preference in Public Contracts—which have been laid before my Ministers, I have the honour to report that my Ministers have intimated that such preference is shown wherever possible by this Government.

I have, &c.,
W. R. CAMPION.
Governor.

34064

No. 62.

NEW SOUTH WALES.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 27th July, 1925.)

(No. 101.)

Government House, Sydney, 4th June, 1925.

SIR,

WITH reference to your despatches Dominions No. 57 of the 13th February,† and Dominions No. 82 of the 25th idem,‡ on the subject of Imperial Preference in Public Contracts, I have the honour, at the instance of Ministers, to state that in December, 1915, it was laid down by the Government that a 10 per cent. preference should be allowed on products of the United Kingdom for Government contracts: this preference is inclusive of any preference in Customs duty allowed by the Commonwealth authorities, and is still in force.

I have, &c.,
D. R. S. DE CHAIR,
Governor.

37841

No. 63.

NEW SOUTH WALES.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 18th August, 1925.)

(No. 123.)

Government House, Sydney, 8th July, 1925.

SIR,

WITH reference to your despatch Dominions No. 57 of the 13th February,† and subsequent correspondence, on the subject of Imperial Preference in Public Contracts, I have the honour to append hereto copy of a minute which I have received from my Premier:—

"With reference to Colonial Office despatch, Dominions No. 57 of 13th February last,† enclosing copies of an extract from the Proceedings of the Imperial Economic Conference, 1923, on the subject of Imperial Preference in Public Contracts, the Premier begs leave to inform His Excellency that Ministers note with pleasure that His Majesty's Government adhere to the Resolution. As His Excellency is aware, the New South Wales Government has, for some time past, drawn the attention of the Imperial authorities to the necessity for the grant of preference to Australian products, so far as Imperial contracts are concerned, if the system of migration which is in operation is to become effective. The action of the Imperial Government is, therefore, viewed with satisfaction by Ministers.

* Nos. 52 and 53. † No. 52. ‡ No. 53.

688

With regard to the desire of the Secretary of State for the Colonies to learn of any action which this Government may have taken, or be able to take, in pursuance of the Resolution, the Premier will be glad if His Excellency will advise Mr. Amery that since the year 1915 the policy of the Government of New South Wales has been to give a 10 per cent. preference to British-made products over the products of other countries outside Australia, the preference being inclusive of Customs duty preference. It has been the experience of Ministers, however, that, notwithstanding the existence of this preference—which in the case of a great number of articles is more than covered by the Customs tariff preference, the latter being high,—the prices of articles manufactured in Great Britain do not compare favourably with those manufactured in other countries. It will, therefore, be seen that if the grant of preference to goods of English manufacture is to become thoroughly effective, it will be necessary for English manufacturers to produce the goods on competitive lines, so that the minimum amount of additional expense may be associated with the expenditure of public money."

I have, &c.,
D. R. S. DE CHAIR,
Governor.

54036

No. 64.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(New South Wales.
(Victoria.
(Queensland.
(South Australia.
(Western Australia.
(Tasmania.
(Southern Rhodesia. No. 484.)

Dominions No. 531.)

[MY LORD,] [SIR,]

Downing Street, 18th December, 1925.

WITH reference to my despatch [Dominions No. 82] [No. 68] of the 25th of February,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of Parliamentary Questions and Answers on the 7th and 8th of December, on the subject of preference to Dominion products in supplies for the Navy, Royal Air Force and the Army respectively.

I have, &c.,
L. S. AMERY.

[54033]

Enclosure 1 in No. 64.

HOUSE OF COMMONS.

(Monday, 7th December, 1925.)

ROYAL NAVY.

Dominion Supplies.

SIR JOHN POWER asked the First Lord of the Admiralty whether, in view of the Report of the Imperial Economic Committee, which shows that the self-governing Dominions purchase British goods *per capita* to the extent of £6 17s. 3d. as against Europe 12s. 1d., South America 18s., and the United States of America 9s. 6d., he is prepared to arrange for the use of Dominion supplies in the Navy in preference to foreign supplies?

* No. 53.

THE FIRST LORD OF THE ADMIRALTY (MR. BRIDGEMAN): A substantial preference in price is given to Dominion over foreign products in obtaining supplies for His Majesty's Navy, and supplies from the Dominions and Colonies are used wherever they can be obtained of a suitable quality, in adequate quantities, and at satisfactory prices.

[54036]

Enclosure 2 in No. 64.

HOUSE OF COMMONS.

(Monday, 7th December, 1925.)

ROYAL AIR FORCE.

Dominion Supplies.

SIR JOHN POWER asked the Secretary of State for Air whether, in view of the Report of the Imperial Economic Committee, which shows that the self-governing Dominions purchase British goods *per capita* to the extent of £6 17s. 3d. as against Europe 12s. 1d., South America 18s., and the United States of America 9s. 6d., he is prepared to arrange for the use of Dominion supplies in the Air Force in preference to foreign supplies?

THE SECRETARY OF STATE FOR AIR (SIR SAMUEL HOARE): It is the general policy of the Air Ministry to rely upon British sources of supply wherever possible, and preference is given to Dominion as opposed to foreign goods in the placing of contracts.

[54035]

Enclosure 3 in No. 64.

HOUSE OF COMMONS.

(Tuesday, 8th December, 1925.)

Dominion Supplies.

MR. RAMSDEN asked the Secretary of State for War whether, in view of the Report of the Imperial Economic Committee, which shows that the self-governing Dominions purchase British goods *per capita* to the extent of £6 17s. 3d. as against Europe 12s. 1d., South America 18s., and the United States of America 9s. 6d., he is prepared to arrange for the use of Dominion supplies in the Army in preference to foreign supplies?

CAPTAIN KING: It is the practice of the War Office, in purchasing supplies for the Army, to give effective preference to Dominion products over those of foreign origin.

55822

No. 65.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(New South Wales.
(Victoria.
(Queensland.
(South Australia.
(Western Australia.
(Tasmania.
(Southern Rhodesia. No. 486.)

Dominions No. 539.)

[MY LORD,] [SIR,] Downing Street, 21st December, 1925.

WITH reference to my despatch [Dominions No. 155] [No. 124] of the 14th of

April,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copies of a circular letter to Local authorities from the President of the Board of Trade and the Minister of Health regarding the purchase of British and Empire goods.

[*To Commonwealth of Australia only*: 2. Similar despatches are being sent to the Officers Administering the Governments of the Australian States.]

I have, &c.,
L. S. AMERY.

Enclosure in No. 65.

BOARD OF TRADE,
Great George Street, S.W. 1.

MINISTRY OF HEALTH,
Whitehall, S.W. 1.
28th October, 1925.

DEAR SIR,

ALL in the country are anxious to do what lies within their power to improve British trade and to help employment.

It will be generally agreed that there is an obvious way in which the men and women of this country can help individually. By buying British goods, they will stimulate production, give employment; and, by enlarging the output of our factories, enable them to produce more cheaply and compete more effectively. By increasing their purchases of British goods in the Home market they will reduce the volume of foreign imports and improve the trade balance, thereby enabling this country to invest more in the development of new markets. By increasing the purchases of Empire goods in the Home market, they will enable the countries of the British Empire to buy more from the Mother Country.

Every man and woman in Britain can help in these ways. Every purchase helps; and if all join in a common effort the stimulus to British trade, Home and Imperial, will be great and immediate. In many quarters people have already shown that they appreciate the need and the possibilities. But there can be no doubt that a national movement to help British trade by buying British goods will be greatly quickened, if a suitable occasion is taken which will focus attention at once upon the need and the opportunity for meeting it.

Such an occasion offers itself as the Christmas season approaches. We, therefore, venture to ask you to consider whether it will be possible to organize in your District a British Shopping Week before Christmas? If a Shopping Week, devoted particularly to a display of British Home and Empire products, could be held in the cities and towns of this country, it would afford to their inhabitants an opportunity of helping the trade and employment of this country which would appeal to the British people, and of which we believe they would be eager to take advantage.

Should you decide to give favourable consideration to our proposal we would venture further to suggest that you should communicate with your local Chamber of Commerce or any similar bodies which may exist in your locality and obtain their co-operation.

Yours faithfully,
P. CUNLIFFE LISTER.
NEVILLE CHAMBERLAIN.

The Chairman of the Urban District Council. (Also sent to Town Councils.)

---

* No. 56.

(4) FURTHER STEPS FOR THE IMPROVEMENT OF MUTUAL TRADE.

(A) Imperial Co-operation in respect of Commercial Intelligence.

It was decided to adopt the following Resolutions;—

(i) Commercial Diplomatic and Consular Services.

"This Imperial Economic Conference takes note of the offer of His Majesty's Government to place the services of His Majesty's Commercial Diplomatic Officers in Foreign countries at the disposal of the Governments of the Dominions and India and of the Colonies and Protectorates in the same way and to the same extent as the services of His Majesty's Trade Commissioners within the Empire are already at their disposal. It notes that His Majesty's Government propose that as regards countries outside of Europe the Governments should utilize direct the services of Commercial Diplomatic Officers or of senior Consular Officers where no Commercial Diplomatic Officers have been appointed, but that communications which it is proposed to address to Commercial Diplomatic Officers in European countries should be transmitted in the first instance to the Department of Overseas Trade."

"The Conference, recognizing the importance of all possible steps being taken to strengthen the mutual co-operation of the several parts of the Empire in matters of commercial intelligence with a view to the development of Empire trade, welcomes the arrangements proposed by His Majesty's Government."

"It also welcomes the offer of the Governments of the Dominions which have appointed Trade Commissioners in countries overseas to make a similar arrangement for the utilization of those officers by Governments of other parts of the Empire."

"The Conference further recommends that, when two or more Governments of the Empire maintain commercial representatives in the same country, an endeavour should be made to arrange that the offices of these representatives should be in the same building or in close proximity, in order to facilitate all possible co-operation between such representatives in their work on behalf of Empire Trade."

(*See pp.* 202-204 *in Dominions No.* 91.)

644

No. 66.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5th January, 1925.)

(No. 621.)

SIR, Governor-General's Office, Pretoria, 17th December, 1924.

I HAVE the honour to transmit to you, herewith, with reference to Prince Arthur of Connaught's despatch No. 562 of 13th November, 1923,* and to your predecessor's despatch Dominions No. 493 of 14th October, 1924,† and 3rd personal Note of 14th October, 1924,‡ copy of Minute from Ministers on the subject of Commercial Intelligence Services, enclosing a list of trade representatives of the Union of South Africa.

I have, &c.,
ATHLONE,
Governor-General.

Enclosure in No. 66.

Prime Minister's Office, 15th December, 1924.

MINUTE No. 980.

MINISTERS have the honour to acknowledge the receipt of His Excellency the Governor-General's despatch No. 73/50 of the 6th instant, together with a copy of despatch Dominions No. 493, and a copy of 3rd personal Note from the Secretary of State for the Colonies under date 14th October, 1924, on the subject of Commercial Intelligence Services.

* 58865/23: not printed; it enclosed a list of representatives of the Union of South Africa in foreign countries. † No. 320 in Dominions No. 91. ‡ 46888/24: not printed; it explained that further copies of the enclosures to the despatch were not available.

690

Ministers desire to inform His Excellency that they note with satisfaction that His Majesty's Government have instructed His Majesty's Representatives abroad to answer any inquiries on commercial matters from the Governments of the Dominions and India and of the Colonies and Protectorates, and to call the attention of any particular Dominion or other part of the Empire to any matter likely to be of special interest to it in the development of its export trade.

Ministers would be glad if His Excellency would inform His Majesty's Government that the Government of the Union of South Africa endorses the offer of the services of the Dominions' Trade Commissioners, referred to in paragraph 3, and accepts the suggestion contained in paragraph 4 of the Resolution of the Imperial Economic Conference, 1923, on the subject of the Commercial Intelligence Services.

A list of the Union of South Africa's trade representatives is enclosed.

J. B. M. HERTZOG.

List of the officers of the Union of South Africa upon whom the duty of corresponding with the Governments of the Dominions and India and of the Colonies and Protectorates devolves.

C. I. Pienaar, Esquire,
Commissioner of Commerce for the Union of South Africa
on the Continent of Europe,
Coolsingel 31c,
Rotterdam.

J. Moffat, Esquire,
Customs Investigation Officer for the Union of South Africa,
44, Whitehall Street,
New York,
United States of America.

Lieutenant-Colonel R. B. Turner, C.M.G., D.S.O.,
Acting Trades Commissioner for the Union of South Africa,
Nairobi House,
Nairobi,
Kenya.

In addition to these officers the Union of South Africa has Honorary Correspondents at Oslo (Kristiania), Berlin and Paris.

J. B. M. HERTZOG.

1780

No. 67.

SOUTHERN RHODESIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 13th January, 1925.)

(No. 380.)

SIR, Governor's Office, Salisbury (Rhodesia), 22nd December, 1924.

I HAVE the honour to refer to Mr. Thomas's despatch No. 432 of the 14th October* drawing attention to the Resolution of the Imperial Economic Conference, 1923, on the subject of Commercial Intelligence Services.

2. I am desired by my Ministers to convey the thanks of this Government to His Majestys Government for placing the services of Commercial Diplomatic and Consular Officers at the disposal of Colonial Governments.

I have, &c.,
J. R. CHANCELLOR,
Governor.

* No. 320 in Dominions No. 91.

5454

No. 68.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4th February, 1925.)

(No. 284.)

SIR, Government House, Wellington, 24th December, 1924.

WITH reference to your predecessor's despatch Dominions No. 493 of the 14th October,* I have the honour to inform you that the New Zealand Government endorses the offer of the services of this Dominion's Trade Commissioners, referred to in paragraph 3 of the Resolutions relating to Commercial Intelligence Services, and passed by the Imperial Economic Conference of 1923.

I have, &c.,
CHARLES FERGUSSON,
Governor-General.

17715

No. 69.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 20th April, 1925.)

(No. 46.)

SIR, Governor-General's Office, Melbourne, 27th February, 1925.

WITH reference to your predecessor's despatch dated 14th October, 1924, Dominions No. 493,* relative to the desire of His Majesty's Government to ascertain whether the Dominion Governments endorse the offer of the services of Dominion Trade Commissioners referred to in paragraph 3 of the Resolution of the Imperial Economic Conference, 1923, on the subject of Commercial Intelligence Services, I have the honour, at the instance of my Prime Minister, to inform you that the Commonwealth Government has no trade representatives in oversea countries, but in the event of such appointments being made it would be glad to make an arrangement for the utilization of their services by the Governments of other parts of the Empire.

I have, &c.,
FORSTER,
Governor-General.

25686

No. 70.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 6th June, 1925.)

(No. 61.)

SIR, Government House, St. John's, 22nd May, 1925.

I HAVE the honour to acknowledge the receipt of your predecessor's despatch Dominions No. 493 of the 14th October, 1924,* on the subject of the utilization of the services of Dominion Trade Commissioners by Governments of other parts of the Empire, and to inform you that my Ministers have no objection to offer to paragraph 3 of the Resolution of the Imperial Economic Conference, 1923.

2. At present we have but one Trade Commissioner—Lieut.-Colonel Bernard, in Italy—who holds a nominal appointment, but is not in the pay of this Government.

I have, &c.,
W. L. ALLARDYCE.

---

* No. 320 in Dominions No. 91.

691

(ii.) Commercial Travellers' Samples.

This Imperial Economic Conference proposes that articles liable to duty imported into any part of the British Empire as samples or specimens by commercial travellers representing manufacturers or traders established in any other part of the British Empire should be temporarily admitted free of duty, subject to such persons complying with the laws and regulations and also the Customs formalities established to assure the re-exportation or deposit in bond of the articles, or payment of the prescribed Customs duties if not re-exported or deposited within the prescribed period. But the foregoing privilege should not extend to articles which owing to their quantity or value, cannot be considered as samples, or which, owing to their nature, could not be identified upon re-exportation.

The marks, stamps, or seals placed upon such samples by the Customs authorities of any part of the Empire at the time of exportation, and the officially tested list of such samples containing a full description thereof, including, in the case of goods liable to *ad valorem* duty, a statement of their value, should be accepted by the Customs officials of any other part of the Empire as establishing their character as samples and exempting them from inspection, except so far as may be necessary to establish that the samples produced are those enumerated in the list.

The Customs authorities of that part of the Empire into which the samples are brought may, however, affix a supplementary mark to such samples or lists in special cases where they may think this precaution necessary.

In cases where the regulations require the provisional payment of the duties or deposits for such samples on entry a receipt for such payment should be given, and the duties or deposits should be reimbursed at any Custom house at which the samples may be produced with a view to re-exportation.

(iii.) Trade Catalogues.

This Imperial Economic Conference proposes that, where freer admission of catalogues and price-lists is not provided for, single copies of trade catalogues and price-lists of firms having an established place of business within the Empire, sent by post, or with consignments of goods, from any part of the British Empire, to business firms in any other part of the British Empire, should be admitted free of duty, provided that they are the trade catalogues or price-lists of firms or persons having no established place of business in the territory to which they are sent.

(*See pages* 204-211 *of Dominions No.* 91.)

437

No. 71.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5th January, 1925.)

(No. 326.)

SIR, Governor-General's Office, Melbourne, 20th November, 1924.

WITH reference to your predecessor's despatch dated 24th March, 1924, Dominions No. 135,* relative to the desire of His Majesty's Government to make reciprocal arrangements with the Commonwealth Government for facilities for the admission of commercial travellers' samples, trade catalogues and price lists, in accordance with the Resolutions of the Imperial Economic Conference thereon, I have the honour to inform you that I am advised by my Prime Minister that, with regard to travellers' samples, Section 162 of the Commonwealth Customs Act, 1901-1923, limits the period for which duty may be retained on deposit to six months; otherwise the procedure adopted in Australia in respect to the importation of travellers' samples seems to substantially meet with the desires of His Majesty's Government and is as follows:—

Travellers' samples dutiable under the tariff are admitted on deposit of duty for six months (Section 162, Customs Act).

The importer makes application to deposit in accordance with form 47† (in duplicate) of the Customs Regulations, a copy of which is forwarded herewith.

If the goods are liable to *ad valorem* duties, documentary evidence of value must be produced.

The goods will be examined by an officer before delivery.

The importer may obtain a triplicate copy of form 47, which will be impressed with a stamp as follows:—

"*Travellers' Samples.*

"The importer may obtain a refund of this deposit on exportation of the "goods at any port in Australia within six months, on identification of the "samples, and surrender of this document, and the passing of an export "entry."

If, however, any modification of Commonwealth practice is desired, consideration will gladly be given by my Ministers to proposals from His Majesty's Government.

With regard to trade catalogues and price lists my Prime Minister informs me that it is not possible to comply with the Resolution of the Conference respecting the duty thereon without an amendment of the Tariff Act. It is proposed, however, to place the matter before the Tariff Board as required by Statute and to invite Parliament at an early opportunity to make the necessary alteration in the tariff.

I have, &c.,
FORSTER,
Governor-General.

32833

No. 72.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 18th July, 1925.)

(No. 216.)

SIR, Vice Regal Lodge, Dublin, 17th July, 1925.

IN reference to Mr. Thomas's despatch No. 611 of the 28th October, 1924,‡ which refers to the Agreement for reciprocity in the matter of the Customs treatment of Commercial Travellers' Samples, and in which it is suggested that this Agreement should be extended to include freedom from liability to pay Customs Entry Duty in respect of such samples, I have the honour to inform you that, as the result of consideration of the point, my Ministers have now made arrangements obviating the payment of the above duty in respect of commercial travellers' samples imported as such, under the reciprocal arrangement above referred to.

2. The necessary instructions are in course of issue to the proper officers of the Revenue Commissioners' Department.

I have, &c.,
T. M. HEALY.

---

* No. 322 in Dominions No. 91. † Not printed here. ‡ No. 329 in Dominions No. 91.

692

41445

No. 73.

IRISH FREE STATE.

OFFICE OF THE HIGH COMMISSIONER to DOMINIONS OFFICE.

[*Answered by No.* 74.]

York House,
15, Regent Street, London, S.W.1, 10th September, 1925.

SIR,

I AM directed by the High Commissioner to refer to the Resolutions of the Imperial Economic Conference 1923 regarding the treatment in the Customs of Commercial Travellers' Samples, and to state that our Department of Finance would be glad to learn whether it is proposed that the grant of reciprocal concessions should be extended to all the British Dominions, Colonies and Protectorates, and, in particular, whether the Dominion of Canada desires to conclude an agreement.

Further, I am to bring under your notice the terms of the second paragraph of Resolution II of the Imperial Economic Conference as under, with a view to ascertaining whether the Dominions are prepared to accept any marks, stamps, or seals placed by the Irish Free State Customs authorities on exported samples, and any lists officially attested by those authorities for the purposes indicated.

> "The marks, stamps, or seals placed upon such samples by the Customs authorities of any part of the Empire at the time of exportation, and the officially attested list of such samples containing a full description thereof, including, in the case of goods liable to *ad valorem* duty, a statement of their value, should be accepted by the Customs Officials of any other part of the Empire as establishing their character as samples and exempting them from inspection, except so far as may be necessary to establish that the samples produced are those enumerated in the list."

I am, &c.,
M. H. ELIASSOFF,
Secretary.

41445

No. 74.

IRISH FREE STATE.

DOMINIONS OFFICE to OFFICE OF THE HIGH COMMISSIONER.

SIR, Downing Street, 19th October, 1925.

I AM directed by Mr. Secretary Amery to acknowledge the receipt of your letter of the 10th of September,* relating to the Resolution of the Imperial Economic Conference, 1923, on the subject of Commercial Travellers' Samples, and to request you to inform the High Commissioner that it had been assumed that any necessary reciprocal arrangements between Dominions in this matter would be made direct.

As regards the position in the self-governing Dominions, and Southern Rhodesia, I am to enclose copies of the Secretary of State's despatches† communicating copies of the Resolution, together with copies of the replies‡ received from the Governors-General of Canada, the Commonwealth of Australia, New Zealand, and the Union of South Africa and the Governor of Southern Rhodesia. A copy of a subsequent despatch§ to the Governor of Southern Rhodesia is also enclosed. No reply has yet been received from the Governor of Newfoundland.

The attention of the Colonies not possessing responsible Governments and Protectorates has also been called to the Resolution, and there is no reason to suppose that they will not be willing to grant to the Irish Free State as to all parts of the Empire, any concessions that they are already bound to grant in the case of samples of foreign commercial travellers by virtue of the provisions of the International Convention relating to the Simplification of Customs Formalities.

I am, &c.,
G. G. WHISKARD.

---

* No. 73. † Nos. 322 and 323 in Dominions No. 91. ‡ Nos. 326, 325, 327 and 328 in Dominions No. 91 and No. 71 above. § No. 330 in Dominions No. 91.

49355

No. 75.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2nd November, 1925.)

(No. 241.)

SIR, Governor-General's Office, Melbourne, 29th September, 1925.

WITH reference to your despatch dated 25th June, 1925, No. 180,* and previous correspondence relative to the desire of His Majesty's Government to make reciprocal arrangements with the Commonwealth Government for facilities for the admission of commercial travellers' samples, trade catalogues and price lists, in accordance with the Resolutions of the Imperial Economic Conference, 1923, I have the honour to inform you that I am advised by my Prime Minister that the matter is still receiving the consideration of the Tariff Board, and that, up to the present, no report has been received from that body.

I have, &c.,
FORSTER,
Governor-General.

---

* 23960/25: not printed.

C. IMPERIAL COMMUNICATIONS.

(i) Shipping.

(a) Imperial Shipping Committee.

It was agreed to adopt the following Resolutions:—

(1)

That this Imperial Economic Conference desires to convey to Sir Halford Mackinder, as Chairman of the Imperial Shipping Committee, and to the members of that Committee, an expression of its appreciation of the very excellent work which they have done during the period of the Committee's existence, both in the interests of the commercial and producing communities, and of British citizens generally.

(2)

That this Imperial Economic Conference is of opinion:—

(1) That the work accomplished by the Imperial Shipping Committee is convincing proof of the wisdom of its establishment, and that it is of the highest importance to the Empire that this work should continue.

(2) That it is therefore desirable to maintain the Committee on its present basis, deriving authority from, and responsible to, the Governments represented in the Imperial Conference.

(*See pages* 212-213 *of Dominions No.* 91.)

Secretariat Note.—The following report of the Imperial Shipping Committee was sent to the Dominions during 1925:—

Second Report on Canadian Marine Insurance Rates (Cmd. 2447) by despatch Dominions No. 299 of the 21st July, 1925. (31453/25.)

(b) Carriage of Goods by Sea.

It was agreed that the following Resolution be adopted—

This Imperial Economic Conference having examined the Rules relating to Bills of Lading recommended by the International Conference on Maritime Law held at Brussels in October, 1922, and embodied in the Carriage of Goods by Sea Bill now before the British Parliament, is of opinion that in all essential principles they are based upon the Canadian Water Carriage of Goods Act, 1910, and the Report of the Imperial Shipping Committee, 1921, and, believing that there is a good prospect of international agreement in regard to bills of lading on this basis which would be of benefit to every part of the Empire, considers that these rules can be recommended for adoption by the Governments and Parliaments of the Empire.

(*See pages* 213-215 *of Dominions No.* 91.)

34698

No. 76.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL AND GOVERNOR.

[*Answered by No.* 78.]

(Canada. No. 378.)
(New Zealand. No. 164.)
(Union of South Africa. No. 183.)
(Irish Free State. No. 349.)
(Newfoundland. No. 95.)

[MY LORD,] [SIR,] Downing Street, 7th September, 1925.

I HAVE the honour to request [Your Excellency] [you] to invite the attention of your Ministers to my predecessor's despatch Dominions No. 102 of the 5th March, 1924,* which enclosed copies of a resolution of the Imperial Economic Conference, 1923, recommending the adoption of the Rules relating to Bills of Lading drawn up at the International Conference on Maritime Law held at Brussels in October, 1922. Effect has been given to these Rules (with my slight modifications) in this country by the Carriage of Goods by Sea Act, 1924, copies of which were enclosed in my predecessor's despatch Dominions No. 435 of the 3rd September, 1924†; similar legislation has also been passed in the Commonwealth of Australia (Sea Carriage of Goods Act No. 22 of 1924).

2. The Rules recommended by the Conference at Brussels in 1922, with minor drafting amendments introduced at a similar Conference in 1923, have been embodied in a draft Convention,‡ copies of which are enclosed, together with the Protocol‡ of signature, which has already been signed on behalf of Great Britain and Northern Ireland. It is understood to be the intention of the Belgian Government, provided sufficient signatures are obtained, to invite the contracting parties concerned to ratify the Convention. In this connexion it may be observed that Bills to enable effect to be given to the Rules contained in the draft Convention are now under consideration in India, and also in the United States of America and the Netherlands.

3. His Majesty's Government accordingly hope that with a view to securing uniformity of legislation on this matter not only throughout the Empire, but in all the maritime countries of the world, your Ministers may see their way to give further consideration to the question of introducing legislation to provide for the adoption of these Rules.

[*To Irish Free State only:* 4. In this connexion I would invite reference to paragraph 4 of your despatch No. 205 of the 19th July, 1923,§ relating to special provisions in regard to the carriage of goods between ports in the Irish Free State and ports in Great Britain and Northern Ireland.]

[4.] [5.] A further communication will be sent to you on the subject of the other two draft Conventions drawn up at the Brussels Conferences of 1922 and 1923, relating respectively to the limitation of shipowners' liability and maritime

* No. 333 in Dominions No. 91. † No. 335 in Dominions No. 91. ‡ Not reprinted. § 36335/23: not printed; it conveyed the concurrence of the Irish Free State in a suggestion that special provision should be made as regards trade between Great Britain and Northern Ireland and the Irish Free State (see Section 4 of the Carriage of Goods by Sea Act, 1924).

mortgages and liens: in this connexion reference is invited to the Report of the British delegates at the International Maritime Conference held at Brussels in October, 1922, of which copies were enclosed in the Duke of Devonshire's despatch [*Not to Irish Free State:* Dominions No. 66 of the 1st March, 1923.*] [*To Irish Free State:* No. 137 of the 13th March, 1923.†]

[5.] [6.] A similar despatch is being addressed to the Governors-General of [*To Canada:* New Zealand, the Union of South Africa and the Irish Free State and the Governor of Newfoundland.] [*To New Zealand:* Canada, the Union of South Africa and the Irish Free State and the Governor of Newfoundland.] [*To Union of South Africa:* Canada, New Zealand and the Irish Free State and the Governor of Newfoundland.] [*To Irish Free State:* Canada, New Zealand, and the Union of South Africa and the Governor of Newfoundland.] [*To Newfoundland:* Canada, New Zealand, the Union of South Africa and the Irish Free State.]

I have, &c.,
L. S. AMERY.

34698

No. 77.

NEW ZEALAND.

DOMINIONS OFFICE to OFFICE OF THE HIGH COMMISSIONER.

SIR, Downing Street, 8th September, 1925.

WITH reference to your letter of the 16th August, 1924,‡ I am directed by Mr. Secretary Amery to transmit to you, to be laid before the High Commissioner, a copy of a despatch§ to the Governor-General of New Zealand on the subject of the Resolution of the Imperial Economic Conference, 1923, relating to Bills of Lading. It is hoped that in the light of the further information contained therein the New Zealand Government may feel able to reconsider the decision conveyed in your letter under reference.

2. As regards paragraph 3 of that letter, the Board of Trade has explained that the rules scheduled to the Carriage of Goods by Sea Act, 1924, do not differ in substance from those contained in the draft Convention enclosed. The text is identical with four exceptions, viz.:—(*a*) the first sentence of Article I, where the difference is purely verbal; (*b*) paragraphs 7 and 8 of Article III, where the Act follows the text recommended by the Brussels Conference of 1922, omitting the verbal additions proposed by a Sub-Committee of the Brussels Conference of 1923; (*c*) Article V where the word "obligations" has been replaced by the word "liabilities."

I am, &c.,
A. C. C. PARKINSON.

45875

No. 78.

CANADA.

THE DEPUTY GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 12th October, 1925.)

(No. 407.)

SIR, Ottawa, 30th September, 1925.

WITH reference to your despatch No. 378 of the 7th September,§ with regard to the introduction into the Canadian Parliament of legislation to give effect to rules relating to Bills of Lading (Hague Rules) in accordance with the Resolution of the Imperial Economic Conference of 1923, I have the honour to inform you that as far back as January, 1925, pamphlets containing a comparison of the British "Carriage of Goods by Sea Act, 1924," with the existing Canadian legislation on the same subject, were distributed to the Shipping Federation of Canada, Dominion Marine Association, Canadian Manufacturers Association, and the principal

* and † 9604/23: not printed; they enclosed copies of the Report as shown. ‡ No. 334 in Dominions No. 91. § No. 76.

Boards of Trade throughout Canada, with a request that the views of these various bodies as to the advisability of adopting similar legislation in Canada be placed before the Department of Marine and Fisheries.

The recommendations of these bodies are now being received, and further consideration is being given the matter by the Department of Marine and Fisheries.

I have, &c.,
FRANK A. ANGLIN,
Deputy Governor-General.

(c) Shipping Taxation.

It was agreed that the recommendations put forward in the Report of the Shipping Taxation Committee* be adopted.

(*See pages* 216-219 *of Dominions No.* 91.)

7216

No. 79.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 16th February, 1925.)

[*Answered by No.* 83.]

(No. 3.)

SIR, Governor-General's Office, Melbourne, 13th January, 1925.

WITH reference to your predecessor's despatch dated 30th June, 1924, Dominions No. 297,† covering copies of an extract from the Report of the Proceedings of the Imperial Economic Conference 1923, relating to shipping communications and other shipping questions, I have the honour, at the instance of my Prime Minister, to transmit herewith a copy of a report by the Commonwealth Commissioner of Taxation in respect of the recommendations of the Shipping Taxation Committee, which were adopted by the Imperial Economic Conference, relating to the methods of assessment of shipping to income tax.

In view of the objections stated by the Commonwealth Commissioner of Taxation to the measures recommended by the Taxation Shipping Committee to be adopted, the Commonwealth Government considers that an alternative scheme is desirable, and would be glad to learn the views of His Majesty's Government regarding the proposal submitted by the Commonwealth Commissioner.

I have, &c.,
FORSTER,
Governor-General.

Enclosure in No. 79.

COMMONWEALTH OF AUSTRALIA.

Federal Commissioner of Taxation,
Post Office Buildings,
Bourke and Elizabeth Streets,
Melbourne, 27th November, 1924.

Income Tax—Empire Shipping Industry.

REFERRING to your letter of the 15th August last 536/24/6202, relative to the above subject, I have to report that an examination of the Report of the Imperial Economic Conference held in London at the close of the year 1923 shows that the Shipping Taxation Committee recommended and the Conference adopted a proposal which may be summarized as follows:—

(*a*) All Empire shipping businesses should pay income tax to the taxing authorities of those parts of the Empire where revenue is derived by the business.

---

* See pages 346-350 of [Cmd. 2000]. † No. 337 in Dominions No. 91.

(*b*) The basis for ascertaining the taxable income should be the trading accounts of the business for the operations of each trading year.

(*c*) The trading accounts of the business should be furnished to the taxing authority of the country in which the owner of the business resides, i.e., the country in which the business is directed and controlled.

(*d*) The taxing authority to which the accounts are submitted shall determine from the accounts the profit or loss of the business for the year.

(*e*) Each taxing authority should then levy its income tax on an amount of profit, if any, which bears the same proportion to the total profit as the gross revenue derived by the business in the relevant country bears to the total gross revenue of the business.

The full text of the recommendations is set out on pages 346 to 350 of the Imperial Economic Conference Report.

2. The proposals are, *prima facie*, reasonable. They involve, however, some uniform system for ascertaining the profits of the business. Opinions differ widely as to what are profits. If, therefore, a uniform system of ascertaining profits is considered essential, special legislation by all adhering countries would be necessary, as existing income tax legislation throughout the Empire provides for different methods of ascertaining *taxable income* in the different parts of the Empire. The preparation of such legislation would involve more work and expense than the situation warrants.

3. It is suggested that uniform legislation to ascertain profits might not, perhaps, be essential, and that the essence of the recommendations of the Shipping Taxation Committee of the Imperial Economic Conference could be carried into effect under existing legislation in the countries concerned in the following manner, viz.:—

(i) A shipping business deriving *gross revenue* from shipping operations in two or more parts of the Empire should submit to the taxation authority in each of those parts of the Empire a certified copy of its balance sheet, and of its profit and loss and trading accounts for each income year, *in respect of the whole of its shipping operations in all parts of the world.*

(ii) Each separate taxing authority of the Empire concerned should then ascertain from the accounts, what would be the taxable income, if any, under its own law for the whole of the shipping operations mentioned in (i), *if its law applied thereto*, and should calculate the percentage of that taxable income to the total gross shipping income of the business from all parts of the world.

(iii) The percentage ascertained as in (ii) should then be applied to the gross shipping income derived by the business from the country concerned, to ascertain the part, if any, of that gross income which should be treated as the amount upon which the relevant country should levy its income tax, and the tax should be levied accordingly.

4. The foregoing proposals would allow each taxing authority to work independently of all others, and render unnecessary any discussion between the various authorities in the event of any one or more authorities desiring to amend its income tax legislation as affecting shipping businesses.

5. The proposals would also remove what at present appears to be an undesirable feature of the scheme of the Shipping Taxation Committee of the Imperial Economic Conference, viz., the necessity for the taxing authority which is charged with the ascertaining of the profits, to advise all other taxing authorities of the percentage which the profits bear to gross revenue. This would involve some cost to the authority making the calculations, and at the same time it would not overcome the difficulty pointed out in paragraph (2) of this memorandum as to variations in methods of determining the profits for purposes of taxation.

6. On the other hand, the present movement is inspired by the shipping industry for its own relief, and it is thought that this is full justification for expecting the shipping businesses concerned to undertake the very trifling additional work involved, viz., the preparation of sufficient copies of balance sheets and profit and loss and trading accounts each year, to give effect to the proposals now submitted.

R. EWING,
Commissioner of Taxation.

60578

No. 80.

QUEENSLAND.

THE SECRETARY OF STATE to THE GOVERNOR.

[*Answered by No.* 87.]

(No. 33.)

SIR, Downing Street, 19th March, 1925.

I HAVE the honour to acknowledge the receipt of your despatch No. 29 of the 26th August, 1924,* on the subject of the recommendations of the Imperial Economic Conference, 1923, relating to Shipping Taxation.

2. It appears to the Board of Inland Revenue, to whom a copy of your despatch was sent, that some misconception may have arisen as to the intention of the recommendations of the Imperial Economic Conference, which were referred to in paragraph 3 of my predecessor's despatch Dominions No. 297 of the 30th of June, 1924.† These recommendations are in no way affected by the difference, referred to in the enclosure to your despatch, between the principles governing the taxation of profits in the United Kingdom and the Commonwealth respectively. On the contrary, the recommendations recognize the distinctions of principle, and put forward certain practical proposals designed to facilitate the ascertainment of the non-resident shipowner's assessable profits, with the minimum of trouble and friction, without impairing the jurisdiction of the Government concerned.

3. The question whether these proposals could be adopted in Queensland without amendment of the existing law is, of course, entirely a matter for your Government; but the Board of Inland Revenue observe that section 17(1) of the Queensland Income Tax Act of 1924 provides that the basis for computing the assessable profits of a non-resident shipowner shall be 7½ per cent. of the amount of fares or freight in respect of passengers' goods, etc., shipped in Queensland, "if such income cannot, in the opinion of the Commissioner, be otherwise satisfactorily determined." The Act does not appear to specify on what basis the income might be "otherwise satisfactorily determined," and the question would therefore appear to arise whether a rate computed by the Revenue Authority of the country of residence of the non-resident shipowner or charterer, as representing the rate of profit per cent. on that shipowner's or charterer's total earnings wherever arising can be regarded by the Queensland authorities as a satisfactory measure of the rate of profit per cent. on that portion of the total earnings which arise in Queensland.

4. His Majesty's Government hope that, in the light of these observations, the Queensland Government will feel able to give further consideration to the recommendations of the Imperial Economic Conference on this subject which, as explained above, were particularly directed to an improvement in administrative machinery. (See paragraphs 13-14 of the report of the Shipping Taxation Committee of the Conference on page 349 of the enclosure to my predecessor's despatch referred to above.)

I have, &c.,
L. S. AMERY.

60578

No. 81.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 96.)

MY LORD, Downing Street, 19th March, 1925.

WITH reference to my predecessor's despatch No. 374 of the 15th of October,‡ I have the honour to transmit to Your Excellency, for the information of your Ministers, a copy of a despatch§ to the Governor of Queensland on the subject of the recommendations of the Imperial Economic Conference, 1923, in regard to Shipping Taxation.

I have, &c.,
L. S. AMERY.

---

* No. 330 in Dominions No. 91. † No. 337 in Dominions No. 91. ‡ No. 340 in Dominions No. 91.
§ No. 80.

15671

No. 82.

SOUTH AUSTRALIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 6th April, 1925.)

(No. 39.)

SIR, Government House, Adelaide, 4th March, 1925.

WITH reference to your despatch Dominions No. 543 of the 22nd November, 1924,* my Ministers inform me that the question of the adoption of uniform legislation with regard to the reciprocal exemption of shipping profits from income tax will be referred for discussion at the next Premier's Conference.

This question is one upon which it will be difficult to achieve uniformity of practice between the various States of the Commonwealth of Australia, and until a decision has been reached at the next Conference of Premiers I am not in a position to state the action which my Government will adopt.

I have, &c.,
TOM BRIDGES,
Governor.

13218

No. 83.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 129.)

MY LORD, Downing Street, 30th April, 1925.

I HAVE the honour to acknowledge the receipt of Your Excellency's despatch No. 3 of the 13th January† regarding the recommendations of the Imperial Economic Conference, 1923, on the subject of Shipping Taxation, and to transmit to you, to be laid before your Ministers, a copy of a memorandum prepared by the Board of Inland Revenue on the question.

2. It is noted that the letter from the Federal Commissioner of Taxation, enclosed in your despatch under acknowledgment, whilst describing the proposals made by the Imperial Economic Conference as *prima facie* reasonable, comments later on with regard to certain details of those proposals and makes alternative suggestions. It would, however, appear from the enclosed memorandum that Mr. Ewing's alternative scheme would not overcome the difficulties which the scheme recommended by the Conference is designed to meet.

3. In the circumstances His Majesty's Government greatly hope that on reconsideration your Ministers may find themselves able to accept the Conference proposals, which have already been endorsed by the Government of New Zealand and the Government of India.

I have, &c.,
(for the Secretary of State),
W. ORMSBY-GORE.

Enclosure in No. 83.

INCOME TAX.

PROFITS OF BRITISH SHIPOWNERS WITHIN THE EMPIRE.

Note by the Board of Inland Revenue on a Report of the 27th November, 1924, by the Commissioner of Taxation of the Commonwealth of Australia.

A REFERENCE to the Report of the Shipping Taxation Committee of the Imperial Economic Conference (page 346 of the Proceedings of the Conference) shows that the problem with which they were confronted arose out of the fact that the nature of the shipowner's trade "is such that he is faced with peculiarly difficult

---

* 53248/24: not printed; it enclosed copies of the relief from Double Income Tax of Shipping Profits (United States of America) Declaration 1924 (Order in Council of 7th November, 1924). † No. 79.

questions in any attempt to segregate profits or losses arising in each country in which he trades." (Paragraph 8.)

In point of fact it is usually a practical impossibility for a shipowner to prove with any exactitude the annual profits which he makes in any particular place in which he may carry on his business.

2. The difficulty had been avoided in various parts of the Empire by the adoption of an arbitrary basis of assessment—statutory percentage of freights, fares, etc.

The Committee, having in paragraph 13 of their Report pointed out the disadvantages of the use of an arbitrary basis of assessment, proceeded to suggest "practical administrative measures" for dealing with the problem.

3. It is evident that the Committee clearly realized that there was not a uniform system for ascertaining profits throughout the Empire (see paragraph 8 of their Report), and that they accordingly proposed that the certificate mentioned in paragraph 14 (*b*) (1) should show "the ratio of the profits of any accounting period as computed according to the Income Tax law of the last-named country," i.e., the country in which the shipowner resides. This is also made clear by the words which then follow in brackets, making an exception in regard to one item of expenditure, namely, interest. This exception is without doubt due to the fact that interest is frequently a very important item in the shipowner's accounts, and where, for example, as in this country, annual interest is not allowable as a deduction in the computation of liability to income tax, the certificate given would often be quite inappropriate for use in a Dominion where interest is allowable as a deduction, unless provision was made for the necessary adjustment in respect of the interest. On the other hand, while the taxing authority for the country of residence would be able to deal with a clearly-marked item like interest, it would be impracticable for that authority to compute the profits in all respects according to the laws of each taxing authority in the Empire within whose jurisdiction the shipowner might go.

4. As is pointed out above, the primary difficulty is the practical impossibility of ascertaining with exactitude the profits which the shipowner makes in the various places where he trades. The most that can be done in this connexion is to ensure a result which will be reasonably accurate, and this result would seem to be produced by the proposals put forward by the Committee and adopted by the Imperial Economic Conference.

5. With regard to the point which the Commissioner makes in paragraph 5 of his Report, as to the trouble and cost given to the taxing authority furnishing the certificate to the shipowner, the bulk of these certificates will have to be furnished by the officers of this Board and with regard to these, no particular difficulty is expected. The percentage of profit can be readily calculated from the computations already made for purposes of income tax in this country.

6. The alternative proposal which the Commissioner puts forward would appear to leave the shipowner in a position which would be no better, if not in some respects worse, than at present. It seems difficult to justify a proposal which would involve a world-wide shipping business in furnishing full accounts of the whole of its operations to the taxing authority of every part of the Empire in which its ships may call. But it seems even more important to observe that this would not be an end of the matter so far as the shipowner is concerned. He would have to agree with each taxing authority a computation of the total profits of his business, in accordance with the laws and ordinances of each place, in order to ascertain the ratio which is to be applied to the gross shipping income derived from each country. In the case of companies doing a world-wide trade, this would certainly be regarded as a very heavy burden. It was, indeed, as much to avoid burdens of this kind as to avoid the unfairness of assessments upon an arbitrary basis, that the matter was brought by the Imperial Shipping Committee to the notice of the Governments of the Empire, and it was to both of these points that the recommendations of the Imperial Economic Conference were directed.

7. It is clear, therefore, that the scheme suggested by the Commissioner is not one which would commend itself to the taxpayers concerned.

8. The Commissioner's objection to the scheme recommended by the Imperial Economic Conference seems to rest primarily on the fact that there is no uniform system in the Empire for ascertaining assessable profits generally; he evidently fears that the scheme would not provide a sufficiently accurate measure of the taxable

profits in the countries concerned. But it may be pointed out that no scheme of this kind can produce more than an approximate result and that the scheme suggested by the Commissioner himself would not appear to secure a result materially more accurate than that which is obtained, with the minimum of trouble and friction, under the scheme of the Imperial Economic Conference.

9. For the foregoing reasons the scheme put forward by the Commissioner appears to be unacceptable as an alternative to the scheme recommended by the Imperial Economic Conference.

25739

No. 84.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 5.5 p.m., 19th June, 1925.)

TELEGRAM.

[*Answered by No.* 86.]

19TH JUNE. Should be glad to receive early reply to my despatch 30th June, 1924, Dominions 297.* His Majesty's Government much hope that Union Government may be able to give effect to recommendations of Shipping Taxation Committee of Imperial Economic Conference, 1923.—AMERY.

25739

No. 85.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 1.55 p.m., 26th June, 1925.)

TELEGRAM.

PLEASE give following personal message from me to your Prime Minister.

Begins:—Shipping interests here attach particular importance to conclusion of satisfactory arrangement to give effect to recommendations of Shipping Taxation Committee of Imperial Economic Conference, 1923. Should be grateful therefore if you could find time to look personally into correspondence ending with my despatch 30th April, No. 129.† I much hope that in the light of this despatch Commonwealth Government may be able to give sympathetic consideration to proposals contained in enclosure to Thomas's despatch of 30th June, 1924, Dominions 297.* *Ends.*

—AMERY.

29300

No. 86.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4.3 p.m., 27th June, 1925.)

TELEGRAM.

27TH JUNE. Your despatch 30th June, 1924,* and your telegram 19th June, 1925.‡ Recommendation of Shipping Taxation Committee of Imperial Economic Conference, 1923. Ministers state Union Government does not propose for the present to make any changes in method now being followed in Union of South Africa. They intend, however, to give further consideration to recommendation of Imperial Economic Conference on this important subject after present session Parliament and will make a further communication later.—ATHLONE.

---

* No. 337 in Dominions No. 91. † No. 83. ‡ No. 84.

36591

No. 87.

QUEENSLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 10th August, 1925.)

(No. 24.)

SIR, Government House, Brisbane, 4th July, 1925.

WITH reference to your despatch No. 33 of the 19th March, 1925,* and to previous correspondence relating to Shipping Taxation, I have the honour to forward herewith a copy of a letter I have received from the Honourable the Premier, dated the 10th June, embodying the text of a further report from the Queensland Commissioner of Taxes. In a later communication, dated the 2nd instant, the Queensland Government endorses the views of the Commissioner.

2. I have not sent a copy of this despatch to His Excellency the Governor-General.

I have, &c.,
MATTHEW NATHAN,
Governor.

Enclosure in No. 87.

SIR, Premier's Department, Brisbane, 10th June, 1925.

ADVERTING to the despatch dated the 19th March last, which Your Excellency received from the Right Honourable the Secretary of State for the Colonies, respecting Shipping Taxation, I have the honour to append hereto the text of a further report which has been received from the Queensland Commissioner of Taxes in regard thereto:—

"It still appears to me that the object of the proposal is that the tax-paying Shipping Company will eventually obtain a certificate from this State with regard to taxation paid here on the basis suggested, with the final object of obtaining the relief from double taxation in the Mother Country as indicated in the third paragraph of my communication of the 21st August, as above referred to.

The question as to whether the relative provision—Section 17 of the Income Tax Act, 1924—should be amended to conform with this proposal, is, of course, one for the Government of this State. As, however, it can scarcely be claimed that an all-round rate of 7½ per cent. on gross earnings is an excessive profit on which to base taxation for the purposes of this State, and, as it would not be equitable to ask this State to forgo a proportionate part of such income because, for instance, there were industrial upheavals in other Dominions or the Mother Country adversely affecting the total profits of the ship owner concerned, I am unable to recommend that the law should be amended in accordance with the suggestion as per the report of the Proceedings of the Imperial Economic Conference of 1923, relating to shipping communications and other shipping questions.

In conclusion, I may say that such a ratio of profits computed by the Revenue Authority of the country of residence of the non-resident ship owner could not be regarded generally as an otherwise satisfactory determination of profits as provided for in Section 17, and my experience has been that ship owners largely have refused to submit for the consideration of this Dominion's Taxing Authorities their world-wide Profit and Loss Accounts and Balance Sheets for the determination of profits on the basis indicated in Section 17 above referred to, as an alternative to which is the arbitrary basis of 7½ per cent."

I have, &c.,
W. N. GILLIES,
Premier.

His Excellency The Governor,
Brisbane.

---

* No. 80.

698

36591

No. 88.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 225.)

MY LORD, Downing Street, 17th August, 1925.

WITH reference to my despatch No. 96 of the 19th of March,* I have the honour to transmit to Your Excellency, for the information of your Ministers, the accompanying copy of a despatch† from the Governor of Queensland regarding Shipping Taxation.

I have, &c.,
L. S. AMERY.

(ii) Air Navigation.

It was decided to adopt the following Resolutions:—

(1) That the British Government should circulate to the Dominions and India a statement showing the present anticipated operational performances of rigid airships and in the future should circulate regularly up-to-date information of the progress of the Burney airship proposals in order that consideration of Empire participation in these or future airship proposals might be facilitated.

(2) That the British Government should prepare a draft procedure designed on a reciprocal basis to secure more rapid and more extensive interchange of information in regard to civil aeronautics and should submit this for the consideration of the other Governments of the Empire with a view to general adoption.

(3) That having regard to post-war developments, any British oversea countries which have no up-to-date experience of air photography and contemplate the use of air survey, would be well advised, whenever possible to consult other Empire Governments having such experience before accepting estimates or schemes providing for its use.

(See pages 219-225 of Dominions No. 91.)

Exchange of Information.

5486

No. 89.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4th February, 1925.)

(No. 28.)

SIR, Government House, Ottawa, 21st January, 1925.

WITH reference to your despatch Dominions No. 592 of the 23rd December last,‡ regarding the suggested procedure for the exchange of information relating to civil aeronautics, I have the honour to point out that in the enclosure to my despatch No. 413 of the 30th September§ the Intelligence Officer, Royal Canadian Air Force, was named as Liaison Officer for civil aeronautics.

In regard to the proposal to begin the exchange of news letters immediately, I would refer to the second paragraph of the letter of the Acting Under-Secretary of State for External Affairs, where the opinion was stated that there was not sufficient information to justify the sending of a monthly letter and that the civil section of the quarterly liaison letter now sent to the other Dominions would be amplified and used for this purpose. This is now forwarded to the Air Staffs of all the self-governing Dominions and India, and an extra copy of the civil section will in future be sent direct to the officers named in your despatch and to others who may be nominated later as Liaison Officers for this purpose.

---

* No. 81. † No. 87. ‡ No. 349 in Dominions No. 91. § No. 346 in Dominions No. 91.

With reference to information concerning accidents, particulars of any accident happening in Canada will be forwarded to these officers by the Department of National Defence after the report on the accident has received the approval of the Minister of that Department.

I have, &c.,
BYNG OF VIMY.

8650

No. 90.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 23rd February, 1925.)

(No. 41.)

SIR, Governor-General's Office, Cape Town, 6th February, 1925.

I HAVE the honour to transmit to you herewith, with reference to your despatch Dominions No. 592 of the 23rd December, 1924,* copy of Ministers' Minute on the subject of the exchange of information relating to civil aeronautics.

I have, &c.,
ATHLONE,
Governor-General.

Enclosure in No. 90.

Prime Minister's Office, 4th February, 1925.

MINUTE No. 94.

MINISTERS have the honour to acknowledge the receipt of His Excellency the Governor-General's Minute No. 59/90 of the 16th instant, transmitting despatch No. 592, dated 23rd December, 1924, from the Secretary of State for the Colonies regarding the nomination of liaison officers for Canada, India and Great Britain in connexion with the scheme for the exchange of information relating to civil aeronautics.

Ministers have the honour to inform His Excellency that they concur in the proposals set forth in the second and third paragraphs of the despatch referred to above in regard to the exchange of "News Letters" between liaison officers and the immediate notification of "Accident" information due to dangerous defects in aircraft, and have arranged to give effect to the procedure suggested.

J. B. M. HERTZOG.

13299

No. 91.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 23rd March, 1925.)

(No. 23.)

SIR, Governor-General's Office, Melbourne, 5th February, 1925.

WITH reference to Lord Arnold's despatch dated 15th August, 1924, Dominions No. 385,† relative to the Resolutions of the Imperial Economic Conference on the subject of air communications, I have the honour to inform you that I am advised by my Prime Minister that the Commonwealth Government considers that the adoption of the recommendations of the Conference held at the British Air Ministry on 9th February, 1924, will ensure a more satisfactory interchange of aeronautical information as between the International Commission for Air Navigation, the British Air Ministry and the Dominions than is at present the case. The proposals of the Conference are, therefore, concurred in.

* No. 349 in Dominions No. 91. † No. 344 in Dominions No. 91.

My Prime Minister further states that the Commonwealth civil aviation authorities already forward to the Air Ministry and International Commission for Air Navigation much of the information referred to in the draft procedure and appendices forwarded with the despatch under reference, e.g.:—

(1) Statistical tables relating to the operations of regular air services are forwarded each month.
(2) General reports on civil aviation in Australia as issued.
(3) News letters on subjects of general interest at frequent intervals.
(4) Statistical tables of licences and certificates issued and withdrawn, &c., monthly.
(5) Amendments and additions to the registers of civil air-craft, pilots, and ground engineers, monthly.
(6) Notices to airmen, relative to aerodromes and emergency landing grounds as issued.

Action is being taken for the collation and regular transmission of additional information in accordance with the forms annexed to the draft procedure, and of such other particulars relating to the progress of civil aviation in Australia as should be of interest to the Air Ministry and other British Dominions.

This reply has been delayed in the anticipation that it would be possible to forward therewith the particulars requested in the draft Air Ministry questionnaire, but, owing to the wide scope of the questions included therein, and pressure of work on more urgent matters, the document is not yet complete. It will be forwarded to the Air Ministry, however, at an early date.

I have, &c.,
FORSTER,
Governor-General.

15123

No. 92.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1st April, 1925.)

(No. 33.)

SIR, Government House, Wellington, 23rd February, 1925.

WITH reference to your despatch Dominions No. 592 of the 23rd December,* regarding the exchange of information relating to civil aeronautics, I have the honour to inform you that, whilst there is at present no civil aviation being undertaken in this Dominion, my Ministers advise me that any information on the lines indicated in the memorandum which accompanied your predecessor's despatch of the 15th August, Dominions No. 385,† which may from time to time become available, will be forwarded, as suggested, by the Staff Officer for Air Services in New Zealand, who is nominated to act as Liaison Officer for the purpose of the exchange of "news letters."

I have, &c.,
CHARLES FERGUSSON,
Governor-General.

25000

No. 93.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2nd June, 1925.)

(No. 93.)

SIR, Governor-General's Office, Melbourne, 23rd April, 1925.

WITH reference to your despatch dated 23rd December, 1924, Dominions No. 592,* respecting the suggested procedure for the exchange of information

* No. 349 in Dominions No. 91. † No. 344 in Dominions No. 91.

relating to civil aeronautics within the Empire, I have the honour, at the instance of my Prime Minister, to inform you that the Controller of Civil Aviation, Department of Defence, Melbourne, has been nominated to act as Liaison Officer in Australia for the purposes of the scheme.

With regard to paragraph 3 of your despatch, the Commonwealth Government concurs in the suggestion of the Government of India that information concerning dangerous defects in aircraft which may be disclosed by accidents or otherwise should be exchanged between the Liaison Officers in a special news letter to be written immediately they come to notice. Arrangements are being made by the Commonwealth Government for action to be taken accordingly.

I have, &c.,
FORSTER,
Governor-General.

Secretariat Note.—The Annual Report on the Progress of Civil Aviation for 1924-25 [Cmd. 2489] was sent to the Dominions and Southern Rhodesia by despatch Dominions No. 445 (Southern Rhodesia No. 390) of the 9th October, 1925 (44225/25).

(iii) Cables and Wireless.

It was agreed that the following Resolutions be adopted:—

(a) That this Imperial Economic Conference affirms the importance of establishing as quickly as possible an efficient Imperial Service of Wireless Communication, and is of opinion that the several Governments of the Empire should take immediate action to remove any difficulties which are now delaying the accomplishment of this, while providing adequate safeguards against the subordination of public to private interests.

(b) That representatives of the Dominions and India should be associated in the work of the Imperial Communications Committee when questions of interest to them are under consideration.

(c) That in view of the fact that the Dominions interested in the Pacific cable have for a long time pressed for the provision of a State-owned connecting link across the Atlantic, all possible support should be given by the Governments of the Empire to the State-owned Atlantic cable route which has now been provided.

(d) That in any concessions given in the British Empire to private enterprise in respect of cable or wireless services (including broadcasting stations), preference should be accorded to British Companies of any part of the Empire.

(*See pages* 226-255 *of Dominions No.* 91.)

(a) Beam Stations.

6926

No. 94.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
Dominions No. 76. Confidential.)

[MY LORD,] [SIR,] Downing Street, 21st February, 1925.

WITH reference to my predecessor's despatch Dominions No. 353 of 31st July, 1924,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copies of telegraphic correspondence

* No. 382 in Dominions No. 91.

700

with the Government of India regarding the erection of a Beam Wireless Station in India.

2. A copy of the draft Agreement of the 1st of February, 1924, referred to, was enclosed in my predecessor's despatch Dominions No. 260 of the 11th of June, 1924.*

I have, &c.,
L. S. AMERY.

Enclosure 1 in No. 94.

(P.W. 203/25.)

TELEGRAM FROM VICEROY, DEPARTMENT OF INDUSTRIES AND LABOUR, DELHI, to SECRETARY OF STATE FOR INDIA, DATED 16TH JANUARY, 1925.

40 PT. Your telegram dated 1st May, 1924, No. 1305, respecting Empire Wireless, and in continuation of our reply thereto No. 56 P.T. of 23, dated 8th May, 1924. Following situation has now arisen in India:—

First. No private enterprise in India is willing to undertake the erection and operation of super-station, since Indian-Radio-Telegraph Company, which were the only applicants for concession to erect and operate super-station in accordance with our draft agreement of 1st February, 1924, have now withdrawn application.

Second. While not finally abandoning the idea of super-station as ultimate solution of Indian requirements, we have been compelled to conclusion that the proposal must remain in abeyance for the present.

Third. Indian Radio-Telegraph Company has acquired full right to all Marconi and associated patents in India, and has now applied for licence to erect and operate beam station in India for communication with the United Kingdom in the first instance.

Fourth. In order that possibility of the beam system for India may be fully tried out, we propose to grant such licence, subject to agreement which provides for the establishment of service within nine months from date on which the Government approve the detailed plan of Indian stations, and requires service capable of 30,000 paid words of five letters each way every twenty-four hours. Agreement grants initial licence for ten years, to be renewed for subsequent periods of five years, provided that the service is satisfactory to the Government. Government will retain power to purchase station and service at expiration of initial ten years and each subsequent period of five years. Otherwise, agreement follows material lines of our original draft agreement of 1st February, 1924.

2. Before finally entering into agreement we desire assurance that the Imperial Government will arrange for the erection of suitable reciprocating station in the United Kingdom, as indicated in your telegram dated 1st May, 1924. Please reply very urgently, in order to enable us to negotiate finally with the Company.

Enclosure 2 in No. 94.

TELEGRAM FROM SECRETARY OF STATE FOR INDIA, TO VICEROY, INDUSTRIES DEPARTMENT, DATED 24TH JANUARY, 1925.

236. YOUR telegram 16th January 40 P.T. Imperial Wireless. Postmaster-General confirms undertaking as to beam stations communicated in my predecessor's telegram 1st May last. Survey already made for site for beam station here to communicate with Indian station, and order for erection will be given to Marconi Company immediately upon intimation that Indian station has been definitely arranged for. English station is to be capable of daily average each way of 72,000 words of five letters, representing 56,000 paid words. See clauses 6 and 17 of agreement with Marconi Company 30th July last, sent to you with my P.W. Secretary's letter 26th August.

---

* 25278/24: not printed; see note on page 228 of Dominions No. 91.

8622

No. 95.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.15 a.m., 23rd February, 1925.)

TELEGRAM.

23RD FEBRUARY. Confidential. Your despatch of 25th August, Confidential No. 2.* Wireless Communication in Southern and Western Pacific. Commonwealth Government agree with recommendations of Imperial Wireless Sub-Committee concerning the modernisation of stations at Perth, Darwin, Rabaul, and Townsville and linking up with stations in New Guinea, New Ireland, Admiralty Island, Bougainville and Nauru.—FORSTER.

10508

No. 96.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 2.40 p.m., 10th March, 1925.)

TELEGRAM.

[*Answered by No.* 97.]

10TH MARCH. Your telegram 26th August.† Wireless. Before placing order under Clause 17 of Agreement of 28th July with Marconi Company, for reciprocal station here, see my despatch 13th August, Dominions 381.‡ Postmaster-General would be glad to learn whether South African Wireless Company are actually proceeding with erection of beam station in Union for communication with this country.—AMERY.

12165

No. 97.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1.35 p.m., 16th March, 1925.)

TELEGRAM.

[*Answered by No.* 100.]

16TH MARCH. Your telegram of 10th March.§ Wireless. Ministers refer to decision communicated in my telegram of 4th July, 1924,‖ and state that the South African Company actively proceeding with the erection of beam station in the Union of South Africa and it is expected to be completed in a few months' time. They would appreciate any information as to the progress of the establishment of a beam station in England and approximate date of its completion.—ATHLONE.

---

* No. 386 in Dominions No. 91. † No. 387 in Dominions No. 91. ‡ No. 393 in Dominions No. 91.
§ No. 96. ‖ No. 373 in Dominions No. 91.

701

12451

No. 98.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9.5 a.m., 17th March, 1925.)

TELEGRAM.

[*Answered by No.* 108.]

17TH MARCH. With reference to previous correspondence regarding the question of a high-power wireless telegraphy station in the Pacific, my Government desires to bring to the notice of His Majesty's Government special advantage(s) of erection of such station in New Zealand at site of Arapuni electric power station in North Island. Arapuni is over 50 miles from the nearest coast line and the country is quite suitable for extensive antennæ system. Ample power is available at Arapuni for station of 4,000 to 5,000 kilowatts or higher if required. Location of station at the site of the source of power would obviate the risk of breakdown in transmission line.—FERGUSSON.

13411

No. 99.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 23rd March, 1925.)

[*Answered by No.* 108.]

(Confidential.)

SIR, Government House, Wellington, 28th January, 1925.

I HAVE the honour to inform you that your predecessor's despatch Confidential (2) of the 25th August, 1924,* on the subject of Wireless Telegraphy System, was duly referred to my Ministers, who have given careful consideration to the Report of the Wireless Sub-Committee which accompanied it.

2. In replying to the despatch my Prime Minister informs me that no understanding has been reached with the Admiralty relative to the modernization of the wireless stations at Awanui and Apia, and that it is not considered desirable to modernize the Awanui station at its present site.

3. When a definite policy is arrived at in connexion with the establishment of a high-power wireless transmitting station, the question of modernizing Awanui and Apia can be more properly dealt with. It is proposed that such a high-power station would incorporate the work performed by the Awanui station, and the latter station would then be abolished. The type of transmitter to be employed at the proposed high-power station for the transmission of traffic to Apia and other Island stations will determine the nature of the plant required at Apia.

I have, &c.,
CHARLES FERGUSSON.
Governor-General.

15215

No. 100.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 2.35 p.m., 3rd April, 1925.)

TELEGRAM.

3RD APRIL. Your telegram 16th March,† your telegram 1st April,‡ beam stations in England, site for sending station handed over to Marconi Company 26th March. Hoped that receiving site will be handed over early next week, after which

* No. 386 in Dominions No. 91. † No. 97. ‡ 15215/25: not printed.

station must be completed within six months. Will telegraph when receiving site actually handed over.

Reply has been deferred in hope that definite date of completion could be furnished, but legal formalities unduly protracted.—SECRETARY OF STATE FOR THE COLONIES.

15215

No. 101.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 11.35 a.m., 8th April, 1925.)

TELEGRAM.

8TH APRIL. My telegram 3rd April,* Beam Stations. Receiving site placed at disposal of Marconi Company 6th April. Under Agreement of 28th July, 1924 (see my despatch 13th August, Dominions No. 381†) station must be completed by 7th of October next.—SECRETARY OF STATE FOR THE COLONIES.

15328

No. 102.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Canada. No. 189.)
(Commonwealth of Australia. No. 120.)
(New Zealand. No. 74.)
(Union of South Africa. No. 75.)

[MY LORD,] [SIR,] Downing Street, 17th April, 1925.

WITH reference to my despatch No. [59 of the 9th of February,‡] [44 of the 9th of February‡] [29 of 19th of February,§] [28 of the 9th of February,‡] I have the honour to transmit to Your Excellency, for the information of your Ministers, the accompanying copy of a Parliamentary Question and Answer of the 7th of April relating to the Imperial wireless service.

I have, &c.,
(for the Secretary of State),
W. ORMSBY-GORE.

Enclosure in No. 102.

HOUSE OF COMMONS.

(7th April, 1925.)

Imperial Wireless.

MR. T. THOMSON asked the Postmaster-General what stage has been reached in the promotion of his scheme to provide an efficient Imperial wireless service; and when it will be in operation?

SIR W. MITCHELL-THOMSON: The answer to this question is rather long, but, perhaps, in view of the importance of the matter, and of previous questions that have been asked on the subject, the House will bear with me while I read it.

The high-power station which is in course of erection at Rugby is expected to be completed about November next.

Sites for the beam stations for communication with Canada and South Africa have been placed at the disposal of the Marconi Company, and the stations are due to be completed early in October. Sites for the beam stations for communication with India and Australia have been submitted to the Company for approval, and those stations should be completed within nine months of the actual provision of the sites.

---

* No. 100. † No. 383 in Dominions No. 91. ‡ No. 123. § No. 124.

702

The corresponding beam stations in the Dominions are in various stages of progress. The latest reports indicate that the South African and Canadian stations will be completed about the same time as the corresponding stations here. The stations in India and Australia will probably not be ready before the end of this year, or the early part of next year.

The Dominions have been invited to nominate representatives to a permanent committee under the chairmanship of the Assistant Postmaster-General, to consider practical details of working the services, including such matters as routing of messages and tariffs.

17451

No. 103.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 11.25 a.m., 17th April, 1925.)

TELEGRAM.

[*Answered by No.* 105.]

17TH APRIL. Your despatch 11th March, No. 110.* Sites in this country for sending and receiving stations for beam wireless service with Canada handed to Marconi Company 26th March and 6th April respectively. Under Agreement of 28th July, see my despatch 13th August, Dominions 381,† stations must be completed by 6th October. Postmaster-General anxious to ascertain probable date of completion of Canadian beam station for communication with this country. Please telegraph reply.—SECRETARY OF STATE FOR THE COLONIES.

17451

No. 104.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 11.25 a.m., 17th April, 1925.)

TELEGRAM.

[*Answered by No.* 106.]

17TH APRIL. My telegram 8th April,‡ beam station. Postmaster-General would be glad to learn precise date when beam station in Union is expected to be ready.—SECRETARY OF STATE FOR THE COLONIES.

18414

No. 105.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2.10 a.m., 22nd April, 1925.)

TELEGRAM.

21ST APRIL. Your telegram of 17th April.§ Tower and building of Canadian beam station completed. Apparatus being supplied by English Marconi Company. Same will be installed immediately on delivery. Estimated time for installation 8 weeks. No information of date English Company proposes to make shipment.—BYNG.

---

* No. 126. † No. 383 in Dominions No. 91. ‡ No. 101. § No. 103.

18527

No. 106.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5.46 p.m., 23rd April, 1925.)

TELEGRAM.

23RD APRIL. Your telegram 17th April.* Wireless Telegraph Company South Africa, Limited, expect completion of its beam station in Union of South Africa about 1st September next.

Company in conjunction with Marconi Company in England hopes to commence trial(s) of beam system between South Africa and England sometime in September next.—ATHLONE.

19320

No. 107.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9.25 a.m., 29th April, 1925.)

TELEGRAM.

29TH APRIL. Your telegram 6th January,† beam wireless station. Amalgamated Wireless, Limited, has informed Prime Minister contract with Marconi Company signed January last providing for the erection of station within nine months from the date on which site handed over to Marconi Company's engineers. Company anticipated work of erection would be commenced at the end of this month. Transmitting and receiving stations will be located in the vicinity of the towns of Ballan and Rockbank respectively.—FORSTER.

15198

No. 108.

NEW ZEALAND.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 12.55 p.m., 20th May, 1925.)

TELEGRAM.

CONFIDENTIAL. Your telegram 17th March.‡ His Majesty's Government have learnt with interest views of New Zealand Government as to suitability of site near Arapuni electric power station for high-power wireless station. His Majesty's Government concur in view that such a site would offer valuable advantages for wireless purposes.

Erection of high-power station here at Rugby has been delayed through strikes and unfavourable weather, but it is now expected that station will be ready by October or November. His Majesty's Government would be glad to learn in due course decision of New Zealand Government as to erection of station in New Zealand with which Rugby station could correspond, see your despatch 28th January, Confidential,§ paragraph 3.—AMERY.

---

* No. 104. † 54827/24: not printed. ‡ No. 98. § No. 99.

703

23610

No. 109.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.34 a.m., 23rd May, 1925.)

TELEGRAM.

[*Answered by No.* 110.]

23RD MAY. Prime Minister advises that press comment here indicates that His Majesty's Government is experiencing difficulty in obtaining a site for Anglo-Australian directional wireless station and as it is anticipated that the Australian station will be available about January next he would be glad to learn whether it is considered that the British station will be ready for service about that time so that any further delay in opening the service for commercial traffic may be obviated as far as possible.—FORSTER.

24282

No. 110.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 12.5 p.m., 28th May, 1925.)

TELEGRAM.

YOUR telegram 23rd May.* Sites for transmitting and receiving stations for wireless communication with Australia on beam system have been selected and their suitability from technical point of view has been concurred in by Marconi Company. Arrangements for purchase of sites nearly completed and provided no unforeseen difficulties arise it is hoped to hand over sites to Company during June in which case contractors must complete stations by March next.—AMERY.

19169

No. 111.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. } Dominions No. 292.)

[MY LORD,] [SIR,] Downing Street, 15th July, 1925.

WITH reference to my predecessor's despatch Dominions No. 353 of the 31st of July, 1924,† I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a Licence‡ for the establishment, maintenance and working of a commercial radio service between India and the United Kingdom by means of beam stations.

I have, &c.,
L. S. AMERY.

---

* No. 109. † No. 382 in Dominions No. 91. ‡ Not printed here.

32322

No. 112.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Newfoundland. } Secret.)

[MY LORD,] [SIR,] Downing Street, 24th July, 1925.

I HAVE the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of a Report by a special Sub-Committee of the Imperial Communications Committee on the Strategical Value of Short Wave and Beam Wireless Telegraph Stations.

2. As will be seen from the first and second paragraphs, the Report reviews the present situation in the light of recent technical developments and amends to some extent the opinions expressed in a former Report (which was enclosed in my predecessor's Secret despatch of the 22nd of October*) and in my predecessor's Confidential telegram of the 1st of May, 1924.† [*To Newfoundland only:* addressed to the Governors-General of Canada, the Commonwealth of Australia, New Zealand, and the Union of South Africa, a copy of which is enclosed.]

I have, &c.,
L. S. AMERY.

Enclosure in No. 112.

(Secret.)
(I.C.C. No. 846.)

COMMITTEE OF IMPERIAL DEFENCE.

IMPERIAL COMMUNICATIONS COMMITTEE.

The Strategical Value of Short Wave and Beam Wireless Telegraph Stations.

(Note by the Secretary.)

AN amended version of the Report of the Sub-Committee on the Strategical Value of Short Wave and Beam Wireless Telegraph Stations is circulated herewith.

NORMAN LESLIE,
Secretary,
Imperial Communications Committee.

2, Whitehall Gardens, S.W.1,
15th July, 1925.

REPORT OF SUB-COMMITTEE ON THE STRATEGICAL VALUE OF SHORT WAVE AND BEAM WIRELESS TELEGRAPH STATIONS.

IN a despatch dated 22nd October, 1924,* addressed to the Governors-General of Canada, the Commonwealth of Australia, New Zealand, Union of South Africa, and to the Governor of Newfoundland, the Secretary of State for the Colonies conveyed to the Dominion Governments the views of the Imperial Communications Committee (I.C.C. paper No. 790) concerning the strategical importance of beam stations for Imperial Communications. Expressions of opinion on this subject were also contained in the Secretary of State's Confidential telegram dated 1st May, 1924.†

The Imperial Communications Committee have recently received from the Wireless Telegraph Board a memorandum reviewing the present situation with regard to the beam system and amending to some extent the opinion expressed in the despatch and telegram referred to above, on the possible strategical applications of this system. These amendments are based on the technical developments which have taken place during the preceding twelve months.

* No. 395 in Dominions No. 91. † No. 364 in Dominions No. 91.

704

The memorandum, which deals with broadcasting (i.e., "All-round" as opposed to "Directional" transmission), Hours of Working and Deliberate Jamming, may be summarized as follows:—

Broadcasting.

It is considered that insufficient data are available at present to attempt any forecast as to the ranges which would be obtained with broadcasting short waves. On the other hand, the use of short waves for broadcasting is possibly unnecessary and undesirable, since the medium-power stations already in existence, or projected, together with the high-power stations at Rugby and that projected at Singapore cover all essential areas.

Hours of Working.

Apart from broadcasting, the question of hours of working relates only to the *point to point* service, and the situation is altered essentially by the success which has attended the use of the still shorter waves for daylight working.

The Marconi Company anticipate that the use of reflectors and an optimum wavelength (*a*) according to the daylight—dark condition of the route will give the signal-static ratio, (*b*) which will guarantee a 24-hour service.* Recent tests by the Company have shown that at certain times of the year there are prospects of obtaining 24-hour communication, but it has yet to be established that this can be maintained throughout the year. The experience of amateurs indicates that on certain wavelengths there are pronounced seasonal variations in communication. It remains to be seen whether these can be overcome by the use of selected wavelengths.

Subject to the above being established the strategical value of the beam and short wave stations for point to point communication will be equal, or possibly superior, to that of the super long wave stations, apart from the question of immunity from interference, which is dealt with below.

Deliberate Jamming.

With regard to the relative immunity from intentional interference of long waves using the most selective and directional receiving apparatus, and short waves using selective receiving gear, but depending on the reflector for directional effects, it is considered that the former, i.e., the long waves, enjoy immunity considerably in excess of short waves. It is pointed out, however, that the employment by an enemy of long wave jamming stations will not necessarily involve interference with his own communications, since by suitably siting the receiving stations such interference can be avoided. Reflector reception is not the only means by which directional reception of short waves can be achieved, and the problem is therefore reduced to determining whether the reception of short waves can be rendered as directionally selective as that of long waves. The latter certainly presents less difficulty than the former, but it would be unwise to assume that equality in this connexion cannot be ultimately achieved.

General Remarks.

The Services fully appreciate the possibilities of the short wave and beam systems, and the great importance of ascertaining as soon as possible whether these systems can be considered as applicable for strategical purposes. With this in view experiments are now in progress and it is hoped that as a result of these experiments, and the data which should be available when the beam stations now in course of erection commence working, a more definite opinion as to the strategical value of the system can be given at the end of the present year. It is pointed out, however, that until the beam stations have been operating for twelve months it is not possible to determine what seasonal variations will occur and whether these can be overcome.

Conclusion.

Broadcasting.—The strategical value of short wave and beam stations is not necessarily determined by their utility or otherwise for broadcasting purposes.*

* *Note.*—(*a*) Optimum wavelength is that wavelength which gives the best results at the time during which communication is taking place.

(*b*) Signal-static ratio is the ratio of the strength of the received signals to that of the interference caused by atmospherics.

Point to point.—When it is proved that:—

(1) the range and hours of working of the beam stations are comparable with those of long wave stations.

(2) methods of directional reception of equal selectivity to those now employed with long waves can be obtained,

beam and short wave stations may then be regarded as of equal value strategically with long wave super stations for communication between Great Britain and the various parts of the Empire.

34463

No. 113.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNORS.

(Canada. (Commonwealth of Australia. (New Zealand. (Union of South Africa. (Irish Free State. (Newfoundland. (Southern Rhodesia. No. 314.) | Dominions No. 356.)

[MY LORD,] [SIR,] Downing Street, 14th August, 1925.

WITH reference to my predecessor's despatch [Dominions No. 381] [No. 323] of the 13th of August, 1924.* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copies of an extract from a speech by the Postmaster-General in introducing the Post Office Estimates in the House of Commons on the 20th of July, dealing with the erection of "Beam" stations for communication with the Dominions: together with copies of the Supplementary Agreement† with Marconi's Wireless Telegraph Company, Limited, referred to therein.

I have, &c.,
L. S. AMERY.

Enclosure in No. 113.

HOUSE OF COMMONS.

Extract from a Speech by the Postmaster-General, 20th July, 1925.

* * * * * * *

ONE more word on the very important subject of Imperial wireless communications. Until about a year ago it was the policy both of the Imperial Government and of the Dominion Governments to provide Imperial wireless communication by means of high-power stations. It was in accordance with this policy that Rugby station was started, and is now practically complete. I daresay Members have seen the twelve masts from the railway. There are twelve masts, each 820 feet high. So far as one can say, when it is finished it will, under suitable conditions, be able to transmit messages practically to any part of the globe. The installation of plant is actually going on now, and I think the station ought to be ready for trials in November. After that arrangement had been made, and after certain of the Dominions had started work on their high-power stations, the Marconi Company produced a short-wave directional system of transmission, commonly called the beam system, which, they claimed, would provide adequate service for a limited number of hours with a much smaller capital expenditure. His Majesty's Government and the Governments of Australia, Canada, India and South Africa decided to give the beam system a trial, and an agreement was accordingly made with the Marconi Company in July of last year for the erection of beam stations in this country for communication with corresponding stations in the Dominions.

The Company, however, subsequently came to the conclusion that for technical reasons the original scheme of concentrating all the four sending stations on one site

* No. 383 in Dominions No. 91. † Not reprinted.

and the four receiving stations on the other site was impracticable, and, accordingly, different arrangements were made, and another agreement was entered into providing for the erection of two groups of two stations each, one group in the south-west of England, at Bodmin and at Bridgwater, for communication with Canada and South Africa, and the other group on the East Coast for communication with India and Australia. There were considerable difficulties, technical and other, in finding suitable sites. But eventually sites were found at Bodmin and Bridgwater. They were handed over to the Company on the 6th April, and the Company tell me that considerable progress has been made in connexion with the erection of the masts and buildings at Bodmin, and that work is proceeding on the excavations of the foundations for the masts at Bridgwater. The stations are due to be completed, under the terms of the contract, by the 6th October. The sites for the sending and receiving stations for India and Australia also presented considerable technical difficulties, but they have been finally settled at Grimsby and Skegness. The necessary legal formalities are just being completed for their transfer, and I have actually placed the order for the stations with the Marconi Company in anticipation of the completion of the legal formalities. Under this contract the stations are to be completed within nine months.

It may interest the Committee to know what is happening to the corresponding stations in the Dominions. They are in various stages of progress. The masts and buildings of the beam station in Canada, which is near Montreal, have been completed, and that station is expected to be ready about the same time as the corresponding station in this country. The beam station in South Africa, situated near Cape Town, is expected to be ready for trials about the end of September. The station in Australia, which will be situated near Melbourne, is due to be completed in January next. The beam station in India will probably not be ready before the middle of next year at soonest. As I said to the House some little time ago, a permanent working committee (including representatives of the Dominions) under the Chairmanship of my Noble Friend, Lord Wolmer, has been appointed to advise on the practical question of routing traffic, rates, tariffs, and the rest. That Committee is at work now, and is, I am told by my Noble Friend, progressing satisfactorily.

* * * * * * *

44588

No. 114.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to the GOVERNOR-GENERAL.

(Sent 2.45 p.m., 2nd October, 1925.)

TELEGRAM.

[*Answered by No.* 115.]

2ND OCTOBER. Confidential. My despatch 10th September, 1924. Confidential.* Your telegram 1st December, 1924. Confidential.† Wireless. Question of modernization of Mauritius station has been further considered and Lords Commissioners of the Admiralty regret that for financial reasons it appears impossible to make provision for such purpose during financial year 1926-27. They propose, however, to review the position annually with a view to carrying out proposal as soon as the financial position admits.

As regards Port Nolloth station, Admiralty have suggested that possibility of transferring power plant and arc set from that station to Walfis Bay might be considered.

It is suggested that if your Ministers agree whole matter might be further discussed with Colonel Sturman on his return to this country from Paris. Please telegraph reply.—AMERY.

---

* No. 390 in Dominions No. 91. † No. 399 in Dominions No. 91.

45590

No. 115.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6.55 p.m., 8th October, 1925.)

TELEGRAM.

CONFIDENTIAL. 8th October. Your telegram of 2nd October. Confidential.* Modernization of Mauritius wireless telegraph station. Ministers concur in the suggestion that the whole matter might be further discussed with Colonel Sturman on his return to London from the Paris Conference.—ATHLONE.

56389

No. 116.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6.15 p.m., 15th December, 1925.)

TELEGRAM.

[*Answered by No.* 118.]

15TH DECEMBER. Following for Prime Minister from my Prime Minister :—

Begins: I desire again to bring to your notice the position in connexion with (?) establishment at an early date of wireless communications between Great Britain and Australia.

As you are aware Mr. Mason Allard, one of the Government directors of Amalgamated Wireless, Limited, proceeded to Great Britain in order to complete arrangements for inauguration of the service and particularly to stress the importance of Australian control of terminal station in Great Britain. Reports from him, I regret to say, point to the conclusion that your postal department is not in favour of Australian control and that our repeated request that Australian service should be under our own administration may not be acceded to.

A great deal of time has elapsed since the Commonwealth Government first went into the matter of wireless communications and took action with a view to early establishment of a reciprocal service. This country by reason of its geographical position cannot afford to risk economic and other consequences which must ensue from neglect to provide the most up-to-date means of communication. My Government regards the matter in the most serious light, and is anxious to press on in every way possible with completion of a wireless service to Great Britain. This we believe can (?)most (?) efficiently be done by Australia controlling her own reciprocal station in Great Britain, and I urge most strongly that your Government should accede to our request. I will not attempt again to set out in detail the arguments for adoption of the course of action which I now advocate. The views of my Government have been fully stated in previous communications. Our request seems to be a perfectly reasonable and equitable one inasmuch as what we ask has already been granted to another Dominion, and wireless communication between Great Britain and foreign countries is conducted on principles similar to those which we desire shall be applied in the case of Australia. I am loath to stress this point but it certainly would seem that in a matter so vital to every phase of national and economic life a large and important part of the British Empire is entitled to be placed in at least as good a position as a foreign country.

The objection has been raised that the granting of this concession to Australia would possibly be taken as a precedent and pave the way to similar concessions to a number of independent companies, thus making it impossible to secure the co-ordination essential in British Wireless Services. I think, however, that large outlying portions of the British Empire are entitled from the nature of the case to differential treatment, and an independent company could not cite Australia as a precedent to obtain equal advantages.

* No. 114.

I regard it as essential that the management and technical control of stations at both ends should be in the same hands if the maximum efficiency is to be attained.

My Government would gladly assist in ensuring that your postal department is accorded all information and facilities necessary to achieve a proper degree of co-ordination between the services with terminals in Great Britain. A due meed of co-operation has always been and will continue to be extended by this Government in matters wherein Great Britain and Australia are mutually interested, and in a matter of such vital national importance as wireless it is inconceivable that obstacles in the way of development of the best possible inter-Empire service could not be removed. May I then ask that your Government take this matter up in the spirit in which we put it forward, and endeavour to overcome the difficulties which are apparently presenting themselves to the granting of Australian control over her wireless terminal(s) in your country. S. M. BRUCE. *Ends.*

—STONEHAVEN.

56388

No. 117.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5.30 a.m., 16th December, 1925.)

TELEGRAM.

16TH DECEMBER. My telegram of 17th October,* my telegram of 19th November, 1924.† Decomposition of wireless rates. Commonwealth Government does not desire to adhere to the views expressed therein and arrangements embodied in Clause 4 of Schedule to Act No. 24 of 1924 will if necessary be modified in the light of subsequent negotiations which the High Commissioner is being authorized to conduct on behalf of the Commonwealth Government.—STONEHAVEN.

56389

No. 118.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 12.25 p.m., 21st December, 1925.)

TELEGRAM.

FOLLOWING from Prime Minister for your Prime Minister :—

Begins: Your telegram of 15th December.‡ Imperial Government cordially reciprocates desire of Commonwealth Government for early establishment of up-to-date wireless service between Great Britain and Australia, and is confident that the measures which they have taken will achieve that object. I would remind you that British Government policy of retaining Imperial Wireless Stations in Great Britain in the hands of the State, acting through the Post Office, was communicated to your Government by telegram dated 10th April, 1924,§ and in your telegram of 12th July, 1924,‖ you asked that the British station for communication with Australia should be proceeded with immediately. The policy then adopted was endorsed by present Government and has not since been modified. Both our Governments have proceeded on this basis and have entered into contracts for the stations required for Australian Service.

I think you will agree that method by which wireless services are controlled and operated in Great Britain and Dominions must be matter for the

* No. 304 in Dominions No. 91. † No. 308 in Dominions No. 91. ‡ No. 116.
§ No. 361 in Dominions No. 91. ‖ No. 370 in Dominions No. 91.

decision of the British or Dominion Government concerned. We understand Commonwealth Government have decided in favour of concentrating all services in hands of Australian Wireless Company. British Government have decided upon similar concentration in hands of the Post Office. We see considerable objection to granting licence to each Dominion to operate a service in Great Britain, and we think your Government would probably take the same view of a proposal that the British Post Office or a British Company should operate the Australian terminal of the Anglo-Australian wireless service. I presume you have seen letter which I addressed to representative of Australian Wireless Company in which reasons for British Government's policy are explained more fully.

You have been misinformed in stating that the British Government has adopted a different policy as regards one Dominion. Policy explained above applies to wireless services with all Dominions and Colonies. As regards some foreign countries, licences are granted under appropriate conditions to British Companies to conduct wireless services with foreign countries, but no foreign wireless company has been or would be licensed.

While I regret that there should be a difference of view between your Government and mine on this question, I feel sure that it will not be allowed to prejudice the harmonious and efficient operation of the Anglo-Australian Service, as soon as the completion of our respective stations enables us to open it. *Ends.*

—AMERY.

54663

No. 119.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Confidential.)

MY LORD, Downing Street, 31st December, 1925.

WITH reference to the fourth paragraph of Lord Arnold's Confidential despatch of the 10th September, 1924,* in which reference is made to the proposed erection of a wireless telegraph station at Freetown, Sierra Leone, I have the honour to request Your Excellency to inform your Ministers that, in view of the present urgent need for economy, His Majesty's Government regret that it will not be possible to proceed with the proposal at present, but that the matter will be further considered in three years' time.

I have, &c.,
L. S. AMERY.

(b) Station at Rugby.

25662

No. 120.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.46 a.m., 5th June, 1925.)

TELEGRAM.

[*Answered by No.* 121.]

5TH JUNE. Reuter's Representative states his Company entering into contract with British Post Office for hourly transmission of news Rugby wireless station with the object of the local representative in each country arranging for its receipt and distribution. Such a scheme would divert traffic from Pacific Cable and beam wireless and the Commonwealth Government has consequently refused Reuter's permission for making use of such a broadcast service in Australia. Ministers suggest proposed contract should not be entertained and would be glad to know whether British Government propose to broadcast daily Government news bulletins on the lines discussed between Commonwealth Postmaster-General and late British Postmaster-General.—FORSTER.

---

* No. 390 in Dominions No. 91.

707

28866

No. 121.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 2.5 p.m., 14th July, 1925.)

TELEGRAM.

YOUR telegram 5th June.* Reuter's news service. Postmaster-General has received application from Reuters for grant of facilities for transmission from Rugby station, when opened, of hourly news bulletins for reception simultaneously in Dominions and foreign countries. No decision yet reached as to whether such facilities should be granted and, if so, on what terms. Postmaster-General proposes before taking action to consult new Imperial Wireless Committee on which Commonwealth Government will be represented, see your telegram 19th May.† Committee will also be consulted regarding use of Rugby station for transmission of Government news bulletins.—AMERY.

53064

No. 122.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 493.)

} Dominions No. 545.)

[MY LORD,] [SIR,] Downing Street, 23rd December, 1925.

I HAVE the honour to request [Your Excellency] [you] to inform your Ministers that the Post Office high-power wireless station at Rugby is now being used experimentally, and is expected to be ready for commercial working early in the New Year. It is anticipated that the station will have a world-wide range, and its opening will thus provide a means of broadcasting messages by wireless telegraphy for simultaneous reception throughout the world. His Majesty's Government propose that the station should be used for the transmission of the British official news bulletins, which are at present broadcast from the Leafield station; and the increase thus effected in the range of this service will, it is hoped, be attended with good results.

2. The inadequacy of the existing wireless facilities for the distribution of British news and commercial intelligence in distant parts of the world has frequently been criticized by travellers, and there have been complaints that the lack of a station in this country sufficiently powerful for the conduct of such a service has left a clear field for the distribution of news and commercial intelligence from French, German and American high-power stations. His Majesty's Government trust that the establishment of the Rugby station will remove the ground for complaint in this respect.

3. In particular, the opening of the Rugby station will afford an opportunity of extending to world-wide range a service, which has for some time past been conducted from the Post Office station at Northolt, for the distribution to European countries of messages containing commercial information, exchange quotations, and cotton, metal and other market prices. These messages are despatched by certain agencies, including Reuters; and, with the exception of a few news messages in clear language, they are transmitted in a special code, copies of which are deposited with the Post Office. The Companies concerned derive their revenue from the subscriptions paid by the recipients. In some cases the messages are picked up by the Companies' agents themselves; in others they are received by public wireless telegraph stations and transferred to the Companies' agents, by whom they are either decoded and distributed by telephone or telegraph, or, alternatively, re-transmitted by wireless to subscribers. The subscribers are provided with copies of the special code, which is changed periodically.

---

* No. 120. † No. 133.

4. I am informed that this service has been attended with a considerable measure of success, and that representations have been received in favour of the provision of a similar service from Rugby. It is obviously of advantage that British prices and commercial information should be distributed throughout the world from Rugby, rather than that foreign prices and information should be received from high-power stations in other countries, which are developing services of the kind. His Majesty's Government have decided, therefore, to provide facilities for such a service at Rugby for any responsible agency which desires them and is prepared to observe the conditions prescribed. These conditions will be in accordance with Article LXVII *ter*, of the International Telegraph Regulations adopted at the recent Conference of the Telegraph Union at Paris, the main provisions of which may be summarized as follows:—

(*a*) The service will be limited to messages, in code or in clear language, containing news or information of a political, commercial or public character, and will not be used for private or personal telegrams.
(*b*) The service will be open to any responsible agency which complies with the conditions prescribed by the Administrations concerned.
(*c*) The sending Administration will obtain from the senders and communicate to each receiving Administration the addresses of the proposed recipients in its territory.
(*d*) The receiving Administration will be free to decide whether or not the addressees proposed by the sender shall receive the messages, and, if so, under what conditions.
(*e*) Each receiving Administration will take appropriate measures to ensure as far as possible that only stations authorized to receive the service make use of the messages.
(*f*) The sending and receiving Administrations will respectively fix and collect from the senders or receivers their own fees for transmission or reception as the case may be.
(*g*) The receipts will not be included in the international accounts.
(*h*) The agencies participating may be required to deposit with the Administrations concerned copies of any codes used.

5. It will, of course, rest with the Government of every country to determine whether the reception of the proposed messages from Rugby should be permitted within its territory, and, if so, on what conditions: that is to say, whether the messages should be received at Government or other public wireless telegraph stations, or whether licences should be issued for their private reception, and in either case what charges should be paid by the agency for the service. It will be necessary for any agency which proposes to despatch such messages from Rugby to make its own arrangements with the Administrations of the countries in which the messages are to be received.

6. The use of Rugby for the world-wide service described above has been discussed by the Committee on Imperial Wireless Services, and fears have been expressed by certain of the Dominion representatives

(i) that the conditions proposed would not ensure effective control over reception, and (ii) that the scheme would divert traffic from the beam wireless services which are shortly to be opened.

7. With regard to the first point, His Majesty's Government are advised—and this view is confirmed by experience of the service from Northolt—that the prescribed conditions will afford adequate safeguards against illicit reception. It will obviously be in the interests of the agencies to make their coded messages as difficult as possible for unauthorized persons to decipher, and His Majesty's Government propose also to require agencies to undertake not to supply copies of their special codes to any persons other than those authorized for the purpose in each receiving country. Any news messages which may be transmitted in clear language will necessarily be exposed to the same risk of illicit reception as normally attends the wireless transmission of such messages; and if they should be picked up and published without authority, the question of infringement of copyright would arise.

8. With regard to the second point, His Majesty's Government are advised that the beam stations which are being erected in this country would not be suitable for a broadcasting service of world-wide range such as is to be conducted from Rugby. It is understood, however, that the views of the Dominion Wireless Companies which are represented on the Committee would be met to a considerable extent if the Dominion Governments should decide that the reception of the messages in question

in their territory should be entrusted exclusively to those Companies. This is, of course, a matter which is solely for each Government to decide, but your Ministers may like to know that the weight of opinion on the Committee was in favour of limiting reception wherever possible to the beam stations.

9. His Majesty's Government propose that the service should be inaugurated early in the New Year.

I have, &c.,
L. S. AMERY.

(c) Standing Committee on Imperial Wireless Services.

2927

No. 123.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL.

[*Answered by Nos.* 125, 126, 129 *and* 132.]

(Canada. No. 59.)
(Commonwealth of Australia. No. 44.)
(Union of South Africa. No. 28.)

MY LORD, Downing Street, 9th February, 1925.

I HAVE the honour to request Your Excellency to inform your Ministers that, in connexion with the forthcoming opening of Imperial Wireless Services between this country and Canada, the Commonwealth of Australia, the Union of South Africa, and India, the Postmaster-General proposes to appoint a Standing Committee to advise on matters of detail and routine which may arise out of the conduct of these services.

2. It is not intended that the appointment of this Committee should interfere in any way with the present arrangement whereby main questions of policy are dealt with by the Imperial Communications Committee and (in accordance with the recommendations of the Imperial Economic Conference) representatives of the Dominions and India are invited to take part in the work of that Committee when questions of interest to them are under discussion; but there will be numerous matters, such as the routing of messages, hours of working, tariffs, and the institution of new classes of cheap telegrams, in which it will be necessary for agreement to be reached between the authorities respectively operating the stations in this country and the oversea stations. Prompt decisions in these matters will often be necessary, and it is thought that the efficient operation of the services would be much facilitated if it could be arranged for the Dominions concerned, and India, to be represented on the Standing Committee, for under such an arrangement it would doubtless often be possible, by means of full discussion in the Committee, to reach a settlement without the delay entailed by consultation by telegram or letter with the oversea Government or Governments concerned.

3. In view of these considerations it is hoped that your Ministers will agree to be represented on the Standing Committee, and if so, the Postmaster-General would be glad if not more than two representatives could be nominated for this purpose.

4. In this connexion, the Postmaster-General has suggested that, inasmuch as the wireless services in [Canada] [the Commonwealth of Australia] [the Union of South Africa] will be operated by a private company and not directly by the Government, it might be desirable that a London representative of the Company concerned should, if this is practicable, be appointed as one of the representatives of [the Dominion] [the Commonwealth of Australia] [the Union of South Africa]; but he realizes that this question, and the question whether one or two representatives should be appointed, are, of course, entirely matters for the decision of your Ministers.

5. I may add that the Postmaster-General proposes to authorize the Committee to consult with representatives of the Pacific Cable Board, or of the Cable Companies, on specific occasions, if this is thought desirable.

6. Similar despatches are being addressed to the Governors-General of [the Commonwealth of Australia and the Union of South Africa] [Canada and the Union of South Africa] [Canada and the Commonwealth of Australia] and the Secretary of State for India is being asked to nominate a representative, or representatives, of India upon the Committee.

I have, &c.,
L. S. AMERY.

2927

No. 124.

NEW ZEALAND.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

[*Answered by No.* 138.]

(No. 29.)

SIR, Downing Street, 19th February, 1925.

I HAVE the honour to transmit to Your Excellency, to be laid before your Ministers, the accompanying copies of despatches* which have been addressed to the Governors-General of Canada, the Commonwealth of Australia, and the Union of South Africa regarding a proposal to appoint a Standing Committee to advise on matters of detail and routine which may arise out of the conduct of the Imperial Wireless Services to be opened between this country and those Dominions.

2. Although perhaps the matters with which the Committee will deal may not be of direct interest to New Zealand, at any rate in the first instance, it is thought, in view of the possibility of the eventual establishment of a direct wireless service between this country and New Zealand, that it might be of advantage if the New Zealand Government were associated with the work of the Committee from its inception.

3. If, therefore, your Ministers consider such representation to be desirable, the Postmaster-General would welcome the nomination of not more than two representatives of New Zealand upon the Standing Committee.

I have, &c.,

L. S. AMERY.

12346

No. 125.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 3.37 p.m., 16th March, 1925.)

TELEGRAM.

[*Answered by No.* 127.]

16TH MARCH. Your despatch 9th February, No. 28.* Appointment of Standing Committee in connexion with the Imperial Wireless Service. Ministers entirely concur in the establishment of proposed committee and will arrange for the Union of South Africa to be represented. In all probability the Union representative at the outset will be the Postmaster-General, who will be in England shortly on other business.

Ministers ask to be informed by telegraph as to whether the other Dominions and India also concur, the date when the Committee is likely to meet, and, if possible, the names of the intended representatives of the other Dominions.—ATHLONE.

13297

No. 126.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 23rd March, 1925.)

(No. 110.)

SIR, Government House, Ottawa, 11th March, 1925.

WITH reference to your despatch No. 59 of the 9th February,* inviting the nomination of Canadian representatives to serve on a Standing Committee to be appointed by the Postmaster-General to advise on matters of detail and routine likely to arise out of the conduct of the Imperial wireless service between Great Britain and Canada, the Commonwealth of Australia, the Union of South Africa,

* No. 123.

709

and India, I have the honour to inform you that my Ministers gladly accept this invitation, and recommend that Mr. Lucien Pacaud, Secretary, High Commissioner's Office, London, be appointed as the regular representative of Canada and that, in accordance with the suggestion of the British Postmaster-General that a London representative of the private company operating the trans-oceanic stations in Canada be appointed as one of the Canadian representatives, Mr. Henry W. Allen, Marconi House, Strand, London, a Director of the Marconi Wireless Telegraph Company of Canada, Ltd., be appointed as second representative, to attend only such meetings as have regard to trans-Atlantic and trans-Pacific radio questions, which concern the working of the radio stations which the Marconi Wireless Telegraph Company of Canada, Ltd., are licensed to install and operate in Canada.

I have, &c.,

BYNG OF VIMY.

14074

No. 127.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 11.25 a.m., 1st April, 1925.)

TELEGRAM.

1ST APRIL. Your telegram 16th March.* Standing Committee Imperial Wireless Services. Names so far received are (*a*) Pacaud, Secretary, High Commissioner's Office, as regular representative of Government of Canada, and H. W. Allen, a Director of Marconi Company of Canada, as second representative to attend when questions affecting Marconi stations in Canada under discussion, but these appointments not yet definitely settled. (*b*) J. G. P. Cameron, C.I.E., Divisional Engineer, India Telegraph Department, now attached High Commissioner's Office, as one of representatives of Government of India. Replies from Commonwealth Government and New Zealand Government who have also been asked to appoint representatives cannot be expected for some little time, but their decisions will be telegraphed when known, also date of first meeting which cannot be decided until all replies received.—SECRETARY OF STATE FOR THE COLONIES.

19695

No. 128.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.39 a.m., 1st May, 1925.)

TELEGRAM.

[*Answered by No.* 129.]

1ST MAY. Your despatch of 9th February No. 44.† Imperial Wireless. Commonwealth Government agree to be represented on the Standing Committee.—FORSTER.

19649

No. 129.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 2.50 p.m., 6th May, 1925.)

TELEGRAM.

[*Answered by No.* 133.]

YOUR telegram 1st of May.‡ Postmaster-General learns with pleasure that Commonwealth Government will be represented on Standing Wireless Committee.

* No. 125. † No. 123. ‡ No. 128.

Stations for communication with Canada and Union of South Africa are due for completion about September and as discussion of practical details of working of services will occupy some time he is anxious that the Committee should begin its meetings at an early date. He would therefore be grateful if nomination of representatives of Commonwealth could be made as soon as possible.—SECRETARY OF STATE FOR THE COLONIES.

19649

No. 130.

NEW ZEALAND.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 2.50 p.m., 6th May, 1925.)

TELEGRAM.

MY despatch 19th February, No. 29.* Wireless Standing Committee. Stations for communication with Canada and Union of South Africa due for completion about September, and as discussion of practical details of working of services will occupy some time Postmaster-General is anxious that Committee should meet at an early date. Other Dominions concerned have agreed to be represented, and Postmaster-General would be grateful to learn as early as possible whether New Zealand Government desire to be represented, and, if so, whom they desire to nominate.—SECRETARY OF STATE FOR THE COLONIES.

19649

No. 131.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 2.50 p.m., 6th May, 1925.)

TELEGRAM.

[*Answered by No.* 132.]

6TH MAY. My telegram 1st April.† Standing Wireless Committee. Government of Commonwealth of Australia have agreed to be represented but have not yet made nominations. As stations in this country for communication with Canada and the Union of South Africa are due to be completed about September and as discussion of practical details of working of services will occupy some time Postmaster-General is anxious that Committee should meet at an early date, and Governments of Commonwealth and New Zealand have therefore been asked by telegraph to make nominations as soon as possible. Names of their representatives will be telegraphed to you when received.—SECRETARY OF STATE FOR THE COLONIES.

21722

No. 132.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 3.24 p.m., 12th May, 1925.)

TELEGRAM.

[*Answered by No.* 136.]

12TH MAY. Your telegram of 6th May.‡ Standing Wireless Committee. As suggested in your despatch of 9th February, No. 28,§ Ministers agree that the South African Wireless Telegraph Company should also be represented on the Committee, and are informed that a representative of the Company will be prepared to leave South Africa for the purpose as soon as the date of the meeting is decided.

Ministers consider that the Committee should meet in the early part of July at the latest.—ATHLONE.

* No. 124. † No. 127. ‡ No. 131. § No. 123.

22806

710

No. 133.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9 a.m., 19th May, 1925.)

TELEGRAM.

CONFIDENTIAL. 19th May. Your telegram 6th May.* Commonwealth representative on Standing Wireless Committee. For the time being Sir Joseph Cook, High Commissioner, with Mr. G. W. Mason Allard as Second Member, during the period of his stay in London, will represent Australia. Mr. Allard is Chairman and also a Commonwealth representative on the Directorate of Amalgamated Wireless Australasia, Limited, and will leave for London early next month in connexion with wireless matters.—FORSTER.

23390

No. 134.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 6 p.m., 21st May, 1925.)

TELEGRAM.

YOUR telegram 19th May.† Wireless Standing Committee. First meeting arranged for 23rd June. High Commissioner will be informed direct.—AMERY.

23390

No. 135.

NEW ZEALAND.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 6 p.m., 21st May, 1925.)

TELEGRAM.

MY telegram 6th May.‡ Standing Wireless Committee. First meeting arranged for 23rd of June.—AMERY.

23390

No. 136.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 6.30 p.m., 21st May, 1925.)

TELEGRAM.

[*Answered by No.* 137.]

21ST MAY. Your telegram 12th May.§ Standing Wireless Committee. Postmaster-General hopes that Union Government appreciate that Committee will be of permanent character and that frequent meetings will probably be necessary during autumn with probably less frequent ones next year. He hopes, therefore, that the Union Government will appoint at least one representative who will be available for this purpose.

Commonwealth of Australia have appointed as representatives for the time being the High Commissioner, with Mr. Mason Allard as second representative, during stay in London. Mr. Allard is Chairman and Commonwealth representative on Directorate of Amalgamated Wireless Australasia, Limited.

First meeting of Committee will take place 23rd June.—AMERY.

* No. 129. † No. 133. ‡ No. 130. § No. 132.

24768

No. 137.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5.35 p.m., 29th May, 1925.)

TELEGRAM.

29TH MAY. Your telegram of 21st May.* Standing Wireless Committee. Ministers desire Union of South Africa to be represented on the Committee by the High Commissioner in London, and during his stay in London the Postmaster-General of the Union. Latter will leave South Africa on 19th June.—ATHLONE.

24870

No. 138.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 12.45 p.m., 1st June, 1925.)

TELEGRAM.

1ST JUNE. Your despatch of 19th February No. 29.† Imperial Wireless Service. My Government accepts with pleasure the invitation to nominate two representatives upon the Standing Committee. This Dominion's representatives will be the High Commissioner for New Zealand and Mr. John Milward, late Manager in the Pacific, Pacific Cable Board, London. Ministers would be glad if invitation could be sent to both representatives for the first meeting of the Committee on 23rd June.—FERGUSSON.

(d) Sub-Committee on Technical Wireless Regulations.

25515

No. 139.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

[*Answered by Nos.* 140, 142, 144, 145, 146 *and* 148.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.

Dominions No. 284. Confidential.)

[MY LORD,] [SIR,] Downing Street, 10th July, 1925.

WITH reference to previous correspondence regarding the draft Convention of the proposed Universal Electrical Communications Union, I have the honour to request [Your Excellency] [you] to inform your Ministers that the desirability of the formulation of regulations of a technical nature for the conduct of Imperial wireless communications has recently been under consideration.

2. As the result of discussion at the Imperial Communications Committee it was agreed to appoint a Sub-Committee with the following terms of reference:—"(*a*) to draft technical wireless regulations which, while applicable in the first instance to Great Britain and Northern Ireland, might be suitable for adoption by the other Governments of the Empire; (*b*) to render a preliminary report at an early date indicating the subject matter on which it is proposed to frame regulations."

3. As your Ministers will be aware negotiations have been proceeding during the past six years regarding the possibility of the formulation of an International Convention and Regulations to govern the conduct of electrical communications

* No. 136. † No. 124.

generally. The following summary of these negotiations and of the course of events which have led to the setting up of the above Sub-Committee may, however, be of interest:—

(i) At the close of the Great War there was in existence a Committee consisting of representatives of the four great Allied Powers, the United States, France, Great Britain and Italy whose task had been to co-ordinate all wireless questions and ensure the smooth working of the wireless and visual signalling communications of the Allies in the war. This Committee drew up a draft containing the amendments, then considered necessary, to the Service Regulations attached to the Radio Convention of 1912.

(ii) In submitting their final report this Committee (generally known as the EU—F—GB—I Committee) recommended that the existing Radio Convention of 1912 and the Telegraph Convention of St. Petersburg (1908 Revision) should be combined into one Convention and completed with Service regulations to cover all forms of signalling, wire, wireless, and visual.

(iii) The Committee further recommended that His Majesty's Government should be requested to draw up a draft of such a Combined Convention and regulations to form a basis for discussion.

(iv) Although this last recommendation was never officially adopted by all the Governments concerned, nevertheless it was thought desirable to formulate the views of His Majesty's Government in the form of a combined convention and set of regulations such as that suggested by the EU—F—GB—I Committee, and this was accordingly done by a Committee of the General Post Office in 1920.

(v) During the preparation of the Treaty of Versailles, the following agreement was reached by the Supreme Allied Council of Five:—

> "The Principal Allied and Associated Powers shall, as soon as possible, arrange for the convoking of an International Congress to consider all international aspects of communication by land telegraphs, cables, or wireless telegraphy and to make recommendations to the Principal Allied and Associated Powers with a view to providing the entire world with adequate facilities of this nature on a fair and equitable basis."

(vi) It must be remembered that, apart from the new state of affairs arising out of the war, it was originally intended that the International Telegraph Convention should be revised at Paris by the invitation of the French Government and also that the International Radio-telegraph Convention should be amended at Washington at the invitation of the United States Government, which latter was not a signatory to the first-mentioned Convention.

(vii) As a result of the decision of the Supreme Council a preliminary conference was held in Washington in the Autumn of 1920, at which the United States produced proposals based on the amendments to the Radio Convention prepared by the EU—F—GB—I Committee. On the other hand, the French Government formulated proposals based entirely on the Telegraph Convention.

(viii) One of the first agreements reached at Washington was that it was desirable to formulate a Combined Convention and Service Regulations covering all forms of signalling, consequently, the British draft of 1920 (see (iv) above) was adopted as the chief basis of discussion.

(ix) Certain highly technical questions, which the Washington Conference felt incompetent to discuss, were left to a special technical Committee to be called by the French Government in Paris as soon as possible. This technical Committee met in Paris in 1921 and the result of their deliberations has been embodied in the Revised Washington Draft which was circulated by the Berne Bureau. Copies of this draft were enclosed in the Duke of Devonshire's despatch [*Not to Irish Free State:* Dominions No. 44 of the 5th February, 1923.*] [*To Irish Free State:* No. 635 of the 5th of November, 1923.†]

(x) So far the work had been conducted by the Allied and Associated Powers, and it was hoped that the French Government would be in a position to call a World Conference in the spring of the present year. With this end in view the Washington proposals had been revised by various Post Office Committees in this country, but owing to a divergence of views on the part of the French and United States Governments, a combined wire and radio conference is, for the present, not to be held. A line telegraph conference is, however, to be held in Paris opening on the 1st of September, 1925, and it is possible that a radiotelegraph conference in accordance

* 2003/23: not printed. † No. 112 in Dominions No. 88.

with the provisions of the International Radiotelegraph Convention 1912 will be held in Washington in the spring of 1926.

(xi) A Post Office Committee has been at work for some time on the preparation of regulations for the telegraph conference to be held in Paris.

(xii) Six years have already elapsed and there are still no radio regulations suitable to modern wireless communications. The 1912 Convention was based almost entirely on the then limited use of wireless for shipping only. In the meanwhile the United States Department of Commerce has held three National Radio Conferences and has recommended regulations for the United States of America.

4. I enclose copies of the Preliminary Report which has now been prepared by the Sub-Committee of the Imperial Communications Committee in accordance with the second part of its terms of reference showing in summarized form the subject matter on which it is proposed to frame regulations. In this connexion it should be mentioned that whilst some of the titles of subject matter for regulations mentioned in the Report (e.g., secrecy of correspondence and the divulgence of intercepted messages) are set out in very general terms, the proposed regulations will deal with the subjects indicated from a technical standpoint alone and not from the point of view of questions of policy or procedure which are matters for administrative decision.

5. It appears to His Majesty's Government that, if Regulations can be framed which whilst applicable in the first instance (in accordance with the terms of reference to the Sub-Committee) to Great Britain and Northern Ireland only, are in fact suitable for adoption by other Governments of the Empire, the existence of such Regulations would be of great use both in relation to Imperial wireless communications generally, and particularly in determining the attitude of those of the Governments which are represented at the International Radio Conference when it takes place.

6. His Majesty's Government would accordingly welcome the co-operation of your Government as far as may be practicable in the preparation of the regulations, and I should be glad to learn whether your Ministers consider that the subject matter, as set out in the enclosed Preliminary Report, is sufficiently comprehensive or whether there are any additional subjects which they think should be dealt with in the regulations.

7. In the meantime the Sub-Committee is proceeding with the preparation of detailed regulations on the various subjects dealt with in the Preliminary Report, and these will be communicated, as soon as they are complete, for your Ministers' consideration.

8. While these detailed regulations are in preparation the Sub-Committee would appreciate the opportunity of consulting any officers whom your Ministers may appoint for the purpose; including, of course, any officers who may be temporarily in this country.

[*To Canada, Australia, New Zealand and Union of South Africa:* 9. In this connexion it has been suggested that certain of the Dominion representatives on the standing Advisory Committee on Imperial Wireless Services (see my despatch [*To Canada:* of the 9th February, No. 59*] [*To Australia:* of the 9th February, No. 44*] [*To New Zealand:* of the 19th February, No. 29†] [*To Union of South Africa:* of the 9th February, No. 28*] and connected correspondence) might be in a position to advise regarding the technical regulations suitable to the Dominions which they represent, and I should therefore be glad to learn whether your Ministers would desire that either of the [Canadian] [Australian] [New Zealand] [Union] representatives on the Advisory Committee should be invited to attend the Sub-Committee meetings.]

[9.] [10.] While the procedure outlined above has been thought to be the most suitable and convenient for the immediate formulation of technical Regulations, His Majesty's Government would be quite prepared to consider the summoning of an Imperial Wireless Conference if the progress of the work of the Sub-Committee and circumstances generally should permit of such a Conference being held before the Radiotelegraph Conference meets in Washington (see paragraph 3 (x) above).

I have, &c.,
L. S. AMERY.

---

* No. 123. † No. 124.

[24103]

Enclosure in No. 139.

PRELIMINARY REPORT OF THE SUB-COMMITTEE ON TECHNICAL WIRELESS REGULATIONS.

THE Sub-Committee was assembled in accordance with the decision of the Imperial Communications Committee at their Forty-fifth Meeting held on 28th January, 1925, when it was agreed :—

To re-constitute the Post Office Committee, of which Group Captain L. F. Blandy, C.B., is Chairman, as a Sub-Committee of the Imperial Communications Committee, with power to add to its numbers as required, with the following terms of reference—

(*a*) To draft technical wireless regulations, which, while applicable in the first instance to Great Britain and Northern Ireland, might be suitable for adoption by the other Governments of the Empire;

(*b*) To render a preliminary report at an early date indicating the subject matter on which it is proposed to frame regulations.

The composition of the Sub-Committee is given in Appendix I.

In accordance with item (*b*) of their terms of reference the Sub-Committee recommend that the subject matter on which it is proposed to frame regulations should be as shown in Appendix II.

The Sub-Committee further recommends that if the Imperial Communications Committee approve the above recommendation and communicate their approval to the other Governments of the Empire, the latter should be invited to submit any suggestions for additional subject matter on which they consider regulations should be framed.

Signed on behalf of the Sub-Committee,
L. F. BLANDY,
Chairman.

Signed—
NORMAN LESLIE
G. B. WILLIAMS } Joint Secretaries.

2, Whitehall Gardens, S.W.1,
22nd May, 1925.

APPENDIX I.

IMPERIAL COMMUNICATIONS COMMITTEE.

SUB-COMMITTEE ON TECHNICAL WIRELESS REGULATIONS.

Group Captain L. F. Blandy, C.B., D.S.O., R.A.F., Head of Signals Branch, Air Ministry (*Chairman*).
Major F. W. Home, R.M., Head of W/T Board and represents Admiralty and War Office.
Captain J. A. V. Echevarri, Wireless Telegraphy Board.
Mr. C. H. Boyd, Mercantile Marine Department, Board of Trade.
Commander F. G. Loring, R.N., General Post Office.
Mr. E. H. Shaughnessy, O.B.E., General Post Office.
Mr. O. F. Brown, Department of Scientific and Industrial Research.
Dr. W. H. Eccles, F.R.S., The Radio Society of Great Britain.
Captain P. P. Eckersley, M.I.E.E., British Broadcasting Co., Ltd.
Colonel Adrian Simpson, C.M.G., Marconi's Wireless Telegraph Company, Ltd.
Mr. C. E. Rickard, O.B.E., Marconi's Wireless Telegraph Company, Ltd.
Commander J. A. Slee, C.B.E., R.N., Marconi International Marine Communication Company, Ltd.
Mr. J. Lewis, Marconi International Marine Communication Company, Ltd.
Mr. F. J. Brown, C.B., C.B.E., Radio Communication Company, Ltd.
Mr. W. Legg, Siemens Brothers and Company, Limited.
Wing Commander Sir Norman Leslie, Bart., C.B.E. } Joint Secretaries.
Captain G. B. Williams.

APPENDIX II.

SUBJECT MATTER FOR TECHNICAL WIRELESS REGULATIONS.

A. *General.*
1. Classification of
   (*a*) Wireless Services and Stations.
   (*b*) Types of emission according to system employed.
   (*c*) Waves according to decrement.
2. Principles governing the use of wavelengths, and types of emission by the various classes of Wireless Services.
3. Technical regulations for reducing interference caused by sending and receiving apparatus.
4. Allocation of wavelengths below 5,000 metres to the various classes of wireless services, with tabular representation.
5. Call Signs. Use of Call Signs for separate sending apparatus in multiple stations.
6. Rating of the power of stations by metre amperes and/or otherwise.
7. Measures and Procedure for the prevention of interference to traffic. Procedure for obtaining priority for certain kinds of messages. Reporting of infractions.

B. *Point-to-Point Service Regulations.*
1. General regulations.
2. Allocation in detail of one wavelength or one band of wavelengths per sending set for all British Stations in existence or projected for carrying out a point-to-point service.
3. Rules for the use, in special circumstances, of alternative wavelengths or bands of wavelengths by the same sending apparatus.

C. *Mobile Service Regulations.*
1. General Regulations.
2. Wavelengths and types of emission obligatory and permissible for mobile services and for stations compulsorily and non-compulsorily fitted with wireless.
3. Minimum power, expressed in metre-amperes, and other conditions, including auxiliary apparatus required in compulsorily fitted stations.
4. Use of the 600 metre and alternative damped waves by mobile stations. Restrictions as to the use of these waves and the question of the prohibition or restriction of the use of damped waves for certain classes of traffic.
5. (i) The use of—
   (*a*) Continuous waves.
   (*b*) Interrupted continuous waves.
   (*c*) Telephone.
   (ii) The use of high speed.
6. Rules for the safeguarding of transmission of distress messages, and for reporting of positions.
7. Automatic Calling Devices.
8. Hours of watch in British Ship Stations.
9. Inspection of Stations.
10. Qualification and Certification of operators.

D. *Public Broadcasting (Telephone) Service.*
1. Wave Band requirements.
2. Facilities to be granted.

E. *Special Services.*
1. Definition of various types.
2. Rules for broadcasting of warnings to Mariners, Weather reports, meteorological bulletins, time signals, standard waves, etc. Transmission of meteorological data.
3. Broadcasting (Morse) of Press News and Public Correspondence.
4. Services of direction finding and beacon stations.
5. Facilities for private Experimental Stations.

F. *Allied Subjects.*
1. Secrecy of correspondence and the divulgence of intercepted messages.
2. Reciprocal acceptance of national operators and inspection certificates.

713

34771

No. 140.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 30th July, 1925.)

(Confidential.)

SIR, Vice Regal Lodge, Dublin, 28th July, 1925.

WITH reference to your Confidential despatch Dominions No. 284 of the 10th instant,* transmitting the Preliminary Report of the Sub-Committee on Technical Wireless Regulations, I have the honour to inform you that my Ministers have noted the contents of your despatch with interest. They consider that the subject matter set out in the Preliminary Report is sufficiently comprehensive, and they have no additional subjects to propose for inclusion in the regulations.

2. I have to add that my Ministers do not think it necessary to appoint any officers to consult with the Sub-Committee on the drafting of the detailed regulations.

I have, &c.,
T. M. HEALY.

25515

No. 141.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to the GOVERNOR.

[*Answered by No.* 147.]

(Confidential.)

SIR, Downing Street, 1st August, 1925.

WITH reference to my Confidential despatch of the 29th of June† on the subject of the accession of Southern Rhodesia to the International Telegraph Convention and with special reference to the second paragraph of that despatch regarding the draft Convention of the proposed Universal Electrical Communications Union, I have the honour to request you to inform your Ministers that the desirability of the formulation of regulations of a technical nature for the conduct of Imperial wireless communications has recently been under consideration.

2. As the result of discussion at the Imperial Communications Committee it was agreed to appoint a Sub-Committee with the following terms of reference:—"(*a*) to draft technical wireless regulations which, while applicable in the first instance to Great Britain and Northern Ireland, might be suitable for adoption by the other Governments of the Empire; (*b*) to render a preliminary report at an early date indicating the subject matter on which it is proposed to frame regulations."

3. Negotiations have been proceeding for some years regarding the possibility of the formulation of an International Convention and Regulations to govern the conduct of electrical communications generally. The following summary of these negotiations and of the course of events which have led to the setting up of the above Sub-Committee may be of interest:—

(i) At the close of the Great War there was in existence a Committee consisting of representatives of the four great Allied Powers, the United States, France, Great Britain and Italy, whose task had been to co-ordinate all wireless questions and ensure the smooth working of the wireless and visual signalling communications of the Allies in the war. This Committee drew up a draft containing the amendments, then considered necessary, to the Service Regulations attached to the Radio Convention of 1912.

(ii) In submitting their final report this Committee (generally known as the EU—F—GB—I Committee) recommended that the existing Radio Convention of 1912 and the Telegraph Convention of St. Petersburg (1908 Revision) should be combined into one Convention and completed with Service regulations to cover all forms of signalling, wire, wireless, and visual.

(iii) The Committee further recommended that His Majesty's Government should be requested to draw up a draft of such a Combined Convention and regulations to form a basis for discussion.

---

* No. 139. † 25029/25; not printed.

(iv) Although this last recommendation was never officially adopted by all the Governments concerned, nevertheless it was thought desirable to formulate the views of His Majesty's Government in the form of a combined convention and set of regulations such as that suggested by the EU—F—GB—I Committee, and this was accordingly done by a Committee of the General Post Office in 1920.

(v) During the preparation of the Treaty of Versailles, the following agreement was reached by the Supreme Allied Council of Five :—

> "The Principal Allied and Associated Powers shall, as soon as possible, arrange for the convoking of an International Congress to consider all international aspects of communication by land telegraphs, cables, or wireless telegraphy and to make recommendations to the Principal Allied and Associated Powers with a view to providing the entire world with adequate facilities of this nature on a fair and equitable basis."

(vi) It must be remembered that, apart from the new state of affairs arising out of the war, it was originally intended that the International Telegraph Convention should be revised at Paris by the invitation of the French Government and also that the International Radio-telegraph Convention should be amended at Washington at the invitation of the United States Government, which latter was not a signatory to the first mentioned Convention.

(vii) As a result of the decision of the Supreme Council a preliminary conference was held in Washington in the Autumn of 1920, at which the United States produced proposals based on the amendments to the Radio Convention prepared by the EU—F—GB—I Committee. On the other hand, the French Government formulated proposals based entirely on the Telegraph Convention.

(viii) One of the first agreements reached at Washington was that it was desirable to formulate a Combined Convention and Service Regulations covering all forms of signalling; consequently, the British draft of 1920 (see (iv) above) was adopted as the chief basis of discussion.

(ix) Certain highly technical questions, which the Washington Conference felt incompetent to discuss, were left to a special technical Committee to be called by the French Government in Paris as soon as possible. This technical Committee met in Paris in 1921 and the result of their deliberations has been embodied in the Revised Washington Draft which was circulated by the Berne Bureau. Copies of this draft were enclosed in my despatch under reference.

(x) So far the work had been conducted by the Allied and Associated Powers, and it was hoped that the French Government would be in a position to call a World Conference in the spring of the present year. With this end in view the Washington Proposals had been revised by various Post Office Committees in this country, but owing to a divergence of views on the part of the French and United States Governments, a combined wire and radio conference is, for the present, not to be held. A line telegraph conference is, however, to be held in Paris opening on the 1st of September, 1925, and it is possible that a radiotelegraph conference in accordance with the provisions of the International Radiotelegraph Convention 1912 will be held in Washington in the spring of 1926.

(xi) A Post Office Committee has been at work for some time on the preparation of regulations for the telegraph conference to be held in Paris.

(xii) Six years have already elapsed and there are still no radio regulations suitable to modern wireless communications. The 1912 Convention was based almost entirely on the then limited use of wireless for shipping only. In the meanwhile the United States Department of Commerce have held three National Radio Conferences and have recommended regulations for the United States of America.

4. I enclose copies of the Preliminary Report* which has now been prepared by the Sub-Committee of the Imperial Communications Committee in accordance with the second part of its terms of reference showing in summarized form the subject matter on which it is proposed to frame regulations. In this connexion it should be mentioned that whilst some of the titles of subject matter for regulations mentioned in the Report (e.g., secrecy of correspondence and the divulgence of intercepted messages) are set out in very general terms, the proposed regulations will deal with the subjects indicated from a technical standpoint alone and not from the point of view of questions of policy or procedure which are matters for administrative decision.

* Enclosure in No. 139.

5. It appears to His Majesty's Government that, if Regulations can be framed which whilst applicable in the first instance (in accordance with the terms of reference to the Sub-Committee) to Great Britain and Northern Ireland only, are in fact suitable for adoption by other Governments of the Empire, the existence of such Regulations would be of great use both in relation to Imperial wireless communications generally, and particularly in determining the attitude of those of the Governments which are represented at the International Radio Conference when it takes place.

6. His Majesty's Government would accordingly welcome the co-operation of your Government as far as may be practicable in the preparation of the regulations, and I should be glad to learn whether your Ministers consider that the subject matter, as set out in the enclosed Preliminary Report, is sufficiently comprehensive or whether there are any additional subjects which they think should be dealt with in the regulations.

7. In the meantime the Sub-Committee is proceeding with the preparation of detailed regulations on the various subjects dealt with in the Preliminary Report, and these will be communicated to your Ministers as soon as they are complete.

8. While these detailed regulations are in preparation the Sub-Committee would appreciate the opportunity of consulting any officers who may be temporarily in this country whom your Ministers may appoint for the purpose.

9. The procedure outlined above has been thought to be the most suitable and convenient for the immediate formulation of technical Regulations, but His Majesty's Government would be quite prepared to consider the summoning of an Imperial Wireless Conference if the progress of the work of the Sub-Committee and circumstances generally should permit of such a Conference being held before the Radiotelegraph Conference meets in Washington (see paragraph 3 (x) above).

I have, &c.,
L. S. AMERY.

38651

No. 142.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5.42 p.m., 22nd August, 1925.)

TELEGRAM.

CONFIDENTIAL. 22nd August. Your despatch of 10th July, Dominions No. 284, Confidential,* paragraph 9, formulation of Regulations for the conduct of Imperial wireless communications. Ministers state that, whilst they do not propose to send anyone specially from South Africa to attend the Sub-Committee referred to, they will be glad if it can be arranged for Colonel Sturman, Postmaster-General, who is attending Advisory Committee on Imperial Wireless and Universal Telegraph Conference in Paris, also to attend the meeting(s) of the Sub-Committee, having in view the probability of a Radio Conference at an early date at which Union of South Africa must be represented.

Ministers are considering whether they have any additions to suggest to list of subjects for consideration as set out in the preliminary report and will make further representation at a later date.—ATHLONE.

* No. 139.

41144

No. 143.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.40 p.m., 8th September, 1925.)

TELEGRAM.

CONFIDENTIAL. 8th September. Reference last paragraph of my telegram of 22nd August, Confidential,* formulation of regulations for the conduct of Imperial wireless communications. Ministers state that with regard to the proposed list of subjects they desire at this stage to offer certain observations on one point only, namely, question of point to point operating with "Damped" waves. Experience of this Government is that frequent interruptions are caused to the working of the Union stations owing to land traffic transmitted by means of "Damped" waves between stations in neighbouring territories, and Ministers are therefore of the opinion that prohibition of point to point service with "Damped" waves should be considered for incorporation in the new regulations.—ATHLONE.

44399

No. 144.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.30 a.m., 1st October, 1925.)

TELEGRAM.

1ST OCTOBER. Confidential. Your despatch of 10th July Dominions No. 284, Confidential.† Convention of proposed Universal Electrical Communication Union. No suitable Commonwealth officer at present available in Great Britain to consult Sub-Committee. Commonwealth Government presumes that detailed recommendations will be forwarded for its observations and would be glad to receive also arguments in support of proposals.—FORSTER.

45252

No. 145.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 7th October, 1925.)

(Confidential.)

SIR, Government House, St. John's, 24th September, 1925.

I HAVE the honour to acknowledge the receipt of your despatch Dominions No. 284, Confidential, of the 10th July last,† on the subject of the formulation of regulations for the conduct of Imperial wireless communications, and to inform you that my Ministers are willing to co-operate with His Majesty's Government in every possible way. It is considered that the preliminary report completely covers the subject, and this Government have no additional suggestions to offer.

2. In this Colony wireless communications consist of messages to and from ships at sea, and as such are handled exclusively by the Marconi Wireless Telegraph Company, Limited, of Canada. There is no wireless communication with the mainland. My Ministers therefore have no officers whom they desire to appoint in connexion with the preparation of the detailed regulations.

I have, &c.,
W. L. ALLARDYCE.

---

* No. 142. † No. 139.

48436

No. 146.

CANADA.

THE DEPUTY GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 27th October, 1925.)

(Confidential.)

SIR, Ottawa, 13th October, 1925.

WITH reference to your Confidential despatch, Dominions No. 284 of the 10th July,* on the subject of the forthcoming International Radio Conference, I have the honour to transmit, herewith, a copy of a letter from the Department of the Secretary of State for External Affairs setting forth the views of the Canadian Government.

I have, &c.,
FRANK A. ANGLIN,
Deputy Governor-General.

Enclosure in No. 146.

FROM DEPARTMENT OF EXTERNAL AFFAIRS TO GOVERNOR-GENERAL'S SECRETARY.

(Confidential.)

SIR, Ottawa, 14th October, 1925.

WITH reference to a Confidential despatch from the Secretary of State for the Colonies to the Governor-General, dated the 10th July, 1925, Dominions No. 284, on the subject of the forthcoming International Radio Conference, I have the honour to state that the Department of Marine and Fisheries has carefully considered the representations contained in the said despatch and has noted with approval that a Sub-Committee of the Imperial Communications Committee has been appointed to draft technical regulations applicable to Great Britain and Northern Ireland in connexion with the forthcoming International Radio Conference, and also the suggestion that these regulations might be so drafted as to cover the requirements of the Dominions. This suggestion is heartily concurred in by the Department of Marine and Fisheries in so far as regulations affecting radio in the Dominion of Canada are concerned.

The proposed outline of the subject matter for these regulations included in Appendix 2 appears to be adequate and covers the different points in which Canada is likely to be interested. It is observed in this connexion that a copy of these regulations will be communicated for the information of this Government as soon as possible.

As regards representation on the technical drafting Committee, it is a matter of regret that the Canadian representatives on the standing Advisory Committee on Imperial Wireless Services are not sufficiently well posted on the different technical questions to be able to give any definite advice to the Sub-Committee. In the event, however, that one of the technical officers should be proceeding to England in the near future, the Department of Marine and Fisheries will be very glad to make arrangements for him to discuss with the Sub-Committee the many technical points which are likely to affect Canada.

With regard to the proposal that an Imperial Wireless Conference be held prior to the next Radio Conference, the view of the Department of Marine and Fisheries is that having regard to the International Radio situation such a conference would be eminently desirable, and it is respectfully suggested that a suitable date for the same would be any time between the 1st December and the 1st February next. Such conference would, in the opinion of that Department, present a welcome opportunity to discuss the radio requirements of this Dominion in detail and to adjust and modify the same, so far as such is possible, with the requirements of the Imperial Government and the Governments of the other Dominions.

I am to request that His Excellency may be humbly moved to inform the Secretary of State for Dominion Affairs in the sense of the foregoing.

I have, &c.,
O. D. SKELTON,
Under-Secretary of State for External Affairs.

---

* No. 139.

49018

No. 147.

SOUTHERN RHODESIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 30th October, 1925.)

(Confidential.)

Governor's Office, Salisbury, Southern Rhodesia,
29th September, 1925.

SIR,

I HAVE the honour to acknowledge the receipt of your Confidential despatch of the 1st of August* on the subject of the appointment of a Sub-Committee of the Imperial Communications Committee to draft technical wireless regulations.

2. My Ministers consider that the subject matter on which it is proposed to draft regulations, as set out in the Preliminary Report of that Sub-Committee, is sufficiently comprehensive, and they have no suggestions to make in regard to it.

3. My Ministers desire me to inform you that they have noted that the Sub-Committee would appreciate the opportunity of consulting any officers from Southern Rhodesia who may be temporarily in the United Kingdom and who have been appointed by my Government for the purpose.

I have, &c.,
J. R. CHANCELLOR,
Governor.

50672

No. 148.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10th November, 1925.)

(Confidential.)

Government House, Wellington, 6th October, 1925.

SIR,

I HAVE the honour to inform you that my Ministers advise me that they are of the opinion that the list of subjects as set out in the Preliminary Report of the Sub-Committee of the Imperial Communications Committee, copies of which were enclosed in your Confidential despatch, Dominions No. 234, of the 10th July,† is sufficiently comprehensive, and that it covers all phases of wireless work in which this Dominion is interested. It is noted that a copy of the Draft Regulations will be submitted for consideration.

2. With regard to the desire of the Sub-Committee to consult any Dominion officers while the detailed regulations are in preparation, Ministers regret that at present there is no opportunity of taking advantage of the offer. The Dominion representatives on the Advisory Committee of Imperial Wireless Services are not conversant with the technical requirements of New Zealand, and therefore it is unlikely that any material assistance could be rendered by them.

3. My Government note that it is possible that an International Radio-telegraph Conference will be held at Washington in the spring of 1926 and that, if circumstances permit, an Imperial Wireless Conference will be summoned prior to the meeting of the International Radio-telegraph Conference.

4. In order that the Committee may be conversant with New Zealand requirements in the matter of mobile radio-telegraph stations, I enclose copies of the following documents‡ :—

(I) The Shipping and Seamen Amendment Act, 1924.
(II) The Shipping and Seamen Act Wireless Regulations, 1925.
(III) The Wireless Telegraph Regulations for Ship Stations, 1914 (made under the Post and Telegraph Amendment Act, 1911).
(IV) Proposed amendments, about to be gazetted, to the Regulations referred to in (III).

I have, &c.,
CHARLES FERGUSSON,
Governor-General.

---

* No. 141. † No. 139. ‡ Not reprinted.

716

(D) RECIPROCAL ENFORCEMENT OF JUDGMENTS, INCLUDING ARBITRATION AWARDS.

It was decided to adopt the following Resolution :—

This Imperial Economic Conference take note of the action already taken in many parts of the Empire to carry into effect the proposal contained in Resolution XXV of the Imperial Conference, 1911, with regard to mutual arrangements with a view to the enforcement in one part of the Empire of judgments and orders of the courts of justice in another part, including judgments or orders for the enforcement of commercial arbitration awards. While it is recognized that in certain Dominions these matters come within the scope of Provincial or State Governments whose freedom of action could not be bound by any decision of the Dominion or Central Government, the general view of the Imperial Economic Conference is that a universal arrangement throughout the Empire for the reciprocal enforcement of judgments, including arbitration awards, could not fail to be valuable and advantageous to trade and commerce, and is accordingly an object at which the different parts of the Empire should aim.

(*See pages* 253-259 *of Dominions No.* 91.)

445

No. 149.

NEW SOUTH WALES.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 5th January, 1925.)

(No. 110.)

Government House, Sydney, 20th November, 1924.

SIR,

WITH reference to my despatch No. 50 of the 9th July last,* on the subject of the reciprocal enforcement of judgments throughout the Empire, I have the honour to state that my Premier has now advised me that the requisite provisions in this connexion are included in the Administration of Justice Bill, which it is hoped will be introduced into the Legislative Assembly very shortly.

I have, &c.,
D. R. S. DE CHAIR,
Governor.

10914

No. 150.

NEW SOUTH WALES.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 9th March, 1925.)

[*Answered by No.* 151.]

(No. 14.)

Government House, Sydney, 23rd January, 1925.

SIR,

IN continuation of my despatch No. 110 of the 20th November last,† intimating that Ministers hoped to be able to secure the enactment of the Bill providing for the reciprocal enforcement of judgments, in the session of Parliament then current, I have the honour, at the instance of Ministers, to state that the measure was duly passed, and I enclose herewith three copies thereof for your information.

I have, &c.,
D. R. S. DE CHAIR,
Governor.

---

* No. [illegible] Dominions No. 91 † No. 149.

13384

No. 151.

NEW SOUTH WALES.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 1.35 p.m., 2nd May, 1925.)

TELEGRAM.

[*Answered by Nos.* 152 *and* 153.]

YOUR despatch of 23rd January, No. 14.* Reciprocal enforcement of judgments. Difficulty has arisen over exclusion of Northern Ireland from definition of United Kingdom in Section 3 Sub-section 1 of Administration of Justice Act, 1924. Conditions precedent to issue of Order in Council here as laid down in Section 14(1) of Imperial Act are that reciprocal provision shall have been made by oversea Legislature concerned for enforcement within that part of His Majesty's Dominions of judgments obtained in High Court of England, Court of Session Scotland and High Court in Ireland. Expression "High Court in Ireland" by virtue of Adaptation of Enactments Order in Council, 1923, passed under Irish Free State Consequential Provisions Act, 1922, must now, for purposes of Imperial Act, be taken to mean High Court "in Ireland exclusive of Irish Free State," i.e., High Court in Northern Ireland.

In the circumstances, best course would appear to be if your Ministers agree for a Proclamation to be made under Section 4(2) of New South Wales Act extending Act to Northern Ireland. On receipt of information that such Proclamation has been issued steps would be taken for issue of Order in Council here under Section 14 of 1920 Act for extension of that Act to New South Wales.—SECRETARY OF STATE FOR THE COLONIES.

31665

No. 152.

NEW SOUTH WALES.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 5.15 a.m., 11th July, 1925.)

TELEGRAM.

11TH JULY. Your telegram 2nd May.† Reciprocal enforcement of Judgments. My Prime Minister has informed me that there is legal objection to course suggested in your telegram. It is considered that amendment(s) necessary in Act. Despatch follows.—DE CHAIR.

38574

No. 153.

NEW SOUTH WALES.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 24th August, 1925.)

(No. 127.)

SIR, Government House, Sydney, 16th July, 1925.

WITH reference to your telegraphic despatch of the 2nd May,† regarding the question of the reciprocal enforcement of judgments between Northern Ireland and New South Wales, I have the honour to refer to my telegram of the 11th instant,‡ intimating that it is thought that there is objection to the course suggested in your cable of the 2nd May.†

2. In further explanation of my telegraphic despatch cited above, I have the honour to state that Ministers request me to inform you that the Assistant Law Officer of the Crown has expressed the opinion that the Governor could not be

* No. 150. † No. 151. ‡ No. 152.

717

properly advised to adopt the course suggested, as a condition precedent to the issue of the proposed Proclamation is that the Governor should be satisfied that reciprocal provisions have been made by the legislature in that part of His Majesty's Dominions to which the Act is to be applied, and that in this case there is no evidence that any reciprocal provisions have been made by the Legislature of Northern Ireland. In view of this, the Assistant Law Officer considered that the practical course to adopt would be to amend the Act by providing that Part II thereof shall apply to Northern Ireland. The late Attorney-General agreed with this view, and my present Ministers concur. The Parliamentary draftsman has prepared an amending Bill, which is to be introduced into Parliament at the earliest opportunity.

3. Arrangements for the establishment of reciprocity in this matter have been entered into by my Government with the Colonies of Malta and Fiji; and I annex hereto copies of the Proclamations* issued for the purpose of applying Part II of the New South Wales Administration of Justice Act to Malta and Fiji.

I have, &c.,

D. R. S. DE CHAIR,
Governor.

Secretariat Note.—Despatches were sent to the Dominions, Australian States and Southern Rhodesia on the 22nd May, 1925, transmitting copies of Orders in Council dated the 2nd May, 1925, extending Part II of the Administration of Justice Act, 1920, to Norfolk Island, the Northern Territory of Australia and New Guinea (21692/25).

---

* Not reprinted.

(G) CUSTOMS FORMALITIES.

(i) Valuation of Goods for Customs Duty Purposes.

It was decided to adopt the following Resolutions :—

Form A.

"A common form of invoice and certificate for use by exporters having been adopted by Australia, New Zealand, the Union of South Africa, and Newfoundland, as well as by a number of Colonies, the Conference strongly recommends, in the general interests of inter-Imperial trade, that the early adoption of an identical form may be sympathetically considered by all the other Governments throughout the Empire which levy duty on a system similar to that in force in the above-mentioned parts of the Empire."

"The Conference understands that legislation to give effect to the recommendations of the Imperial Customs Conference has already been passed in Australia and New Zealand, and ventures to urge the passing of similar legislation in every case in which such may prove to be necessary."

Form B.

"The Conference has had before it a form of invoice and certificate which has been prepared as suitable for use in those parts of the Empire which levy duty on the invoice value of goods imported from other parts of the Empire, and require for this purpose a certified statement made by the exporter of the goods."

"The Conference strongly recommends, in the interests of inter-Imperial trade, the early adoption by all parts of the Empire which levy duty on the system in question of the form annexed to this Resolution."*

Certificate in Regard to Postal Packages.

"The attention of the Conference has been drawn to the short form of certificate prepared by the Imperial Customs Conference, 1921, for use as establishing the origin of goods sent by parcel post from the United Kingdom.

"It understands that this form has already been adopted by a number of the Dominions and Colonies, and considers that in the interests of inter-Imperial trade the adoption of a similar form is desirable in the case of parcels arriving in one part of the Empire from another part.

"The Conference therefore strongly recommends that, in the case of parcels sent by parcel post, the contents of which are of small value and are not merchandise for sale, the following short form of certificate should be adopted at an early date by all parts of the Empire concerned, as providing satisfactory evidence of the origin of the goods in cases where the production of such evidence entitles the goods to entry at a lower rate of duty than would otherwise obtain :—

"The contents of this package are not merchandise for sale, and every article herein, to the extent of at least one-fourth of its present value, is *bonâ fide* the produce or manufacture of.....

(*name of part of British Empire*).

"Dated at.....this.....day of.....19.....

.....Sender."

(ii) International Conference on Customs Formalities.

It was decided to adopt the following Resolution :—

"That the Conference should take note of the work accomplished by the recent League of Nations International Conference on Customs and other Similar Formalities (the 15th October to 3rd November, 1923), and that the conclusions of that Conference should be recommended for favourable consideration to the various Empire Governments concerned."

Note.—Correspondence relating to (ii) above is contained in Dominions No. 94.

(*See pages 262-267 of Dominions No. 91.*)

---

* Not reprinted : see page 269 of [Cmd. 2009].

4999

718

No. 154.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to the GOVERNOR-GENERAL.

(Sent 5.15 p.m., 31st January, 1925.)

TELEGRAM.

[*Answered by No.* 155.]

YOUR telegram 20th December,* Confidential. Please give following personal message to your Prime Minister from President of the Board of Trade and myself :—

Begins: Representations made to us by Federation of British Industries and Association of Chambers of Commerce indicate that proposed new Commonwealth Regulations, of which we have received details from Trade Commissioner, are causing much apprehension amongst important British exporting industries.

We are advised that concession which allowed 50 per cent. in certain cases instead of 75 per cent. of the value of goods to be British in order to qualify for preference will be altogether nullified in many industries if 100 per cent. Empire material is insisted on, and in effect exporters of goods of a kind made in Australia will in most cases only secure preference if they can prove 75 per cent.

It will be quite impossible for a large number of manufacturers to attain this standard. Specific instances of difficulties could be furnished if desired.

Whatever may be ultimate decision we hope that you will be able to postpone application of new regulations beyond date originally proposed so as to give time to British exporters to become fully acquainted with Commonwealth regulations before shipping. You will appreciate that goods loading here for Australia even to-day may not arrive before 1st April. *Ends.*

—AMERY.

7485

No. 155.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 10.25 a.m., 16th February, 1925.)

TELEGRAM.

16TH FEBRUARY. Following from my Prime Minister :—

Begins: Your personal cablegram 31st January.† Representations put forward by you have been very carefully considered and have been acceded to by the Commonwealth as far as possible. Government has decided that the new conditions will not commence to operate on goods received from Great Britain on and after 1st April, 1925, but will operate only on goods invoiced on and from that date. Objection(s) raised in your telegram relative to 100 per cent. Empire material will in our opinion be satisfactorily met under the new proposal(s) of the Commonwealth. Full details as to the new conditions have been communicated to the High Commissioner, London, who has been asked to forward a copy to you. *Ends.*

—FORSTER.

---

* No. 423 in Dominions No. 91. † No. 154.

7378

No. 156.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.38 a.m., 16th February, 1925.)

TELEGRAM.

16TH FEBRUARY. My telegram 2nd October* and connected correspondence. Tariff preference on British goods. In view of representations made, of discussion on the subject which is still proceeding, and of the desirability of giving adequate notice to importers and manufacturers, New Zealand Government has decided to postpone until 1st October, 1925, operation of amended conditions.

Ministers are giving further consideration to question as to the adoption of 50 per cent. British materials and labour as the basis of preference.—FERGUSSON.

7378

No. 157.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada. No. 90.)
(Commonwealth of Australia. No. 66.)
(Union of South Africa. No. 40.)
(Irish Free State. No. 61.)
(Newfoundland. No. 18.)
(Southern Rhodesia. No. 67.)

[MY LORD,] [SIR,] Downing Street, 25th February, 1925.

WITH reference to my predecessor's despatch No. [431] [367] [305] [580] [149] [425] of the 8th of October,† [*Not to Australia:* and to his despatch No. [472] [328] [622] [164] [457] of the 1st of November,‡] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, a copy of a further telegram§ from the Governor-General of New Zealand on the subject of the modification of the conditions under which tariff preference is granted in New Zealand to goods produced or manufactured in other parts of the Empire.

[*Not to Australia:* 2. A statement regarding the new conditions governing the Australian Preferential Tariff on goods invoiced from Great Britain is contained on page 215 of the *Board of Trade Journal* for the 19th of February.]

I have, &c.,
L. S. AMERY.

27737

No. 158.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.58 a.m., 18th June, 1925.)

TELEGRAM.

18TH JUNE. My telegram of 16th February.§ Tariff preference on British goods. My Ministers advise me to inform you that it has now been decided to postpone further, namely, until 1st January, 1926, the operation of amended conditions to be decided upon.

---

* No. 414 in Dominions No. 91. † No. 415 in Dominions No. 91. ‡ No. 417 in Dominions No. 91.
§ No. 156.

719

27737

No. 159.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada. No. 283.)
(Commonwealth of Australia. No. 177.)
(Union of South Africa. No. 121.)
(Irish Free State. No. 244.)
(Newfoundland. No. 63.)
(Southern Rhodesia. No 207.)

[MY LORD,] [SIR,] Downing Street, 22nd June, 1925.

WITH reference to my despatch of the 25th February,* No. [90,] [66,] [40,] [61,] [18,] [67,] I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, a copy of a further telegram† from the Governor-General of New Zealand regarding the modification of the conditions under which tariff preference is granted in New Zealand to goods produced or manufactured in other parts of the Empire.

I have, &c.,
L. S. AMERY.

53183

No. 160.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 12.35 p.m., 26th November, 1925.)

TELEGRAM.

26TH NOVEMBER. My telegram of 18th June,† Tariff Preference on British goods. Ministers state that it has now been decided to adopt as from 1st April, 1926, 50 per cent. of British materials and/or labour as basis of preference.

In addition to those goods which will be admitted on 50 per cent. basis the following will be granted preference, viz., goods wholly manufactured in British possessions from unmanufactured raw material and/or from certain partly manufactured raw material produced outside British possessions. A list of partly manufactured raw material referred to above is being published, copies of Regulations will be forwarded as soon as possible after they are gazetted.—FERGUSSON.

53183

No. 161.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada. No. 503.)
(Commonwealth of Australia. No. 348.)
(Union of South Africa. No. 299.)
(Irish Free State. No. 445.)
(Newfoundland. No. 127.)
(Southern Rhodesia. No. 457.)

[MY LORD,] [SIR,] Downing Street, 1st December, 1925.

WITH reference to my despatch No. [283] [177] [121] [244] [63] [207] of the 22nd of June,‡ I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, the accompanying copy of a telegram§ from the Governor-General of New Zealand regarding the grant of preference to British goods containing 50 per cent. of British materials and/or labour, and to goods wholly manufactured in British possessions from unmanufactured raw material and/or from certain partly manufactured raw material produced outside British possessions.

I have, &c.,
L. S. AMERY.

---

* No. 157. † No. 158. ‡ No. 159. § No. 160.

217

(J) CO-OPERATION FOR TECHNICAL RESEARCH AND INFORMATION.

It was decided to adopt the following Resolutions:—

Resolution I.

"This Imperial Economic Conference recommends the adoption of the first of the two schemes for the future of the Imperial Institute and the Imperial Mineral Resources Bureau proposed in the Report* of the Imperial Institute Committee of Enquiry, 1923, subject to the following modifications:—

"(i) That in order to ensure that the reconstituted Imperial Institute may in future undertake in its laboratories only preliminary investigations of raw materials for the purpose of ascertaining their possible commercial value, and to ensure that investigation or research of a more extensive kind may be referred to the appropriate authority, whether in this country or elsewhere in the Empire, there shall be formed a small Committee of the Governing Body, to be known as the 'Laboratory Committee,' consisting of the Comptroller-General of the Department of Overseas Trade (or his nominee), the Secretary of the Scientific and Industrial Research Department (or his nominee), and a Fellow of the Royal Society, being a representative of that society on the governing body of the Imperial Institute, who will supervise the laboratory work of the Institute and report thereon from time to time to the governing body."

"(ii) That with a view to ensuring that in future the reconstituted Institute may have expert assistance in regard to finance—*e.g.*, in establishment matters—a representative of His Majesty's Treasury be added to the new governing body and to the new Managing Committee proposed in paragraphs 100 and 101 of the Report of the Imperial Institute Committee of Inquiry."

Resolution II.

"This Imperial Economic Conference approves the estimate of the cost of maintaining the reconstituted Institute as set out in paragraph 5 of the memorandum by the Secretary of State for the Colonies submitted to the Conference (I.E.C. (23)-18); and suggests that in order that the sum of £8,000, which is proposed as an annual contribution from the Dominions and India, may be obtained, the Ministerial representatives of the Dominions and of India advise their respective Legislatures to contribute the following annual amounts for a period of five years:—

	£
Canada	2,000
Commonwealth of Australia	2,000
New Zealand	1,200
Union of South Africa	1,200
India	1,200
Irish Free State	200
Newfoundland	200 "

Resolution III.

"This Imperial Economic Conference take note of the memorandum on the co-ordination of research bearing upon Industry and the suggestions for its development submitted by the Department of Scientific and Industrial Research in consultation with the Ministry of Agriculture and Fisheries and other Departments, and they are of opinion that all possible steps should be taken to encourage the exchange of scientific and technical information between the various parts of the Empire, and the co-operation of the official and other organizations engaged in research for the solution of problems of common interest."

(i) Resolutions 1 and 2:—Imperial Institute and Imperial Mineral Resources Bureau.

(*See pages* 270-289 *of Dominions No.* 91.)

---

* [Cmd. 1907.]

60600

720

No. 162.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

[*Answered by No.* 168.]

(No. 16.)

SIR, Downing Street, 10th January, 1925.

WITH reference to my predecessor's despatch No. 437 of the 21st October,* I have the honour to request you to inform your Ministers that His Majesty's Government have had under consideration the financial arrangements necessary in order to continue the work of the Imperial Institute pending the passage of the Bill to provide for the re-organization of the Institute which His Majesty's Government have decided to re-introduce into Parliament at the earliest opportunity.

2. Contributions from the Colonies not possessing responsible Government and Protectorates amounting to more than the sum of £8,000 recommended by the Imperial Economic Conference, 1923, have already been received; and the Colonies and Protectorates concerned have been invited also to make a further contribution towards the additional sum required for the upkeep of the Exhibition Galleries of the Institute.

3. His Majesty's Government have also paid to the Institute an advance of £3,000 in respect of their contribution: and they would be glad to learn whether your Ministers would agree to authorise payment to the Institute for the current year 1924-25 of the amount of £250 proposed in your despatch No. 43 of the 22nd of February,† as a contribution on behalf of Southern Rhodesia.

I have, &c.,
L. S. AMERY.

8408

No. 163.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 21st February, 1925.)

(No. 19.)

SIR, Government House, St. John's, 3rd February, 1925.

I HAVE the honour to acknowledge the receipt of your despatch No. 184 of the 29th December, 1924,‡ on the subject of the re-organization of the Imperial Institute, and to inform you that my Ministers agree to authorize payment to the Institute for the current year 1924-25 of the amount recommended by the Imperial Economic Conference, viz., £200, and, in addition, of a further contribution towards the retention of the Exhibition Galleries of £64.

I have, &c.,
W. L. ALLARDYCE.

10123

No. 164.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 75.) — Dominions No. 90.)

[MY LORD,] [SIR,] Downing Street, 3rd March, 1925.

WITH reference to my predecessor's despatch [Dominions No. 495] [No. 437] of the 21st of October,* [*Not to Irish Free State or Southern Rhodesia:* and to my

* No. 459 in Dominions No. 91. † No. 448 in Dominions No. 91. ‡ No. 460 in Dominions No. 91.

despatch No. [560] [448] [243] [390] [184] of the 29th of December*] [*To Southern Rhodesia:* and to my despatch No. 16 of the 10th of January,†] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copies of the Imperial Institute Bill introduced into the House of Commons on the 23rd of February, together with copies of a Memorandum on the Financial Resolution relating thereto (Cmd. 2355).

I have, &c.,
L. S. AMERY.

11379

No. 165.

SIR JAMES ALLEN (HIGH COMMISSIONER FOR NEW ZEALAND) to MR. AMERY.

[*Answered by No.* 167.]

New Zealand Government Offices, Strand,
London, W.C. 2, 9th March, 1925.

DEAR AMERY,

1. I HAVE received from the Secretary of the Imperal Mineral Resources Bureau a print of the Imperial Institute Bill, 1925, and of the Memorandum on the Financial Resolution. No doubt these have been sent to me as I am a member of the Bureau, but I am somewhat surprised that copies have not been sent by the Colonial Office, and I am wondering whether my fellow High Commissioners have received prints.

2. I have looked through the Bill and I am going to suggest a few alterations, which I hope may be effected without bringing them up for discussion in the House.

3. *Imperial Institute Trustees.*—I think it is a mistake not to include in the Board of Trustees a representative of the Oversea Dominions, say one, nominated by the High Commissioners in London. We have had experience of this kind of representation on the Board of the British Empire Exhibition, and I think the time is ripe for the High Commissioners to select one from amongst them to sit on the Board of Trustees of the Imperial Institute, unless it could be arranged for all to become members of that Board.

4. In the Memorandum on Financial Resolution there is a note to the effect that it is proposed that the Chairman of the Board of Governors of the Imperial Mineral Resources Bureau should become Chairman of the Advisory Council for Minerals in the reconstructed Institute. In the second Schedule of the Bill the Board of Governors is empowered, with the consent of the responsible Minister, to make rules for constituting Advisory Councils or Committees, of which one shall be an Advisory Council on Minerals, and it seems to me that to make the appointment suggested in the note to the Memorandum would supersede the authority of the Board of Governors. Again, if a Chairman of one Advisory Council is paid and others are not paid an anomaly will be created.

5. I am anxious regarding the appointment of a Director. Apparently no provision is made in the Bill for that appointment, and I suggest that it should rest with the Board of Governors. That an appointment is to be made should be made known not only here but in the Dominions, because it may be that in the Oversea Dominions there may be men qualified to fill the position.

6. To-night I am going to Edinburgh for a couple of days. Towards the end of the week I will ring you up in the hope of being able to make an appointment to see you on Imperial Institute matters.

Believe me,
Yours sincerely,
J. ALLEN.

---

* No. 460 in Dominions No. 91. † No. 162.

11132

721

No. 166.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10th March, 1925.)

(No. 64.)

SIR, Governor-General's Office, Cape Town, 20th February, 1925.

I HAVE the honour to transmit to you herewith, with reference to your despatch No. 390 of the 29th December, 1924,* copy of Minute from Ministers on the subject of the payment by the Union Government of its contribution to the Imperial Institute, recommended by the Imperial Economic Conference, viz., £1,200.

I have, &c.,
ATHLONE,
Governor-General.

Enclosure in No. 166.

Prime Minister's Office, 19th February, 1925.

MINUTE No. 140.

MINISTERS have the honour to acknowledge the receipt of His Excellency the Governor-General's Minute No. 73/56 of the 27th January, 1925, covering copy of a despatch No. 390 of the 29th December, 1924, received from the Right Honourable the Secretary of State for the Colonies, relative to the payment by the Union Government of its contribution to the Imperial Institute recommended by the Imperial Economic Conference, viz., £1,200.

Ministers desire to inform His Excellency that the Union's contribution was contingent upon (*a*) the amalgamation of the Institute and the Imperial [Mineral] Resources Bureau and (*b*) the passing of the necessary legislation to give effect thereto, neither of which has yet been effected.

Ministers are, however, instructing the High Commissioner for the Union in London to pay over to the competent authorities the contribution for the year 1924-25 provided he receives assurances that the agreement arrived at at the Imperial Conference as regards the amalgamation will be given effect to at an early date.

Ministers are doubtful whether the retention of the Exhibition Galleries is desirable, and in any case are not prepared to contribute further funds towards the upkeep of the Institute in excess of the amount agreed upon at the Economic Conference.

Ministers would be glad if the Imperial Authorities could be advised that the Union Government cannot undertake to make any further contributions to the Imperial Institute until the amalgamation of the Institute and the Imperial [Mineral] Resources Bureau is effected.

J. B. M. HERTZOG.

11379

No. 167.

MR. ORMSBY-GORE to SIR JAMES ALLEN (HIGH COMMISSIONER FOR NEW ZEALAND).

DEAR SIR JAMES ALLEN, Downing Street, 23rd March, 1925.

As I daresay you are aware, the Secretary of State has just started on his journey to 'Iraq. Before he left the Office, however, he asked me to write to you regarding certain points which you raised in your letter of the 9th March,† in connexion with the Imperial Institute Bill now before Parliament.

I understand that, when you called here on the 12th of March, Mr. Amery said that he was personally in favour of the amendments which you suggested should be made in the Bill, and that he would ask me, as being in charge of the Bill in the

---

* No. 460 in Dominions No. 91. † No. 165.

Commons, to consider the possibility of securing their incorporation during its passage, if in my judgment this could be safely done without delaying its progress through the House.

So far, the progress of the Bill has been very satisfactory and, as you may have seen, it has now passed its second reading. I am convinced, however, that it would be fatal, in the interests of the early passing of the Bill, for the Government to propose or to introduce amendments at this late stage. The present Bill is substantially an agreed measure. In the first place, it embodies the scheme of settlement arrived at after protracted negotiations at the time of the Imperial Economic Conference, together with the necessary modifications in the text resulting from the late Government's decision that the Exhibition Galleries should be retained for their original purpose. Secondly, the Bill is (with the necessary alterations as to dates) in exactly the same form as when it left the House of Lords last summer, including those amendments which were made during its passage there to meet the wishes of Lord Islington, Lord Emmott, and others who are interested in the Institute. In consequence, we are justified I think in regarding the Bill which the present Government has re-introduced as generally acceptable to all parties in Parliament. Moreover, no important amendments, however desirable in themselves, could very well be inserted at this stage unless and until we had obtained the consent of the Governments of the Dominions and India. Even if we were to communicate with Oversea Governments by telegraph, the delay that would thereby inevitably be involved would result in our having to give up all hope of the Bill becoming law in the immediate future. I may add that the Committee stage is to commence on Wednesday, 25th March, and it is essential in the financial interests of the Institute that the Bill should receive the Royal Assent as soon after the close of the present financial year as possible.

Apart, however, from these obvious difficulties in the way of amending the Bill at this stage, there are certain difficulties in the actual amendments which you suggest in your letter. I will deal with the various points in their order.

You propose that the Bill should provide for the representation of the Dominions among the Imperial Institute Trustees, and suggest that for this purpose one representative might be nominated by the High Commissioners in London. I believe that it might not be difficult to make such an arrangement provided that all the Dominion Governments contributed to the maintenance of the Institute, but it so happens that at present not all are ready to contribute, and this might not improbably cause complications.

As regards the appointment of a Director. The regulations at present in force were so framed as to reserve the appointment of Director to the Secretary of State while giving the Council power to make other appointments. I do not know what the arrangement will be between the Responsible Minister and the new Governing Body as regards appointments to the Staff, but I feel sure that he would regard it as necessary to keep some control over this important appointment, and I think you will agree that this is really essential. No steps can, of course, be taken to fill the post until the Bill becomes law, but candidates from the Dominions, India and the Colonies, as well as from this country will, of course, be eligible.

I now come to the arrangements that have been made in connexion with the Chairmanship of the new Advisory Council for Minerals. The prospective appointment of Sir Richard Redmayne to this post is part of the general settlement that was arrived at last year with the Governors of the Imperial Mineral Resources Bureau. As you are aware, the Governors of the Bureau accepted the new régime with considerable reluctance, and the arrangements that have been made for setting up an Advisory Council for Minerals and for the representation of the ex-Governors of the Bureau on the new Governing Body of the Institute were made by way of compromise to secure their acquiescence in the amalgamation of the Bureau with the Institute. I am afraid that it would be fatal at this stage to suggest any upsetting of the compromise which was arrived at not without difficulty last year.

Yours sincerely,
W. ORMSBY-GORE.

14523

722

No. 168.

SOUTHERN RHODESIA.

THE GOVERNOR to the SECRETARY OF STATE.

(Received 30th March, 1925.)

(No. 70.)

SIR, Governor's Office, Salisbury (Rhodesia), 3rd March, 1925.

I HAVE the honour to acknowledge the receipt of your despatch No. 16 of the 10th January* on the subject of the financial arrangements necessary in order to continue the work of the Imperial Institute pending the passage of the Bill to provide for the re-organization of the Institute which His Majesty's Government have decided to introduce into Parliament.

2. In reply to the third paragraph of your despatch I am informed by my Ministers that the High Commissioner for Southern Rhodesia in London has been instructed to pay to the Imperial Institute the subsidy of £250 for the financial year ending 31st March, 1925, as a contribution on behalf of this Colony.

I have, &c.,
J. R. CHANCELLOR,
Governor.

15488

No. 169.

MR. ORMSBY-GORE to SIR JAMES ALLEN (HIGH COMMISSIONER FOR NEW ZEALAND).

DEAR SIR JAMES ALLEN, Downing Street, 3rd April, 1925.

As I promised when you called here the other day, I have given consideration to the various points which you raised in connexion with the Imperial Institute Bill.

First of all, as regards Sir Richard Redmayne's prospective appointment. As I explained in my letter of the 23rd March,† the arrangement for establishing an Advisory Council for Minerals was made by way of a compromise to secure the acquiescence of the Governors of the Imperial Mineral Resources Bureau in the proposed scheme for amalgamation with the Institute. Quite apart from this aspect of the matter, it was, I understand, the view of the late Government that, having regard to the very special interests of this country in the development of the mineral resources of the Empire, it would be advisable that these interests should be officially represented on the new Advisory Council for Minerals (as now on the Board of Governors of the Mineral Resources Bureau) by Sir Richard Redmayne and, on the assumptions (*a*) that he would be appointed Chairman of the Council, (*b*) that a salary of £1,000 would be suitable remuneration for him as British Member and Chairman, that he should receive from Imperial funds one half of that amount in respect of his duties as British Member. I may also add that in contemplating this arrangement the late Government took cognizance of the fact that, when Sir Richard Redmayne left the Home Office after nineteen years' service there, to become Chairman of the Board of Governors of the Mineral Resources Bureau, he voluntarily sacrificed his pension rights, doubtless in the expectation that his new employment in the Bureau would be permanent. However that may be, the present Government feel that it would be inequitable that one who has rendered such conspicuous service to the State as Sir Richard Redmayne should be allowed to suffer by reason of the modification of policy as regards the Bureau, which could not be foreseen at the time when he agreed to accept the post.

Apart from these considerations, there can be little doubt that if, at this late stage, there were to be any breach on our part of the settlement arrived at last year with the Governors of the Bureau, we could no longer rely on their assent to the Bill, without which the position in Parliament would, I can assure you, be hopeless. In these circumstances, I am afraid that no hope can be held out of our reconsidering the arrangement that has been made in regard to Sir Richard Redmayne's appointment.

---

* No. 162. † No. 167.

I have also considered your suggestion that the representation of the Dominions on the Governing Body of the Institute should be increased. The future composition of the Board of Governors was, as you are aware, considered at the Imperial Economic Conference which, in this respect, adopted the recommendations of the Committee of Inquiry, of which you and I were members. Last year, however, during the passage of the Bill through the House of Lords, some additions were made to the Governing Body. As a result, the second Schedule to the Bill now provides for a Board of Governors numbering in all 27, including seven representatives of the Dominions and India, six representatives of various Government Departments in this country, and three to be appointed by the Secretary of State, who it is intended shall represent the Colonies and Protectorates. The remaining members will be representatives of scientific and commercial interests to be appointed by the Responsible Minister, who will be the President of the Board. The Board of Governors is already a rather unwieldy body, and I feel sure that you will agree with me that it is not desirable that its numbers should be still further increased. As you know, the Colonies and Protectorates have now for a number of years been bearing more than their proportionate share of the expenses of the Institute, and, even under the new régime, it is contemplated that Colonial Governments should contribute an annual sum of money equal to the total of the combined contributions of all the Dominions and India. Yet, on the new Governing Body, the Colonies and Protectorates are to have only three representatives as compared with seven for the Dominions and India. It seems to me, therefore, that if the Dominion representation on the new Governing Body were to be increased, a very substantial corresponding increase in the Colonial representation would also be necessary.

I, of course, appreciate your view of any proposals to allocate space in the Imperial Institute building for the purpose of housing the exhibits of the Imperial War Museum, or to give the London University further accommodation in the building. Once the Bill has been passed in its present form, nothing can be done to dispose of any accommodation in the Institute building, without the consent of the New Governing Body, of which you will be a Member.

I may perhaps add that there seems to have been some misunderstanding about your receipt of a copy of the Bill, as I see that copies were sent from the Colonial Office to you and to the other High Commissioners on the 6th March,* immediately after its introduction into Parliament.

Yours sincerely,
W. ORMSBY-GORE.

Attached to 15488

No. 170.

SIR JAMES ALLEN (HIGH COMMISSIONER FOR NEW ZEALAND) to MR. ORMSBY-GORE.

New Zealand Government Offices, Strand,
London, W.C. 2, 9th April, 1925.

DEAR MR. ORMSBY-GORE,

1. I HAVE received your letter of the 2nd [3rd] instant† regarding the Imperial Institute Bill.

2. As to the compromise to which you allude in the third paragraph of your letter, all I have to say is that I know nothing about it. I desire to make it quite clear that I have no objection to Sir Richard Redmayne, and if his appointment were subject to the votes of those with whom the appointment lay, I should probably give him my vote. What I object to is the principle. It seems to me that the arrangement is a contravention of an authority conferred by the Bill.

3. You refer to a suggestion of mine, that the representation of the Dominions on the Governing Body of the Institute should be increased, but I am afraid you must have written under a misapprehension. The Bill provides that the Board of Governors shall have amongst its members one representative of each of the Overseas Dominions, but, on the other hand, it does not provide for the representation of the Overseas Dominions on the Board of the Imperial Institute Trustees, and the suggestion had reference to an addition to the Trustees, as you will see in the third paragraph of my letter to Mr. Amery of the 9th March.‡ I sincerely hope that it is

* 10123/25: not printed. † No. 169. ‡ No. 165.

not too late to introduce such amendment as will provide for a representative of the Overseas Dominions to be nominated by the High Commissioners in London to sit on the Board of Trustees. 723

4. With reference to the concluding paragraph of your letter, unfortunately there has been a misunderstanding in this office. A copy of the Bill sent by the Colonial Office reached me a day after the copy furnished by the Imperial Mineral Resources Bureau. I regret that an error has been made.

Yours sincerely,
J. ALLEN.

19331

No. 171.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 29th April, 1925.)

(No. 59.)

SIR, Government House, Wellington, 26th March, 1925.

WITH reference to your despatch No. 243 of the 29th December, 1924,* I have the honour to inform you that my Ministers have advised me that the New Zealand Government will be pleased to contribute for the current year 1924-5 the sum of £1,200 towards the upkeep of the Imperial Institute, and also the sum of £384 towards the retention of the Exhibition Galleries of the Institute, making a total contribution of £1,584 from New Zealand for the period mentioned.

I have, &c.,
CHARLES FERGUSSON,
Governor-General.

19852

No. 172.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2nd May, 1925.)

(No. 178.)

SIR, Government House, Ottawa, 23rd April, 1925.

WITH reference to your despatch No. 560 of the 29th December,* inquiring whether the Canadian Government would agree to authorize payment to the Imperial Institute for the current year 1924-25 of the sum of two thousand pounds and, in addition, a further provisional contribution towards the retention of the Exhibition Galleries of six hundred and forty pounds, I have the honour to inform you that the Department of Mines on the 21st instant forwarded to the High Commissioner for Canada a cheque for £2,640 to cover Canada's contribution for the fiscal year 1924-25 for these purposes.

I have, &c.,
BYNG OF VIMY.

19981

No. 173.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4th May, 1925.)

(No. 57.)

SIR, Governor-General's Office, Melbourne, 18th March, 1925.

WITH reference to your despatch dated 29th December, 1924, No. 448,* relative to the Imperial Institute, I have the honour to inform you that I am

* No. 460 in Dominions No. 91.

advised by my Prime Minister that the Commonwealth Government has approved of the payment to the Institute of a sum of £2,000 for the year 1924-25, and in addition a provisional contribution of £640 towards the retention of the Exhibition Galleries.

My Prime Minister adds that the High Commissioner for Australia in London has been asked to effect the necessary financial settlement in this connexion.

I have, &c.,
FORSTER,
Governor-General.

24191

No. 174.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Sent 12.35 p.m., 30th May, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)
(Southern Rhodesia.)

30TH MAY. My despatch 3rd March.* Imperial Institute Bill passed without amendment, and received Royal Assent 28th May.—AMERY.

28306

No. 175.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 5.30 p.m., 24th June, 1925.)

TELEGRAM.

[*Answered by Nos.* 178, 179, 180 *and* 181.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

24TH JUNE. My telegram 30th May.† Imperial Institute. Steps now being taken to constitute Board of Governors under Act. His Majesty's Government would accordingly be glad to learn as soon as possible whom your Government desire to appoint on their behalf in accordance with provisions of Second Schedule. See my despatch 3rd March, Dominions 90.*—AMERY.

28306

No. 176.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Confidential (2).)

SIR, Downing Street, 26th June, 1925.

WITH reference to my despatch Dominions No. 90 of the 3rd March,* I have the honour to request Your Excellency to inform your Ministers that, as the Imperial

* No. 164. † No. 174.

Institute Bill has now been passed, without amendment, steps are being taken to constitute the Board of Governors in accordance with the Second Schedule to the Act. The Governments of the other self-governing Dominions have accordingly been invited to appoint their representatives on the Board; but in view of the first *proviso* to Clause 1 of the Second Schedule, and the terms of your Confidential despatch of the 22nd May, 1924,* it was gathered that your Government would prefer not to receive a similar invitation.

2. If, however, your Ministers should feel able, now or in the future, to reconsider their decision in the matter, His Majesty's Government would welcome the appointment to the Board of a representative of the Government of the Irish Free State.

I have, &c.,
L. S. AMERY.

24191

No. 177.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 224.) — Dominions No. 275.)

[MY LORD,] [SIR,] Downing Street, 3rd July, 1925.

[*To Irish Free State:* With reference to my despatch Dominions No. 90 of the 3rd of March,†] [*To others:* With reference to my telegram of the 30th May,‡] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of the Imperial Institute Act, 1925 (15 and 16 Geo. 5, Ch. 17).

I have, &c.,
L. S. AMERY.

31126

No. 178.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 9.25 p.m., 7th July, 1925.)

TELEGRAM.

7TH JULY. Your telegram of 24th June.§ Imperial Institute. My Ministers desire to appoint High Commissioner for Newfoundland on Board of Governors.—ALLARDYCE.

31143

No. 179.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6.45 a.m., 8th July, 1925.)

TELEGRAM.

8TH JULY. Your telegram of 24th June.§ Board of Governors Imperial Institute. Commonwealth Government nominates High Commissioner.—FORSTER.

---

* No. 455 in Dominions No. 91. † No. 164. ‡ No. 174. § No. 175.

32565

No. 180.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6.25 a.m., 17th July, 1925.)

TELEGRAM.

17TH JULY. Your telegram of 24th June.* Ministers desire that the High Commissioner for New Zealand be appointed to represent this Dominion on the Board of Governors of the Imperial Institute.—FERGUSSON.

34013

No. 181.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 3.28 p.m., 25th July, 1925.)

TELEGRAM.

25TH JULY. Your telegram 24th June* and your telegram 24th July,† Ministers state that Union Government has appointed Mr. Jacobus Stephanus Smit, High Commissioner for the Union of South Africa in London, to be Union representative on Board of Governors of Imperial Institute.—ATHLONE.

34589

No. 182.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5.55 p.m., 28th July, 1925.)

TELEGRAM.

28TH JULY. Canadian Government nominate the Honourable P. C. Larkin, High Commissioner, as Governor of the Imperial Institute.—BYNG.

40544

No. 183.

INDIA OFFICE to DEPARTMENT OF OVERSEAS TRADE.

(Received in Dominions Office, 5th September, 1925.)

SIR, India Office, 4th September, 1925.

WITH reference to your letter of 25th June, 1925,‡ I am directed by the Secretary of State for India to inform you that Sir Atul Chandra Chatterjee, K.C.I.E., I.C.S., High Commissioner for India, has been appointed representative of the Government of India on the Board of Governors of the Imperial Institute. Mr. H. A. F. Lindsay, C.B.E., I.C.S., would act as substitute for Sir A. Chatterjee on occasions when the latter cannot be personally present.

I am, &c.,
E. J. TURNER.

---

* No. 175. † Not printed: reminder. ‡ Not printed: it asked for the nomination of a representative of India on the Board of Governors.

(ii) Resolution 3:—Co-operation for Technical Research and Information.

(*See pages* 289-291 *of Dominions No.* 91.)

36636

No. 184.

SOUTHERN RHODESIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 10th August, 1925.)

[*Answered by No.* 185.]

(No. 237.)

SIR, Governor's Office, Salisbury, Southern Rhodesia, 16th July, 1925.

I HAVE the honour to refer to your predecessor's despatch No. 129 of 11th April, 1924,* under cover of which were forwarded copies of an extract from the proceedings of the Imperial Economic Conference relating to co-operation for Technical Research and Information.

2. My Ministers have requested me to submit the following observations on your suggestions as to the mode of co-operation in technical research :—

(1) The Government of Southern Rhodesia is prepared to constitute a Board composed of the senior technical officers of the Agricultural and Veterinary Departments, with power to add to its number, and having its headquarters at Salisbury.

(2) The functions of the Board would be to arrange for and supervise the actual execution of research in this Colony, to co-operate with the Department of Scientific and Technical Information in the conduct of research, to receive and supply scientific and technical information, and to engage in the development of the natural resources of this Colony.

(3) The Government of Southern Rhodesia request that the Department of Scientific and Technical Information should recognize the Board as a research organization.

I have, &c.,
J. R. CHANCELLOR,
Governor.

45158

No. 185.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

(No. 405.)

SIR, Downing Street, 17th October, 1925.

I HAVE the honour to acknowledge the receipt of your despatch No. 237 of the 16th of July,† and to request you to inform your Ministers that a copy has been communicated to the Committee of the Privy Council for Scientific and Industrial Research, who observe with much interest the proposals of the Government of Southern Rhodesia for the conduct of research in the Colony and co-operation with the Department of Scientific and Industrial Research.

2. The Committee would be glad to be informed in due course of subsequent developments in this direction.

I have, &c.,
L. S. AMERY.

---

* No. 461 in Dominions No. 91. † No. 184.

50086

No. 186.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

(No. 480.)

SIR, Downing Street, 16th December, 1925.

WITH reference to my despatch No. 405 of the 17th of October,* on the subject of co-operation in Technical Research, I have the honour to request you to inform your Ministers that the Department of Scientific and Industrial Research has no general responsibility in connexion with agricultural and veterinary research to which your despatch No. 237 of the 16th of July† particularly referred, and that, in consequence, I communicated with the Minister of Agriculture and Fisheries who has observed that he notes with interest the steps taken by the Government of Southern Rhodesia in this matter and will be happy to arrange for any practicable measure of co-operation with your Government.

2. The Minister states, however, that on being informed of the reply of your Ministers to my despatch No. 393 of the 12th of October,‡ he will be in a better position to consider detailed proposals for co-operation in agricultural research, and, moreover, that it may be preferable that such proposals should be left for discussion at the conference which is contemplated in 1927.

3. Meanwhile, your Ministers may like to see the enclosed Report§ of the Intelligence Department of the Ministry of Agriculture and Fisheries for 1921-1924, of which the first part contains an account of the organization of Agricultural Research in England and Wales and of the work done.

I have, &c.,
L. S. AMERY.

---

*No. 185. †No. 184. ‡38822/25: not printed; it proposed the holding of an Empire Agricultural Research Conference in 1927. §Not reprinted; Stationery Office Publication.

726

(K) IMMUNITY OF STATE ENTERPRISES.

It was decided that the following Resolutions be adopted:—

I.

"This Imperial Economic Conference, so far as it is competent for its members without prejudice to the rights of the States or Provinces of a self-governing Dominion, agrees with the recommendation of the Committee on the Liability of Dominion and Foreign Governments, &c., to United Kingdom taxation expressed in the following terms, viz.:—

"Any Government within the Empire, so far as it engages in trade, shall be treated as liable to the taxation of any other country within the Empire in which it may either own property in connexion with trade or make trade profits; the liability of the United Kingdom Government or any Dominion Government so far as engaged in trade shall be co-extensive with the liability of a private trading corporation in similar circumstances."

"It is agreed that each of the several Parliaments of Great Britain, the Dominions, and India shall be invited to enact at the earliest opportunity a declaration that the general and particular provisions of its Acts or ordinances imposing taxation shall be deemed to apply to any commercial or industrial enterprise carried on by or on behalf of any other such Governments in the same manner in all respects as if it were carried on by or on behalf of a subject of the British Crown. It is not contemplated that such legislation should have retrospective effect for any year prior to 1924."

"This Conference further agrees that, as soon as possible after the passing of the aforesaid legislation, negotiations should be opened with the Governments of foreign countries, in accordance with the recommendations of the aforesaid Committee, with a view to reciprocal agreement between those countries and the Empire to the following effect: If or when the Government of a foreign country carries on trade in the United Kingdom or in a Dominion, and if or when the Government of a country within the British Empire carries on trade in a foreign country, the trading Government shall not, in its character as such, be treated as entitled to any sovereign immunity from taxation either directly, or through the claim of superiority to the jurisdiction of municipal Courts; nor shall a Government so trading be treated as entitled to any sovereign immunity from taxation in respect of property in the other country concerned which it may own or hold in a trading capacity or in connexion with trade."

"It is understood that, as the Committee recommended, it would be a proviso to the whole agreement that it should be without prejudice to the national interests of a sovereign State in any emergency of war."

II.

"The Conference further recommends that the draft convention on the immunity of State-owned ships adopted by the meeting of the International Maritime Committee held at Gothenberg in August last, and amended after consultation between the British Admiralty and Board of Trade, should be adopted throughout the Empire as the basis on which an international convention might be concluded. This amended draft is as follows:—

Immunity of State-owned Ships.

(Amended Draft: October 26, 1923.)

"Article 1.—Vessels owned or operated by States for trading purposes, cargoes owned by them and cargo and passengers carried on such vessels and the States owning or operating such vessels shall be subjected in respect of claims relating to the operation of such vessels or to such cargoes to the same rules of legal liability (*i.e.*, liability to be sued for payment) and to the same obligations as those applicable to private vessels, persons or cargo.

"Article 2.—Such liabilities shall be enforceable by the tribunals having jurisdiction over and by the procedure applicable to a privately-owned ship or cargo or the owner thereof."

"Article 3.—Ships of war, State Yachts, Surveying Vessels, Hospital Ships and other vessels owned or operated by States and employed on other than trading purposes shall continue to enjoy the respective privileges and immunities hitherto enjoyed by them by the comity of nations. Liabilities against such ships in respect of collisions or salvage claims shall, however, be enforceable, but only by action before the competent tribunals of the State owning or operating such vessels; and no such vessel shall be liable to arrest. Similarly, State-owned cargo carried for non-commercial purposes in ships owned or operated by the State shall not be subject to seizure, but shall be liable to process of Law, but only in the Courts of the State owning such vessels.

"Article 4.—The provisions of this Convention will be applied in every contracting State in all cases where the claimant is a citizen of one of the contracting States, provided always that nothing in this Convention shall prevent any of the contracting States from settling by its own laws the rights allowed to its own citizens before its own Courts.

"Article 5.—This Convention shall not be binding on a belligerent State in respect of claims arising during the period of belligerency."

(*See pages* 293-297 *of Dominions No.* 91.)

1554

No. 187.

QUEENSLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 12th January, 1925.)

(No. 76.)

SIR, Government House, Brisbane, 4th December, 1924.

WITH reference to Mr. Thomas's Confidential despatch dated the 7th August last,* with regard to the Resolution of the Imperial Economic Conference of 1923, relating to the immunity from taxation of State enterprises, I have the honour to state that I have been informed by the Premier that the Queensland Government approves of the recommendations of the Colwyn Committee, and is prepared to adopt them if the Commonwealth and other States do so.

I have, &c.,
MATTHEW NATHAN,
Governor.

3667

No. 188.

VICTORIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 26th January, 1925.)

(Confidential.)

SIR, State Government House, Melbourne, 16th December, 1924.

WITH reference to your predecessor's despatch Confidential of the 7th August last* respecting the Resolution of the Imperial Economic Conference, 1923, relating to immunity from taxation of State enterprises, I have the honour to inform you that the general question of the adoption of the Colwyn Committee's recommendations is receiving the close attention of my Ministers. There are, however, a number of important principles involved, as indicated in the enclosure to Sir William Irvine's despatch No. 27 of the 17th October, 1923.†

With a view to securing uniform action on the part of all the Australian State Governments, my Premier proposes to arrange for the whole question to be discussed at the next of the meetings of State Premiers which are held from time to time to consider matters of common concern.

I have, &c.,
STRADBROKE.

A copy of this despatch has been sent to the Governor-General.

* No. 466 in Dominions No. 91. † No. 113 in Dominions No. 91.

8574

No. 189.

WESTERN AUSTRALIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 23rd February, 1925.)

727

(Confidential.)

(*Copy to Governor-General.*)

SIR, Government House, Perth, 22nd January, 1925.

I HAVE the honour to refer to your predecessor's Confidential despatch of the 7th August last,* transmitting, to be laid before my Ministers, copies of an extract from the Proceedings of the Imperial Economic Conference, 1923, and inviting attention to the immunity from taxation of State enterprises as set out on pages 523-4.

2. The Hon. the Premier has addressed a memorandum to me dated 23rd December last (of which I enclose a copy), intimating with reference to paragraph 3 of your Confidential despatch under acknowledgment that, in the opinion of the Government of Western Australia, it is preferable that no taxation of any kind should be levied by any Government upon the property of any other Government within the Empire.

3. You will possibly consider that this is not a very satisfactory reply, and as Mr. Collier will shortly arrive in England, you may see fit to mention the matter to him personally.

4. I am forwarding a copy of this despatch to His Excellency the Governor-General in accordance with the instructions contained in your telegram received through the office of His Excellency the Governor of New South Wales on the 17th inst.

I have, &c.,
W. R. CAMPION,
Governor.

Enclosure in No. 189.

FROM THE HONOURABLE THE PREMIER to HIS EXCELLENCY THE GOVERNOR.

WITH reference to the Secretary of State's despatch with regard to the Resolution of the Imperial Economic Conference of 1923, regarding exemption of State enterprise from taxation, I have to advise Your Excellency that, in the opinion of this Government, it is preferable that no taxation of any kind should be levied by any Government upon the property of any other Government within the Empire.

P. COLLIER,
Premier.

23rd December, 1924.

13436

No. 190.

NEW SOUTH WALES.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 23rd March, 1925.)

(Confidential.)

(*Copy to Governor-General.*)

SIR, Government House, Sydney, 14th February, 1925.

WITH reference to your predecessor's Confidential despatch of 7th August, 1924,* and your telegraphic despatch of 15th January last,† on the subject of immunity from taxation of State enterprises, I have now the honour, at the instance of my Ministers, to forward herewith copy of a minute, dated 19th January, 1925, setting out the position in this matter, and to invite your special attention to the second last paragraph thereof.

* No. 466 in Dominions No. 91. † Not printed: it asked the Governors of all the Australian States to send copies of their replies on this subject to the Governor-General of the Commonwealth.

2. Ministers advise me that it was proposed to bring this matter up at the special conference held between the Prime Minister and State Premiers last week, but, unfortunately, no opportunity occurred for its consideration.

3. It will be noted that the Commonwealth Government intimated that it considered there was no necessity at present so far as Australia is concerned to legislate in the direction suggested.

4. The date of the next Premiers' Conference is not yet known.

I have, &c.,
D. R. S. DE CHAIR,
Governor.

Enclosure in No. 190.

The Treasury,
19th January, 1925.

QUESTION OF IMMUNITY FROM TAXATION OF STATE ENTERPRISES.

IN pursuance of Resolutions of the Imperial Economic Conference of 1923, the British Government is desirous of ascertaining whether Dominion and State Governments within the Empire are prepared to take the necessary legislative steps to render State enterprises liable to taxation in any other country within the Empire in which such enterprises may operate.

It is stated that the Governments of New Zealand and the Union of South Africa have expressed willingness to take such action providing Great Britain reciprocates, and, in the event of all Dominions agreeing, it is the intention, afterwards, to open similar negotiations with Foreign Governments.

The Premier's Office referred the question to the Treasurer in September last for consideration.

In a report obtained from Mr. Whiddon, Commissioner of Taxation, under date 10th November, 1924, he states:—

1. If the principle were adopted by New South Wales there appears much to be gained from a revenue point of view and little to lose, as none of our enterprises extend beyond the borders of New South Wales, and the only possibility of a hit back is in regard to Wheat Pools, Butter Pools, etc., selling produce abroad.

2. So far as is known, no Government other than the Commonwealth carries on any industrial enterprise in New South Wales except with respect to shipping. At present the Commonwealth Line, the Canadian Government Line, and two American Government Lines trade to New South Wales, and the proposal would give this State the right to tax all outward freights of these Lines.

3. The proposal would appear to make profits of the Pacific Cable Board, Commonwealth Bank, and Post, Telegraph and Telephone Departments subject to taxation by New South Wales.

4. The proposal also empowers Land Tax to be imposed on property owned by a Government for purposes of any industrial enterprise. Other States will, apparently, be empowered to impose their land taxes on such Federal Government property in Australia, but whether that power will extend, in the absence of a general land tax in this State, to New South Wales Public Authorities imposing Municipal rates, etc., is not clear. The principle aimed at in the proposal of putting a Government engaged in trading on the same footing as a private trading corporation would, if it is to be consistently applied, confer that power.

Mr. Whiddon apparently takes the view that this State's enterprises would not be taxable by the Commonwealth except when operating in Federal Territory. Whilst this is probably the correct interpretation of the Resolutions of the Imperial Economic Conference, it is questionable whether the Commonwealth, if it is realized that the proposal would have this effect, would agree to its adoption without some *quid pro quo* from the States, such as the right to tax all profits from Railways and Tramways, etc., etc.

The following replies have been received by the Premier from the Commonwealth and other States:—

728

Commonwealth.

That the British Government has been informed that it is considered that there is at present no necessity so far as the Commonwealth is concerned to legislate in the direction recommended by the Conference.

Tasmania.

Asking what attitude New South Wales proposes to adopt.

Queensland.

Is prepared to adopt the recommendations if the Commonwealth and States do so.

Victoria.

That important principles are involved, and it appears to that Government that the whole subject should be discussed at a Premiers' Conference before coming to a decision.

As the Commonwealth Government is not prepared at present to adopt the proposals of the Conference, it is questionable whether it would be advisable for any individual State to do so. In any case is appears desirable that uniform action should be taken by the States, and it is, therefore, suggested that the question be discussed at the next Conference of Premiers.

If the Treasurer approves of this suggestion, a copy of this Minute, together with a copy of Mr. Whiddon's report, might be forwarded for the information of the Premier.

B. S. STEVENS,
Director.

P.S.—*Western Australia* has replied to the Colonial Office that in its opinion it is preferable that no taxation of any kind should be levied by any Government upon the property of any other Government within the Empire.

15672

No. 191.

SOUTH AUSTRALIA.

THE GOVERNOR to the SECRETARY OF STATE.

(Received 6th April, 1925.)

(*Copy sent to Governor-General.*)

(Confidential. No. 40.)

SIR, Government House, Adelaide, 4th March, 1925.

WITH reference to your Confidential telegram dated 12th December, 1924,* regarding immunity of State enterprise, I have the honour to inform you that my Ministers advise me that the question of the adoption of uniform legislation with regard to this matter will be referred for discussion at the next Premiers' conference.

Until a decision is reached at the next conference of Premiers, I am not in a position to state the action which my Government will adopt.

I have, &c.,
G. T. M. BRIDGES,
Governor.

---

* See No. 471 in Dominions No. 91, which was repeated to the Australian States.

18028

No. 192.

TASMANIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 21st April, 1925.)

(No copy to Governor-General.)

(Confidential.)

SIR, Government House, Hobart, Tasmania, 12th March, 1925.

WITH reference to your predecessor's despatch, Confidential, dated the 7th August, 1924,* on the subject of immunity from taxation of State enterprises, I have the honour to forward a copy of a despatch which I have just received from the Honourable the Premier giving his views on the matter.

I have, &c.,
JAMES O'GRADY,
Governor.

Enclosure in No. 192.

YOUR EXCELLENCY, 9th March, 1925.

WITH reference to the Confidential despatch received from the Right Honourable the Secretary of State for the Colonies, dated the 7th August last, on the subject of immunity from taxation of State enterprises, I have the honour to inform you that, in view of the very important principles which are involved in the recommendations of the Colwyn Committee, and as it is very desirable that any decisions thereon should be uniform so far as the Australian States are concerned, it has been decided to hold this matter in abeyance until it can be considered at the next Premiers' Conference.

I have, &c.,
J. A. LYONS,
Premier.

His Excellency
The Governor of Tasmania,
Hobart.

24665

No. 193.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Sent 2.0 p.m., 28th May, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)
(Southern Rhodesia.)

28TH MAY. Confidential. My despatch 7th August, Dominions 373, Confidential.† Section has been included in this year's Finance Bill to give effect so far as His Majesty's Government are concerned to Resolution of Imperial Economic Conference, 1923, relating to immunity from taxation of State enterprises.

Section provides (1) that where trade or business of any kind is carried on by or on behalf of Government of any part of His Majesty's Dominions outside Great Britain and Northern Ireland that Government shall in respect of trade or business

* No. 466 in Dominions No. 91. † No. 465 in Dominions No. 91.

and of all operations connected therewith, of all property occupied in Great Britain and Northern Ireland and goods owned in Great Britain and Northern Ireland for purposes thereof and of all income arising in connexion therewith be liable in the same manner as in the like case any other person would be to all taxation for the time being in force in Great Britain and Northern Ireland. 729

(2) That for purposes of Section "His Majesty's Dominions" includes territories under His Majesty's protection and mandated territories.

(3) That nothing in section shall (*a*) affect immunity of such Government from taxation in respect of income or property to which (1) does not apply (*b*) or be taken to prejudice question of liability on part of such Government in respect of any period before commencement of Act to taxation in respect of matters mentioned in (*b*).—AMERY.

24665

No. 194.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 2.0 p.m., 28th May, 1925.)

TELEGRAM.

PLEASE repeat to Australian States my telegram of to-day, Confidential,* regarding immunity from taxation of State enterprises.—AMERY.

24665

No. 195.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 2.0 p.m., 28th May, 1925.)

TELEGRAM.

MY telegram of to-day.* Immunity of State enterprises. Reference should read "my despatch of 7th August, Confidential."†—AMERY.

24665

No. 196.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Confidential. 2.)

SIR, Downing Street, 29th May, 1925.

WITH reference to my predecessor's Confidential despatch Dominions No. 373 of the 7th of August,‡ and to Your Excellency's Confidential despatch of the 20th October,§ I have the honour to transmit to you, to be laid before your Ministers, a copy of a telegram* to the other self-governing Dominions regarding the Resolution of the Imperial Economic Conference, 1923, relating to the immunity from taxation of State enterprises.

I have, &c.,
L. S. AMERY.

---

* No. 193. † No. 466 in Dominions No. 91. ‡ No. 465 in Dominions No. 91. § No. 468 in Dominions No. 91.

36491

No. 197.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNORS.

[*Answered by No.* 198.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(New South Wales.
(Victoria.
(Queensland.
(South Australia.
(Western Australia.
(Tasmania.
(Southern Rhodesia. No. 322.)

Dominions No. 363.)

[MY LORD,] [SIR,] Downing Street, 19th August, 1925.

WITH reference to my [*Not to Irish Free State:* Confidential telegram of the 28th May,*] [*To Irish Free State:* Confidential (2) despatch of the 29th May,†] which need no longer be treated as Confidential, I have the honour to request [Your Excellency] [you] to inform your Ministers that effect has now been given, so far as His Majesty's Government are concerned, to the Resolution of the Imperial Economic Conference, 1923, relating to the immunity from taxation of State enterprises, by Section 25 of the Finance Act, 1925 (15 and 16 Geo. V, ch. 36), of which [*To Canada, Commonwealth of Australia, New Zealand, South Africa, Irish Free State, Newfoundland, Southern Rhodesia:* copies were enclosed in my despatch [Dominions No. 301] [No. 254] of the 21st July.‡] [*To 6 Australian States:* a copy is enclosed.]

2. [*To Commonwealth of Australia:* A similar despatch is being addressed to the Officers Administering the Governments of the Australian States.]

I have, &c.,
L. S. AMERY.

Enclosure in No. 197.

SECTION 25 OF FINANCE ACT, 1925, CH. 36.

Liability of Dominion Governments to taxation in respect of trading operations.

25. (1) WHERE a trade or business of any kind is carried on by or on behalf of the Government of any part of His Majesty's Dominions which is outside Great Britain and Northern Ireland, that Government shall, in respect of the trade or business and of all operations in connexion therewith, all property occupied in Great Britain or Northern Ireland and all goods owned in Great Britain or Northern Ireland for the purposes thereof, and all income arising in connexion therewith, be liable, in the same manner as in the like case any other person would be, to all taxation for the time being in force in Great Britain or Northern Ireland.

(2) In this section the expression "His Majesty's Dominions" includes any territory which is under His Majesty's protection or in respect of which a mandate is being exercised by the Government of any part of His Majesty's Dominions.

(3) Nothing in this section shall:—

(*a*) Affect the immunity of any such Government as aforesaid from taxation in respect of any income or property to which sub-section (1) of this section does not apply; or

(*b*) be taken to prejudice the question of any liability on the part of any such Government in respect of any period before the commencement of this Act to taxation in respect of the matters mentioned in sub-section (1).

---

* No. 198. † No. 196. ‡ Not printed: it enclosed copies of the Finance Act, 1925.

53337

730

No. 198.

NEW SOUTH WALES.

THE GOVERNOR to the SECRETARY OF STATE.

(Received 27th November, 1925.)

(No. 162.)

SIR, Government House, Sydney, 14th October, 1925.

WITH reference to your despatch Dominions No. 363 of the 19th August.* on the subject of the immunity from taxation of State enterprises, I have the honour, at the instance of Ministers, to state that in view of the fact that this question has been listed for discussion at the next Conference of Premiers it is not proposed to take any action at present so far as New South Wales is concerned.

I have, &c.,
D. R. S. DE CHAIR,
Governor.

53585

No. 199.

NEWFOUNDLAND.

THE GOVERNOR to the SECRETARY OF STATE.

(Received 1.8 a.m., 29th November, 1925.)

TELEGRAM.

[*Answered by No.* 202.]

28TH NOVEMBER. Your despatch of 7th August, 1924, Dominions No. 373.† Immunity from taxation of State enterprises and immunity of State-owned ships. My Ministers accept the Resolution(s) of the Imperial Economic Conference and are prepared to undertake the necessary legislative steps to give effect to the Resolution(s) on the understanding that similar legislative measures are taken by the Imperial Government.—ALLARDYCE.

53943

No. 200.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 1st December, 1925.)

(No. 610.)

SIR, Governor-General's Office, Pretoria, 6th November, 1925.

I HAVE the honour to transmit to you, herewith, with reference to my Confidential despatch of the 15th October, 1924,‡ Minute from Ministers on the subject of the immunity from taxation of State enterprises.

I have, &c.,
ATHLONE,
Governor-General.

Enclosure in No. 200.

Prime Minister's Office, 5th November, 1925.

MINUTE No. 957.

MINISTERS have the honour to refer to their Minute 826 of 14th October, 1924, on the subject of the immunity from taxation of State enterprises and to inform His Excellency the Governor-General that provision has been made in the new Income Tax Law of the Union for the exemption from tax of any revenues accruing to other Governments from Union sources, save such revenues as are derived from State trading.

---

* No. 197. † No. 465 in Dominions No. 91. ‡ No. 469 in Dominions No. 91.

The relative provision, viz., Section 10 (1) (a) of the Income Tax Act No. 40 of 1925, reads as follows:—

"There shall be exempt from this tax—

the revenues of the Government of the Union; the revenues of any provincial administration within the Union and any revenues or receipts derived from Union sources by the Imperial Government or by the Governments of other States, including other Dominions or any British Colony or possession other than revenues or receipts derived by the Imperial Government or the Government of any Dominion or British Colony or possession from any trade of any kind carried on within the Union."

Ministers have the honour to request that His Excellency may be pleased to acquaint His Majesty's Government of the fact.

J. B. M. HERTZOG.

53943

No. 201.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada. No. 540.)
(Commonwealth of Australia. No. 376.)
(New Zealand. No. 230.)
(Irish Free State. No. 473.)
(Southern Rhodesia. No. 491.)
(New South Wales. No. 159.)
(Victoria. No. 39.)
(Queensland. No. 86.)
(South Australia. No. 101.)
(Western Australia. No. 61.)
(Tasmania. No. 42.)

[MY LORD,] [SIR,] Downing Street, 22nd December, 1925.

WITH reference to my despatch [Dominions No. 363] [No. 322] of the 19th August,* regarding the question of the immunity from taxation of State enterprises, I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a despatch† from the Governor-General of the Union of South Africa, from which it will be seen that legislation similar to that already passed in this country has also been passed in the Union of South Africa.

2. A copy of the despatch from the Governor-General of the Union is also being sent to the Governors-General of [*To Canada:* the Commonwealth of Australia, New Zealand and the Irish Free State] [*To Commonwealth of Australia:* Canada, New Zealand and the Irish Free State] [*To New Zealand:* Canada, Commonwealth of Australia and the Irish Free State] [*To Irish Free State:* Canada, Commonwealth of Australia and New Zealand] [*To Southern Rhodesia and Six Australian States:* Canada, Commonwealth of Australia, New Zealand, and the Irish Free State] and to the Officers Administering the Government of [*To Canada, Commonwealth of Australia, New Zealand, Irish Free State:* Newfoundland, Southern Rhodesia and the Australian States.] [*To Southern Rhodesia:* Newfoundland and the Australian States.] [*To Six Australian States:* Newfoundland, Southern Rhodesia and the other Australian States.]

I have, &c.,

L. S. AMERY.

---

* No. 197. † No. 200.

53585

No. 202.

731

NEWFOUNDLAND.

THE SECRETARY OF STATE to THE GOVERNOR.

(No. 142.)

SIR, Downing Street, 22nd December, 1925.

I HAVE the honour to acknowledge the receipt of your telegram of the 28th November* regarding the question of the immunity from taxation of State enterprises and of State-owned ships.

2. With reference to the latter part of your telegram, I shall be glad if you will invite the attention of your Ministers to my despatch Dominions No. 363 of the 19th August,† from which it will be seen that the required legislation in the matter of the immunity of State enterprises has already been passed in this country. Similar legislation has also been passed in the Union of South Africa, as set out in the despatch‡ from the Governor-General of the Union, a copy of which is enclosed.

3. A copy of the despatch from the Governor-General of the Union of South Africa is also being sent to the Governors-General of Canada, the Commonwealth of Australia, New Zealand, and the Irish Free State, and to the Officers Administering the Governments of Southern Rhodesia and the Australian States.

I have, &c.,

L. S. AMERY.

---

* No. 199. † No. 197. ‡ No. 200.

5. IMPERIAL POLICY WITH REGARD TO THE IMPORT AND EXPORT OF LIVE STOCK.

After consideration of this question, the Imperial Economic Conference decided that steps should be taken to promote inter-Imperial trade in pedigree stock throughout the Empire as a whole on reciprocal terms, subject always to satisfactory precautions being taken against the introduction of disease.

It was further agreed that a conference should be arranged between representatives of His Majesty's Government and the Canadian Government to consider the question of the administrative interpretation of the terms of "The Importation of Animals Act, 1922."

(*See pages* 297-305 *of Dominions No.* 91.)

1009

No. 203.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 12.10 a.m., 7th January, 1925.)

TELEGRAM.

6TH JANUARY. Confidential. Your despatch of 3rd September, Confidential, Dominions No. 436,* your telegram of 29th November.† My Ministers have no objection to offer to the terms of the draft Bill.

54141

No. 204.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

[*Answered by No.* 205.]

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 20.) — Dominions No. 20.)

[MY LORD,] [SIR,] Downing Street, 14th January, 1925.

WITH reference to my predecessor's [*Not to Southern Rhodesia:* Confidential despatch of the 3rd September, Dominions No. 436,*] [*To Southern Rhodesia:* Confidential (2) despatch of the 3rd September*] (which need no longer be regarded as Confidential), and subsequent correspondence regarding the draft Importation of Pedigree Animals Bill, I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, a copy of the Bill‡ as introduced into the House of Commons.

I have, &c.,
L. S. AMERY.

---

* No. 478 in Dominions No. 91. † 54141/24: not printed; reminder. ‡ Not printed here: see 15 and 16 Geo. V. Ch. 30.

27357

732

No. 205.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5.9 p.m., 15th June, 1925.)

TELEGRAM.

[*Answered by Nos.* 207 *and* 210.]

15TH JUNE. Your despatch of 14th January, Dominions 20.* Ministers inquire whether Importation of Pedigree Animals Bill has now been passed by Imperial Parliament, and, if so, whether they could be furnished as early as possible with conditions in detail under which such horned cattle will be admitted to Great Britain.—ATHLONE.

26982

No. 206.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Sent 2.50 p.m., 17th June, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)
(Southern Rhodesia.)

17TH JUNE. My despatch 14th January, Dominions No. 20.* Importation of Pedigree Animals Bill has been passed without modification except for additions of words "after consultation with the Royal Agricultural Society of England and the Highland and Agricultural Society of Scotland" after words "recognized by him" in Section I (1). Copies of Act will be sent by mail.—AMERY.

26982

No. 207.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 3.0 p.m. 17th June, 1925.)

TELEGRAM.

17TH JUNE. Your telegram of 15th June.† See my telegram of to-day‡ regarding Importation of Pedigree Animals Act. Will reply further to your telegram as soon as possible.—AMERY.

26982

No. 208.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 3.10 p.m., 17th June, 1925.)

TELEGRAM.

17TH JUNE. My telegram of to-day.‡ Pedigree Animals. In reference at beginning omit word "Dominions."—AMERY.

---

* No. 204. † No. 205. ‡ No. 206.

26982

No. 209.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada. (Commonwealth of Australia. (New Zealand. (Union of South Africa. (Irish Free State. (Newfoundland. (Southern Rhodesia. No. 245.) } Dominions No. 297.)

[MY LORD,] [SIR,] Downing Street, 17th July, 1925.

[*To Irish Free State only:* With reference to my despatch Dominions No. 20 of the 14th of January,*] [*To others:* With reference to my telegram of the 17th of June,†] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of the Importation of Pedigree Animals Act, 1925 (15 and 16 Geo. 5. Ch. 30), together with extracts from the House of Commons Official Report of the 8th of April‡ containing the debate on the Third Reading of the Bill, and from the House of Lords Official Reports of the 30th of April§ and the 7th of May‖ containing the reports of the Second Reading and Committee Stage.

I have, &c.,
L. S. AMERY.

29718

No. 210.

UNION OF SOUTH AFRICA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 4.45 p.m., 17th July, 1925.)

TELEGRAM.

YOUR telegram of 15th June.¶ Importation of Pedigree Animals. Detailed conditions are being sent by mail and copy being communicated to High Commissioner.—AMERY.

29718

No. 211.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada. (Commonwealth of Australia. (New Zealand. (Union of South Africa. (Irish Free State. (Newfoundland. (Southern Rhodesia. No. 255.) } Dominions No. 303.)

[MY LORD,] [SIR,] Downing Street, 21st July, 1925.

WITH reference to my despatch [Dominions No. 297] [No. 245] of the 17th of July,** I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of a memorandum†† of conditions under which the Minister of Agriculture and Fisheries is prepared to consider applications (under Section 1 of the Importation of Pedigree Animals Act, 1925) for the landing in Great Britain of pedigree animals.

* No. 204. † No. 206. ‡ Vol. 182, No. 54, Col. 2324: not reprinted. § Vol. 60, No. 35, Cols. 1117-8: not reprinted. ‖ Vol. 61, No. 38, Cols. 110-115: not reprinted.
¶ No. 205. ** No. 209. †† Not printed: see enclosure in No. 213.

733

[*To Union only:* 2. With reference to your telegram of the 15th June,* I am informed that the period of quarantine in the case of imports from South Africa would be one of four months, but the Minister of Agriculture would be prepared to allow one month of this to be carried out in an approved place of quarantine in the Union, provided that the premises were under official supervision, and also to regard the period of the voyage as part of the four months' quarantine.]

I have, &c.,
L. S. AMERY.

34299

No. 212.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada. (Commonwealth of Australia. (New Zealand. (Union of South Africa. (Irish Free State. (Newfoundland. (Southern Rhodesia. No. 298.) } Dominions No. 333.)

[MY LORD,] [SIR,] Downing Street, 7th August, 1925.

WITH reference to my despatch [Dominions No. 303] [No. 255] of the 21st of July,† on the subject of the importation of pedigree animals, I have the honour to request [Your Excellency,] [you,] to inform your Ministers that the Minister of Agriculture and Fisheries has now decided that in the case of every importation sanctioned under the Importation of Pedigree Animals Act, 1925, "the certificate (of freedom from disease) in the case of cattle should show that each animal has been submitted to the tuberculin test within one month immediately prior to shipment and has shown no re-action. The temperature charts should be attached to the requisite certificate in cases where the subcutaneous tuberculin test was carried out. In cases where the intradermal or interpalpebral or ophthalmic tests have been carried out (either independently or in conjunction with the subcutaneous test) an accurate description of the re-action, if any, should be inserted on the certificate."

2. I shall be glad if an addition to this effect may be made to paragraph 3 of the memorandum enclosed in my despatch under reference, and also an addition to paragraph 5 thereof reserving to the Ministry of Agriculture and Fisheries the right to re-test in the quarantine station in this country.

I have, &c.,
L. S. AMERY.

38217

No. 213.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada. (Commonwealth of Australia. (New Zealand. (Union of South Africa. (Irish Free State. (Newfoundland. (Southern Rhodesia. No. 345.) } Dominions No. 391.)

[MY LORD,] [SIR,] Downing Street, 4th September, 1925.

WITH reference to my despatch [Dominions No. 333,] [No. 298,] of the 7th of August,‡ I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copies of a memorandum of condi-

* No. 205. † No. 211. ‡ No. 212.

tions under which the Minister of Agriculture is prepared to consider applications (under Section 1 of the Importation of Pedigree Animals Act, 1925), for the landing in Great Britain of pedigree animals.

I have, &c.,
L. S. AMERY.

Enclosure in No. 213.

MINISTRY OF AGRICULTURE AND FISHERIES.

MEMORANDUM of conditions under which the Minister is prepared to consider applications (under Section 1 of the Importation of Pedigree Animals Act, 1925), for the landing in Great Britain of Pedigree Animals.

1. Section 1 (1) of the Importation of Pedigree Animals Act, 1925, enables the Minister to make Orders authorizing, subject to the conditions prescribed in such Orders, the landing of cattle, sheep, goats or swine brought from any part of His Majesty's Dominions, which are shown to the Minister's satisfaction to be there registered as pedigree stock in a herd or flock book recognized by him after consultation with the Royal Agricultural Society of England and the Highland and Agricultural Society of Scotland, to be landed in Great Britain without being subject to Part I of the Third Schedule to the Diseases of Animals Act, 1894 (slaughter at the port of landing), but subject to Part II of that Schedule (Quarantine).

2. The Act of 1925 also provides that no such Order may be made except with respect to animals brought from a part of the Dominions in which pedigree animals from Great Britain are allowed to be landed either unconditionally or subject to conditions (including rates of import duty) which in the opinion of the Minister are not unduly restrictive.

3. Before authorizing the landing of any animal under the Act of 1925 the Minister will require to be satisfied in the case of each application that the above-mentioned conditions are complied with, and also that no risk of the introduction of disease would be entailed by the conditions existing in that part of His Majesty's Dominions from which the animal is proposed to be imported. A certificate will be required from the Government of the exporting country as to the freedom from disease immediately before shipment, both of the animals and of the country from which they are brought. The certificate in the case of cattle should show that each animal has been submitted to the tuberculin test within one month immediately prior to shipment, and has shown no re-action. The temperature charts should be attached to the requisite certificate in cases where the sub-cutaneous tuberculin test was carried out. In cases where the intradermal, or intrapalpebral, or ophthalmic tests have been carried out (either independently or in conjunction with the sub-cutaneous test) an accurate description of the re-action, if any, should be inserted on the certificate.

4. The landing of the animals, if authorized, will be subject to the provisions of the Special Order of the Minister authorizing the landing and regulating the detention and isolation of the animals at a quarantine station at the port of landing to be defined by the Order and imposing strict requirements as to inspection of the animals during quarantine, and the cleansing and disinfection of the premises, etc. No forage or litter that have been in contact with the animals to be imported may be landed. The Ministry will reserve to itself the right to re-test any cattle in the quarantine station in any case in which it considers such a test necessary.

5. In the case of each importation, a period of quarantine will be specifically imposed by the Order authorizing the landing, which will not usually be less than 28 days, and which, in certain cases, would be extended to six months.

6. It rests with the importer to make the necessary arrangements for the acquisition of premises to be used as a quarantine station (subject to the approval of such premises by the Ministry) and for the care of the animals, and to defray all expenses connected with the importation and with the detention of the animals during the period of quarantine, except the expenses incurred in the veterinary supervision of the animals during that period, which would be undertaken by the Ministry without charge, provided that the port is one at which a Veterinary Inspector of the Ministry is stationed.

7. The premises selected for quarantine must meet the requirements of the Ministry as regards structure and suitability, and be in close proximity to the wharf at which the animals are landed. Definite arrangements for shipment should in no case be made until authority for the importation has been granted by the Minister and the place of quarantine approved.

8. In no case will the Ministry accept any liability for any loss occasioned at any time by the death or illness of any animal imported under the Act, or by any accident or injury to any such animal. No compensation is payable under the Diseases of Animals Acts in respect of any animal which, having been allowed to be landed under the Act of 1925, is slaughtered in a quarantine station by reason of its being diseased or suspected of disease or of its having been exposed to the infection of any disease.

July, 1925.

6. IMPERIAL POLICY WITH REGARD TO FORESTRY.

It was decided to adopt the following Resolution:—

"That the Imperial Economic Conference accepts generally the Resolutions of the Empire Forestry Conference (Canada, 1923), and recommends them to the respective Governments of the Empire for their favourable consideration."

(*See pages* 306-309 *of Dominions No.* 91.)

60835

No. 214.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

[*Answered by Nos.* 216 *and* 217.]

(Canada. No. 20.)
(Commonwealth of Australia. No. 13.)

MY LORD, Downing Street, 10th January, 1925.

WITH reference to my predecessor's despatch Dominions No. 112 of the 12th of March, 1924,* and connected correspondence, on the subject of Forestry, and more particularly to Resolution 6 of the Empire Forestry Conference held at Ottawa in 1923, relative to the establishment of a Standing Committee on Empire Forestry, I have the honour to request Your Excellency to inform your Ministers that His Majesty's Government are anxious to set up the Standing Committee, and that they would be glad to learn whether the [Canadian] [Commonwealth] Government can arrange to appoint a representative on the Committee in accordance with the proposal contained in the Resolution.

2. Major R. D. Furse, D.S.O., has been appointed to represent the Colonial Office on the Committee.

I have, &c.,
L. S. AMERY.

1561

No. 215.

NEW SOUTH WALES.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 12th January, 1925.)

(No. 120.)

SIR, Government House, Sydney, 2nd December, 1924.

WITH reference to your predecessor's despatch of the 2nd August, Dominions No. 362,† on the subject of the Forestry Institute at Oxford, I have the honour to state that my Premier has advised me that the syllabus of the courses of study at the Institute will be published in the *Australian Forestry Journal* and will be brought under the notice of any prospective students.

I have, &c.,
D. R. S. DE CHAIR,
Governor.

27684

No. 216.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5.14 p.m., 17th June, 1925.)

TELEGRAM.

17TH JUNE. Your despatch of 10th January, No. 20.‡ Canadian Government suggests as its representative for the Standing Committee on Empire Forestry E. H. Finlayson, Director of the Forestry Department of the Interior, Ottawa.

My Ministers express their pleasure in the appointment to represent the Colonial Office of Major Furse, who rendered signal service to the 1923 Conference.—BYNG.

* No. 487 in Dominions No. 91. † No. 492 in Dominions No. 91. ‡ No. 214.

735

36603

No. 217.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.17 a.m., 10th August, 1925.)

TELEGRAM.

[*Answered by No.* 218.]

10TH AUGUST. Your despatch of 10th January, No. 13.* Commonwealth Government nominate C. E. Lane Poole, Commonwealth Forestry Adviser, as its representative on the Standing Committee on Empire Forestry.

High Commissioner has been requested to take steps with a view to R. L. Robinson, of the British Forestry Commission, acting on behalf of the Commonwealth Government at meetings of the Committee.—FORSTER.

38165

No. 218.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 4.15 p.m., 27th August, 1925.)

TELEGRAM.

YOUR telegram 10th August.† Standing Committee on Empire Forestry. Arrangements have been made as desired for R. L. Robinson, Technical Commissioner of British Forestry Commission, to act on behalf of Commonwealth Government at meetings of Committee. High Commissioner for Commonwealth informed. —AMERY.

38165

No. 219.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 380.)

MY LORD, Downing Street, 9th September, 1925.

WITH reference to Your Excellency's telegram of the 17th of June,‡ I have the honour to transmit to you, to be laid before your Ministers, the accompanying copy of telegraphic correspondence§ with the Governor-General of the Commonwealth of Australia regarding the representation of Australia on the Standing Committee on Empire Forestry.

I have, &c.,
L. S. AMERY.

---

* No. 214. † No. 217. ‡ No. 216. § Nos. 217 and 218.

44843

No. 220.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5th October, 1925.)

(No. 200.)

SIR, Governor-General's Office, Melbourne, 10th August, 1925.

WITH reference to your despatch dated 10th January, 1925, No. 13,* and to my telegram of to-day's date,† relative to the establishment of a Standing Committee on Empire Forestry, I have the honour to inform you that the Commonwealth Government nominates Mr. C. E. Lane Poole, Commonwealth Forestry Adviser, as its representative on the Committee.

In this connexion my Prime Minister informs me that it is proposed to invite Mr. R. L. Robinson, Technical Commissioner in the British Forestry Commission, who is already a member of the Committee, to act on behalf of the Commonwealth Government at meetings of the Standing Committee in London; and the High Commissioner is being asked by telegraph to take action accordingly.

I have, &c.,

FORSTER,

Governor-General.

---

* No. 214. † No. 217.

736

7. WORKMEN'S COMPENSATION.

It was decided to adopt the following Resolutions:—

Resolution I.

Non-Resident Workmen.

"That this Imperial Economic Conference, taking note of the existing restrictions in the Workmen's Compensation laws of certain parts of the British Empire on the payment of benefits to workmen and their dependents on the ground of non-residence in the State in which the accident happened, and having regard to the tendency of such restrictions to discourage movement within the Empire, is of opinion that no British subject who is permanently incapacitated, and no dependent of a British subject who has been killed, by accident due to his employment in any part of the Empire should be excluded from any benefit to which he would otherwise be entitled under the Workmen's Compensation law of that part of the Empire on the ground of his removal to or residence in another part of the Empire."

Resolution II.

Seamen.

"That this Imperial Economic Conference, having had its attention drawn to cases where British sailors injured by accident while serving on ships registered in some part of the Empire have had no claim to compensation owing to the law of that part of the Empire being restricted, in its application to seamen, to accidents occuring within territorial waters or other limited area, is of opinion that the Government of any such part of the Empire should ensure that the benefits of its compensation law will extend to all accidents to seamen serving on ships registered within such part of the Empire wherever the ship may be when the accident takes place. And, furthermore, the Conference invites the Government of any British Colony or Protectorate where there is a register of shipping, but where legislation giving compensation rights to seamen does not at present exist, to consider the adoption of such legislation."

Resolution III.

Aliens.

"That this Imperial Economic Conference, taking note of the disabilities imposed under the Workmen's Compensation laws of certain foreign countries on British subjects residing in those countries and their dependents, invites each Government of the Empire, regard being had to its own particular conditions, to consider the possibility of adopting in workmen's compensation legislation the principle of reciprocity—that is that the benefits of such legislation should be accorded to subjects of foreign countries upon the condition that and to the extent to which such foreign countries accorded reciprocal treatment to British subjects."

The Conference notes in adopting the foregoing Resolutions that in certain of the Dominions workmen's compensation falls wholly or partially within provincial or State jurisdiction, and is in those cases and to that extent outside the control of the Dominion Government.

(*See pages* 310-312 *of Dominions No.* 91.)

15657

No. 221.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 6th April, 1925.)

(No. 116.)

SIR, Government House, Ottawa, 24th March, 1925.

WITH reference to Mr. Thomas's despatch No. 155 of the 2nd April, 1924,* in which the hope of His Majesty's Government was expressed that the principles embodied in Resolutions I and II of the Imperial Economic Conference might prove acceptable to the Canadian Provinces, I have the honour to inform you that the matter having been brought to the attention of the several Provincial Governments, their replies,† copies of which are herewith enclosed, have now been received.

I have, &c.,

BYNG OF VIMY.

ANNEXURE.

Workmen's Compensation.

Replies of Canadian Provincial Governments on Resolutions of Imperial Economic Conference.

(A.) RESOLUTION I. NON-RESIDENT WORKMEN AND DEPENDENTS.

(i) *Ontario.*—Non-resident dependents of deceased workmen are entitled to compensation only if the law of the country where they reside makes reciprocal provision for residents in Ontario, and then only to compensation on the scale in force in such country. This principle is regarded as reasonable, and no change is proposed.

Non-resident workmen's compensation does not depend on residence: but it is the practice to commute a workman's compensation, when he ceases to reside in Ontario and returns to his native country, on a scale more approximating to the scale in force in that country than to the Ontario scale. (Section 43 of the Ontario Act.)

(ii) *Quebec.*—The recommendations of the Conference would require modifications which are not considered opportune.

(iii) *New Brunswick.*—Sends copies of legislation without comment. The legislation provides in the case of non-resident workmen for compensation to be reduced to the scale of the country of residence; and in the case of dependents, for compensation regarded as adequate on the basis of the cost of living in such country.

(iv) *Nova Scotia.*—Non-resident workmen and dependents are granted compensation on the scale in force in their country of residence: this principle is regarded as reasonable, and it is the business of the country concerned to increase its scale of compensation.

(v) *Prince Edward Island.*—No compensation legislation is in force.

(vi) *Manitoba.*—No restriction imposed on the amount of compensation payable to workmen or dependents on account of non-residence, provided that reciprocity exists.

(vii) *British Columbia.*—No restriction is imposed on the ground of non-residence in the case of workmen. Amount payable to non-resident dependents may, however, be reduced to an amount regarded as adequate in view of conditions and cost of living in the country of residence. This provision is regarded as fair. Reciprocity is not required.

(viii) *Alberta.*—Sends legislation without comment. No restriction is imposed on the ground of non-residence in the case either of workmen or dependents. But Section 35 of Workmen's Compensation Act (Consolidated) provides that it shall be conclusively presumed that a workman has, at the expiry of two years (in the case of a British subject) after his arrival in Canada, no dependents except father and/or mother save dependents residing in Canada.

---

* No. 495 in Dominions No. 91. † Not printed; summary of replies printed as Annexure.

737

(ix) *Saskatchewan.*—Legislation contains no provisions discriminating against dependents residing out of Saskatchewan.

(B.) RESOLUTION II. SEAMEN.

(i) *Ontario.*—The present law provides for compensation in respect of accidents outside Ontario either (*a*) if employer's principal place of business and workman's residence is in Ontario, and workman's employment outside has lasted less than six months, or (*b*) if accident happens on a vessel, and workman's residence is in Ontario, and his employment requires service partly inside and partly outside Ontario. (Section 6 of Ontario Act.) These provisions have covered practically all cases which have so far arisen, and it is not desired to extend them at present.

(ii) *Quebec.*—See under A(ii) above.

(iii) *New Brunswick.*—See under A(iii) above.

The Act appears to include seamen: but "navigation" is defined for the purposes of the Act as the "operation of any ship, etc., owned in New Brunswick while such vessels is within the limits of the said province." (Section 2(n)). But the workman could presumably claim the benefit of Section 7(*a*) which provides that "work part of which is to be performed in this province and part in an adjoining province or country, the work shall be considered as done and performed in this province."

(iv) *Nova Scotia.*—Refers to constitutional difficulties, since a province of Canada has no jurisdiction outside the Province. But Nova Scotia has made provision for seamen based on legislation with respect to contracts made within the Province. This would not assist, e.g., a British sailor engaged in England for service on a Nova Scotian ship, and legislation to this end would have to be effected by the Dominion Parliament. Refers to desirability of preventing overlapping of legislation.

(v) *Prince Edward Island.*—See under A(v) above.

(vi) *Manitoba.*—Expresses no opinion as regards seamen. But the position appears at present to be the same as in British Columbia. (See under vii below (Section 3(6) of cap. 159 of 1920 as amended by cap. 83 of 1921.)

(vii) *British Columbia.*—Compensation is given to a seaman on a vessel outside British Columbia if the seaman is a resident of the Province and the nature of his employment is such that it is to be performed both within and without the Province. This is thought to be as far as the Provincial Legislation is justified in going in the matter.

(viii) *Alberta.*—See under A (viii) above.

The provisions of the Act (Section 37) are similar to those of Section 6 of the Ontario Act referred to under B(i) above.

(ix) *Saskatchewan.*—Does not refer to the position of seamen. The Act (cap. 210 of R.S. 1920) does not appear to include seamen in its provisions.

Note.—The Dominion legislation to which Section 39 (l) of the New Brunswick Act refers is Part V of thhe Canada Shipping Act (R.S. 1906 cap. 113), which provides for the institution of a Sick Mariners' Fund from levies on ships, from which free medical treatment is provided for seamen on such ships.

---

8. IMPERIAL ECONOMIC COMMITTEE.

It was decided to adopt the following Resolution :—

"That in the opinion of this Imperial Economic Conference (Canada dissenting)—

(1.) It is desirable to establish an Imperial Economic Committee, comprising representatives of the Governments represented in the Imperial Conference, and responsible to those Governments.

(2.) The function of the Committee should be to consider and advise upon any matters of an economic or commercial character, not being matters appropriate to be dealt with by the Imperial Shipping Committee, which are referred to it by any of the constituent Governments, provided that no question which has any reference to another part of the Empire may be referred to the Committee without the consent of that other part of the Empire.

It was further decided that in the constitution of the proposed Imperial Economic Committee representation should be allotted to the various constituent Governments as follows :—

Great Britain	4 members.
Dominions	2 members each.
India	2 members.
Colonies and Protectorates ...	2 members.

(*See pages* 312-328 *of Dominions No.* 91.)

58524

No. 222.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 5.55 p.m., 6th January, 1925.)

TELEGRAM.

[*Answered by No.* 230.]

6TH JANUARY. Confidential. Your telegram 13th December.* His Majesty's Government regret if impression should have arisen that no note was taken of Canadian views on certain points connected with the proposed Committee; they would explain that object of my telegram of the 25th November† was to indicate that His Majesty's Government expressly adopted the proposal of the late Government (subject only to such minor modifications as appear in that telegram) as set out in my predecessor's telegram of 19th June.‡ Whilst question of title for Committee was not specifically raised in latter telegram it was understood from your telegram of 2nd July§ that Canadian Government were in accord with proposals for its constitution; and it will be seen that other Dominions whose replies have already been communicated to Canadian Government have assumed that title would be as proposed at Imperial Economic Conference.

It is gathered from your telegram of 13th December* that provided work of proposed Committee proves satisfactory Canadian Government would be prepared, if other Governments wish, to give favourable consideration to any proposal to refer kindred subjects for examination to the same or similar Committee. Accordingly while they have no wish to attempt to prejudice future consideration as to continuance of Committee after completion of its work on terms of reference at present proposed His Majesty's Government would regard it as unfortunate if, in the event of a decision being taken to continue Committee in being, it should be compelled to change its title and so lose any advantage it might have gained in general goodwill and reputation as a result of success in its first investigations.

His Majesty's Government agree that title suggested in your telegram would satisfactorily describe functions at present proposed for Committee; but on above grounds and also in view of statement made by Prime Minister in the House of Commons on 17th December (substance of which was foreshadowed in his message to your Prime Minister contained in my telegram of 13th December‖) regarding

* No. 533 in Dominions No. 91. † No. 527 in Dominions No. 91. ‡ No. 502 in Dominions No. 91.
§ No. 505 in Dominions No. 91. ‖ No. 310 in Dominions No. 91.

738

recommendations to be invited from Committee they much prefer the title originally agreed upon and they trust that your Government will not press question of alternative title.

Am communicating copy of your telegram 13th December and this reply to other Dominions by mail.—AMERY.

58524

No. 223.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 6.35 p.m., 6th January, 1925.)

TELEGRAM.

6TH JANUARY. Confidential. Please give following personal message from me to your Prime Minister with reference to my telegram of to-day* :—

Begins: I think that the general opinion among Governments concerned would undoubtedly be in favour of the title "Imperial Economic Committee" and as it is clear that there is agreement as to the functions of the proposed Committee and the need for its establishment is urgent I very much hope that you will be able to arrange for an affirmative reply to be sent to the official telegram. *Ends.*

—AMERY.

1062

No. 224.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.15 p.m., 6th January, 1925.)

TELEGRAM.

CONFIDENTIAL. 6th January. Your Confidential telegram of 25th November,† Imperial Economic Committee. Ministers concur in proposed alteration of the terms of reference and the proposal that the Committee should concentrate its attention first on meat and fruit.

Ministers also agree to appointment of Sir Halford Mackinder, Chairman of Imperial Shipping Committee, to be also Chairman of the Economic Committee. They have nominated Mr. Dimond, Trade Commissioner, High Commissioner's Office, London, as their representative on the Committee, vice Mr. Canham, whose services are no longer available.—ATHLONE.

968

No. 225.

INDIA OFFICE to BOARD OF TRADE.

(Received in Colonial Office 7th January, 1925.)

SIR, 6th January, 1925.

I AM directed by the Secretary of State for India to state, for the information of the President of the Board of Trade, that the proposals of His Majesty's Government to take immediate steps for the establishment of an Imperial Economic Committee on the lines explained in the announcement of the Prime Minister in the House of Commons on the 17th December have been communicated to the Government of India.

2. The Government of India have replied accepting the terms of reference of the Committee, the appointment of Sir Halford Mackinder as Chairman, and the proposal that two representatives of India should be included in the Committee.

* No. 222. † No. 527 in Dominions No. 91.

3. The Secretary of State for India has appointed Sir Atul Chandra Chatterjee, K.C.I.E., Indian Civil Service, High Commissioner for India designate, and Mr. M. M. S. Gubbay, C.S.I., C.I.E., Indian Civil Service (retired), General Manager of the P. & O. Banking Corporation, Limited, to be the representatives of India, subject to the understanding that whenever necessary Sir Atul Chatterjee may be represented by Mr. H. A. F. Lindsay, C.B.E., Indian Civil Service, Indian Trade Commissioner in London, as his substitute.

4. A copy of this letter has been sent to the Colonial Office.

I am, &c.,
J. C. WALTON.

1149

No. 226.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.47 a.m., 8th January, 1925.)

TELEGRAM.

8TH JANUARY. Your telegram of 25th November* regarding proposed setting up of Imperial Economic Committee. Firstly, New Zealand Government agree to proposed alteration(s) in the terms of the order of reference as indicated in the first paragraph of the telegram above mentioned. Secondly, appointment of Sir H. Mackinder as Chairman is acceptable to New Zealand Government. Thirdly, it is proposed to appoint Sir James Allen, High Commissioner, to be New Zealand's representative upon the Committee subject, of course, to his consenting so to act.—FERGUSSON.

58524

No. 227.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Commonwealth of Australia, New Zealand, Union of South Africa, Irish Free State, Newfoundland. — Confidential.)

[MY LORD,] [SIR,] Downing Street, 8th January, 1925.

WITH reference to [*Not to Newfoundland:* my Confidential despatch of the 5th December,†] [*To Newfoundland only:* your telegram of the 2nd December,‡] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of telegraphic correspondence§ with the Governor-General of Canada regarding the proposed Committee to deal with the marketing of oversea produce.

2. A similar despatch is being sent to the Governors-General of [*To Australia:* New Zealand, the Union of South Africa and the Irish Free State, and the Governor of Newfoundland.] [*To New Zealand:* the Commonwealth of Australia, the Union of South Africa and the Irish Free State, and the Governor of Newfoundland.] [*To Union of South Africa:* the Commonwealth of Australia, New Zealand and the Irish Free State, and the Governor of Newfoundland.] [*To Irish Free State:* the Commonwealth of Australia, New Zealand and the Union of South Africa, and the Governor of Newfoundland.] [*To Newfoundland:* the Commonwealth of Australia, New Zealand, the Union of South Africa and the Irish Free State.]

[*To Irish Free State only:* 3. I should be grateful for an early reply to my Confidential despatch of the 26th November‖ on this subject.]

I have, &c.,
L. S. AMERY.

---

* No. 527 in Dominions No. 91. † No. 532 in Dominions No. 91. ‡ No. 531 in Dominions No. 91.
§ No. 533 in Dominions No. 91 and No. 222. ‖ No. 528 in Dominions No. 91.

1062

739

No. 228.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada, Commonwealth of Australia, New Zealand, Irish Free State, Newfoundland. — Confidential.)

[MY LORD,] [SIR,] Downing Street, 9th January, 1925.

WITH reference to [*To Canada only:* my Confidential telegram of the 6th January*] [*To all except Canada:* my Confidential despatch of the 8th January†] I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, a copy of a telegram‡ from the Governor-General of the Union of South Africa on the subject of the proposed Committee on the marketing of oversea produce.

2. A similar despatch is being sent to the Governors-General of [the Commonwealth of Australia, New Zealand, and the Irish Free State, and the Governor of Newfoundland.] [Canada, New Zealand, and the Irish Free State, and the Governor of Newfoundland.] [Canada, the Commonwealth of Australia, and the Irish Free State, and the Governor of Newfoundland.] [Canada, the Commonwealth of Australia, and New Zealand, and the Governor of Newfoundland.] [Canada, the Commonwealth of Australia, New Zealand, and the Irish Free State.]

I have, &c.,
L. S. AMERY.

1149

No. 229.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada. Confidential (4).)
(Commonwealth of Australia. Confidential (4).)
(Union of South Africa. Confidential (2).)
(Irish Free State. Confidential (3).)
(Newfoundland. Confidential (2).)

[MY LORD,] [SIR,] Downing Street, 9th January, 1925.

WITH reference to [*To Canada:* my Confidential despatch of the 9th January§] [*To Commonwealth of Australia, Irish Free State, and Newfoundland:* my Confidential despatch of the 8th January†] [*To Union of South Africa:* Your Excellency's telegram of the 6th January‡] I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, a copy of a telegram‖ from the Governor-General of New Zealand regarding the proposed Committee on the marketing of oversea produce.

2. A similar despatch is being sent to the Governors-General of [the Commonwealth of Australia, the Union of South Africa, and the Irish Free State, and the Governor of Newfoundland.] [Canada, the Union of South Africa, and the Irish Free State, and the Governor of Newfoundland.] [Canada, the Commonwealth of Australia, and the Irish Free State, and the Governor of Newfoundland.] [Canada, the Commonwealth of Australia, and the Union of South Africa, and the Governor of Newfoundland.] [Canada, the Commonwealth of Australia, the Union of South Africa, and the Irish Free State.]

I have, &c.,
L. S. AMERY.

---

* No. 222. † No. 227. ‡ No. 224. § No. 228. ‖ No. 226.

1758

No. 230.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 3.55 a.m., 12th January, 1925.)

TELEGRAM.

[*Answered by No.* 232.]

11TH JANUARY. Confidential. Your telegram of 6th January,* Marketing Committee, received. My Ministers believe that the considerations against establishing permanent General Economic Committee and in favour of *ad hoc* Committee to consider specific questions of methods of increasing extent and economic efficiency of the marketing of overseas produce in Britain are conclusive. It is not necessary to repeat these considerations summarized in my telegram of 2nd July† and my telegram of 13th December,‡ particularly as they have not been controverted in any point(s) in your telegram of 25th November§ or your telegram of 6th January.* As to the title of the Committee, the Canadian Government still consider Overseas Produce Marketing Committee or some similar wording preferable. They have taken cognizance, however, of the fact noted in your telegram of 6th January that the Prime Minister, in announcement of 17th December, referred to proposed Committee under the name of the Imperial Economic Committee, and are not disposed to occasion any embarrassment that can be avoided. If, then, it is clearly understood that proposed committee is on *ad hoc* basis for specific purpose of marketing overseas produce inquiry and that any later proposal to establish similar *ad hoc* Committees for other inquiries will be considered on merits as questions arise, Canadian Government is prepared to waive objection to giving it the title of Imperial Economic Committee. As to the later proposal to instruct the Committee to inquire into the methods of using the grant of approximately £1,000,000 to further the importation of Dominions produce in lieu of the former preference plan, Canadian members would be prepared to give opinion regarding the feasibility from the Dominions standpoint of the various methods to be considered, though decision as to making any appropriation and as to how to expend it will, of course, rest with the British Government. Please inform my Ministers when it is proposed to begin the sittings of the Committee and probable length of inquiry. They will then nominate representative(s).—BYNG.

1758

No. 231.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 12.35 p.m., 15th January, 1925.)

TELEGRAM.

[*Answered by No.* 237.]

CONFIDENTIAL. My despatch 8th January, Confidential.‖ Canadian Government now agree to title of Imperial Economic Committee for proposed Committee on marketing. Assume that, in absence of reply to my despatch 26th November, Confidential,¶ your Ministers have no special comments to offer on points raised in telegram§ enclosed in latter despatch, regarding (*a*) terms of reference, (*b*) appointment of Chairman, (*c*) allocation of expenses. Steps will accordingly be taken at early date for setting up Committee. Does proposal for representation of Irish Free State by High Commissioner, see your despatch of 22nd October, Confidential.** paragraph 3, still hold?—AMERY.

---

* No. 222. † No. 505 in Dominions No. 91. ‡ No. 533 in Dominions No. 91. § No. 527 in Dominions No. 91. ‖ No. 227. ¶ No. 528 in Dominions No. 91. ** No. 525 in Dominions No. 91.

1758

740

No. 232.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 6.50 p.m., 20th January, 1925.)

TELEGRAM.

20TH JANUARY. Confidential. Your telegram 11th January.* His Majesty's Government are gratified to learn that in all the circumstances Canadian Government are prepared to acquiesce in title Imperial Economic Committee for proposed Committee. They agree that present proposal is to establish Committee with one specific reference and that any suggestions for further inquiries by same or similar body should be considered on their merits. Will telegraph further in reply to question at end of your telegram.—AMERY.

1758

No. 233.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Commonwealth of Australia. / New Zealand. / Union of South Africa. / Irish Free State. / Newfoundland. — Confidential.)

[MY LORD,] [SIR,] Downing Street, 21st January, 1925.

WITH reference to [*To Commonwealth of Australia, New Zealand, and Newfoundland:* my Confidential despatch of the 9th January,†] [*To Union of South Africa:* my Confidential (2) despatch of the 9th January,‡] [*To Irish Free State:* my telegram of the 15th January,§] I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, a copy of telegraphic correspondence with the Governor-General of Canada‖ on the subject of the proposed Committee on the marketing of overseas produce.

2. A similar despatch is being addressed to the Governor-General of [New Zealand, the Union of South Africa, and the Irish Free State, and the Governor of Newfoundland,] [the Commonwealth of Australia, the Union of South Africa, and the Irish Free State, and the Governor of Newfoundland.] [the Commonwealth of Australia, New Zealand, and the Irish Free State, and the Governor of Newfoundland.] [the Commonwealth of Australia, New Zealand, and the Union of South Africa, and the Governor of Newfoundland.] [the Commonwealth of Australia, New Zealand, the Union of South Africa, and the Irish Free State.]

I have, &c.,

L. S. AMERY.

3496

No. 234.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 6.4 p.m., 23rd January, 1925.)

TELEGRAM.

23RD JANUARY. My telegram 2nd December,¶ Representation on Imperial Economic Conference. On reconsideration my Ministers have appointed the High Commissioner for Newfoundland in London to represent Newfoundland. Glad if recognition be given to Captain Gordon accordingly.—ALLARDYCE.

---

* No. 230. † No. 228. ‡ No. 229. § No. 231. ‖ Nos. 230 and 232. ¶ No. 531 in Dominions No. 91.

1758

No. 235.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 4.20 p.m., 24th January, 1925.)

TELEGRAM.

[*Answered by Nos.* 239 *and* 247.]

24TH JANUARY. Confidential. My telegram 20th January,* Economic Committee. Composition of Committee nearly complete, and hoped to begin sittings immediately on appointment of remaining members. Accordingly, should be glad to learn as soon as possible who will be Canadian representatives. Anticipated that consideration of questions referred to Committee will occupy several months.—AMERY.

1758

No. 236.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 4.20 p.m., 24th January, 1925.)

TELEGRAM.

[*Answered by No.* 242.]

CONFIDENTIAL. Replies received to my telegram of 25th November† regarding Economic Committee now enable me to reply to last sentence of your telegram 26th November.‡ Composition of Committee now nearly complete, and hoped to begin sittings immediately on appointment of remaining members. Accordingly, should be glad to learn as soon as possible who will be representatives of Commonwealth of Australia. Anticipated that considerations of questions referred to Committee will occupy several months.—AMERY.

3915

No. 237.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 27th January, 1925.)

(Confidential.)

SIR, Vice Regal Lodge, Dublin, 26th January, 1925.

I HAVE the honour to refer to the proposals contained in your Confidential despatch of the 26th November last§ relating to the Imperial Economic Committee, and to say that my Ministers have no objection thereto.

2. With reference to the third paragraph of my despatch of the 22nd October, 1924,‖ my Ministers desire that, in addition to the High Commissioner of Saorstat Eireann in London, their second representative on the proposed Committee should be Mr. F. J. Meyrick, Secretary to the Department of Agriculture, it being understood that his place could be taken, if considered desirable, by some other officer who might be specially conversant with the subjects under discussion at any particular meeting of the Committee.

I have, &c.,
T. M. HEALY.

---

* No. 232. † No. 527 in Dominions No. 91. ‡ No. 529 in Dominions No. 91. § No. 528 in Dominions No. 91. ‖ No. 525 in Dominions No. 91.

3915

741

No. 238.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada. (Commonwealth of Australia. (New Zealand. (Union of South Africa. (Irish Free State. (Newfoundland. — Confidential.)

[MY LORD,] [SIR,] Downing Street, 31st January, 1925.

WITH reference to my [*To Canada and Australia:* telegram of the 24th January,*] [*To New Zealand, South Africa, Irish Free State and Newfoundland:* Confidential despatch of the 21st January,†] I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, copies of telegrams‡ to the Governors-General of [*To Canada:* the Commonwealth of Australia and the Irish Free State] [*To Australia:* Canada and the Irish Free State] [*To New Zealand, South Africa and Newfoundland:* Canada, the Commonwealth of Australia and the Irish Free State] [*To Irish Free State:* Canada and the Commonwealth of Australia] [*To Newfoundland:* and] [*Not to Irish Free State:* a despatch from the Governor-General of the Irish Free State] [*Not to Newfoundland:* and a telegram from the Governor of Newfoundland] on the subject of the proposed Imperial Economic Committee.

I have, &c.,
L. S. AMERY.

5960

No. 239.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2.50 a.m., 7th February, 1925.)

TELEGRAM.

CONFIDENTIAL. 6th February. Your telegrams of 20th January and 24th January.§ My Ministers have appointed two representatives on the Imperial Economic Committee on *ad hoc* basis agreed in recent exchange of communications. Representatives are J. Forsyth Smith of the Trade Commissioner's staff, now in England, and L. McOuatt, Live Stock Branch of the Department of Agriculture, who will sail in a few days.—BYNG.

5960

No. 240.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Commonwealth of Australia. (New Zealand. (Union of South Africa. (Irish Free State. (Newfoundland. — Confidential.)

[MY LORD,] [SIR,] Downing Street, 13th February, 1925.

WITH reference to my Confidential despatch of the 31st January,‖ I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, a copy of a telegram¶ from the Governor-General of Canada on the subject of the proposed Imperial Economic Committee.

---

* Nos. 235 and 230. † No. 233. ‡ Nos. 231, 235, 236, 237, and 234. § Nos. 232 and 235. ‖ No. 238. ¶ No. 239.

2. A similar despatch is being sent to the Governors-General of [*To Australia:* New Zealand, the Union of South Africa and the Irish Free State, and the Governor of Newfoundland.] [*To New Zealand:* the Commonwealth of Australia, the Union of South Africa and the Irish Free State, and the Governor of Newfoundland.] [*To Union of South Africa:* the Commonwealth of Australia, New Zealand and the Irish Free State, and the Governor of Newfoundland.] [*To Irish Free State:* the Commonwealth of Australia, New Zealand, the Union of South Africa, and the Governor of Newfoundland.] [*To Newfoundland:* the Commonwealth of Australia, New Zealand, the Union of South Africa and the Irish Free State.]

I have, &c.,
L. S. AMERY.

7231

No. 241.

NATIONAL FARMERS' UNION to COLONIAL OFFICE.

[*Answered by No.* 255.]

45, Bedford Square, London, W.C.1, 14th February, 1925.

Imperial Economic Committee.

DEAR SIR,

IN connexion with the Government's policy of assisting the marketing of Empire produce in this country, Mr. Churchill stated in the House of Commons on 17th December last, that "Great care will have to be taken in the administration of this policy, about which full details will be given at a later stage, to make sure that we do not, in so doing, do an injustice to our own domestic producers. We wish to encourage Empire production at the expense of the foreign product, but not at the expense of the domestic producer."

In the reference to the subject which he made at the Annual General Meeting of this Union last month, Mr. R. R. Robbins, our President, stated:—"When a proposal is made for granting financial assistance to Empire producers to facilitate the marketing of their produce in this country, the Union feels justified in assuming that inasmuch as its members are amongst the most loyal of producers a fair share of the grant will be allocated to them."

We note with satisfaction that in a recent speech at the Royal Colonial Institute the Secretary of State for the Colonies, in referring to the scope of the functions of the proposed Imperial Economic Committee, stated that "that Committee might in the utilization of this sum (i.e., the proposed annual grant of £1,000,000), and in many other ways, do a great deal to help to secure the British market for Empire goods—and when I say Empire goods I should like to make it clear that I do not exclude the goods of this part of the Empire and least of all the produce of its agriculture."

Whilst, as I have said, we regard Mr. Amery's statement with satisfaction, I am instructed to say that we hope that this organization will be given due representation on the proposed Imperial Economic Committee, which will deal with the utilization of the grant appropriated by the Government for the assistance of the marketing of Empire produce. Having regard to the views expressed by Mr. Amery, as quoted above, we feel sure that he will appreciate the reasonableness of our request.

Yours faithfully,
J. B. GUILD,
Secretary.

7489

742

No. 242.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 11.15 a.m., 16th February, 1925.)

TELEGRAM.

[*Answered by No.* 244.]

16TH FEBRUARY. Your telegram of 24th January.* Economic Committee. Prime Minister advises that the principal delegate whom the Commonwealth Government desire to appoint cannot arrive in England until the beginning of June. If sittings of the Conference are to be held in the near future Commonwealth Government will make immediate temporary appointment but desirous not to do this if sittings will not be held until after the Budget has been introduced. Prime Minister would be glad to receive as soon as possible your views as he will leave for the country on Wednesday.—FORSTER.

7606

No. 243.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.25 a.m., 17th February, 1925.)

TELEGRAM.

17TH FEBRUARY. My telegram of 8th January.† My Ministers would be glad if, in addition to the High Commissioner, Mr. R. S. Forsyth, London Manager of New Zealand Producers Board, could also represent this Dominion on the Imperial Economic Committee.—FERGUSSON.

7489

No. 244.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 2.35 p.m., 17th February, 1925.)

TELEGRAM.

[*Answered by No.* 245.]

YOUR telegram of 16th February.‡ Economic Committee. As representatives of all other Governments already in this country except one from Canada who is now on his way here, we had hoped that sittings of Committee would begin almost at once. Consequently we would much prefer that Commonwealth Government should make immediate appointment pending arrival of principal delegate.—AMERY.

Attached to 7489

No. 245.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1.55 p.m., 18th February, 1925.)

TELEGRAM.

18TH FEBRUARY. Your telegram of 17th February.§ In view of desire that Committee should sit at once, Prime Minister is taking steps for immediate appointment. Name(s) will be communicated to you in the course of a few days.—FORSTER.

---

* No. 236. † No. 226. ‡ No. 242. § No. 244.

8261

No. 246.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1.47 p.m., 20th February, 1925.)

TELEGRAM.

20TH FEBRUARY. My telegram of 18th February.* Economic Committee. Commonwealth Government has appointed Sir Mark Sheldon as one of the Australian representatives. The name of the other representative will be communicated in the course of a few days.—FORSTER.

8577

No. 247.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 23rd February, 1925.)

(Confidential.)

SIR, Government House, Ottawa, 11th February, 1925.

WITH reference to your Confidential telegram of the 24th ultimo,† inquiring as to the appointment of the Canadian representatives on the Imperial Economic Committee, I have the honour to transmit, herewith, copies of the approved Minute of the Privy Council for Canada upon which my telegram of the 6th instant‡ was based.

I have, &c.,
BYNG OF VIMY.

Enclosure in No. 247.

(P.C. 197.)

CERTIFIED COPY OF A MINUTE OF A MEETING OF THE COMMITTEE OF THE PRIVY COUNCIL, APPROVED BY HIS EXCELLENCY THE GOVERNOR-GENERAL ON THE 5TH FEBRUARY, 1925.

THE Committee of the Privy Council have had before them a report, dated 3rd February, 1925, from the Secretary of State for External Affairs, submitting, with reference to a confidential telegram, dated 24th January, 1925, from the Secretary of State for the Colonies, asking to be informed of the Canadian representatives on the Imperial Economic Committee:—

That in a telegram dated 19th June, 1924, the Secretary of State for the Colonies proposed the establishment of an Imperial Economic Committee on the lines discussed at the Imperial Economic Conference in the preceding year, with four representatives from Great Britain and two from each Dominion and from India, to which would be assigned in the first instance the task of inquiring into the possibility of improving the method of preparing for market and marketing within the United Kingdom the food products of the overseas parts of the Empire with a view to increasing the consumption of such products in the United Kingdom and promoting the interest of both producers and consumers, meat and fruit being first considered and tariff issues excluded.

That in a telegram of the 2nd July the Canadian Government replied welcoming such an inquiry but taking exception to the establishment of a permanent committee in London with a fixed personnel to inquire into all inter-imperial economic questions, and proposing the appointment of an *ad hoc* committee.

That on the 25th November, after the change of Government, the present British Government repeated the proposal of its predecessors with an alteration in the terms of reference to indicate that any increased consumption of oversea produce is to be at the expense of foreign rather than of home producers, suggesting

* No. 245. † No. 235. ‡ No. 239.

743

Sir Halford Mackinder as Chairman of the Committee and offering to pay at the outset the whole expenses of the Committee apart from travelling and other personal expenses of the overseas representatives.

That on the 13th December the Canadian Government replied repeating the expression of its readiness to take part in the inquiry, and its objections to a permanent committee, and suggesting that the Committee be entitled the Overseas Produce Marketing Committee.

That on the same date a telegram was received from the Secretary of State for the Colonies intimating that it was proposed to instruct the Committee to inquire into methods of using a possible grant of approximately one million pounds to be made by the British Treasury in lieu of former tariff preference proposals, and to be applied to assisting the marketing of overseas products without injury to British producers; while in a further telegram of the 6th January, 1925, he stated reasons for desiring to adhere to the title as originally proposed, including the fact that it had been announced in those terms by the Prime Minister.

That on the 11th January the Canadian Government expressed willingness to accept the title Imperial Economic Committee, used in the Prime Minister's announcement, if it was clearly understood that the Committee was to be an *ad hoc* basis for the specific purpose of inquiry into marketing overseas produce, and added that the Canadian members would be prepared to give an opinion upon the feasibility from the Dominion standpoint of various methods of using the proposed grant, though the decision as to making any appropriation and the method of expending it would rest with the British Government.

That in subsequent telegrams of the 20th and 24th January the Secretary of State for the Colonies expressed agreement that the present proposal is to establish a committee with one specific reference, and that any suggestions for a further inquiry by the same or a similar body should be considered on their merits, further stating that the composition of the Committee was nearly completed, that it was hoped to begin sittings very shortly and asking to be informed as soon as possible of the names of the Canadian representatives.

The Minister therefore recommends that the Government of Canada agree to the establishment of a committee on the basis suggested, and that with a view to the most practical presentation of the interests of Canadian producers and to emphasize the *ad hoc* character of the Committee, representatives closely in touch with the marketing of meat and fruit be selected.

The Minister further recommends, with the concurrence of the Ministers of Agriculture and of Trade and Commerce, that Mr. L. C. McOuatt of the Live Stock Branch of the Department of Agriculture, who is familiar with the meat industry in Canada and Great Britain, and Mr. J. Forsythe Smith, of the Trade Commissioner staff of the Department of Trade and Commerce, with special charge of the interests of Canadian fruit industry in Great Britain, be appointed as the two representatives of Canada on the said Committee, and that due notification of such appointments be made to the Right Honourable the Secretary of State for the Colonies.

The Committee concur in the foregoing and submit the same for Your Excellency's approval.

E. J. LEMAIRE,
Clerk of the Privy Council.

7606

No. 248.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.

Dominions No. 78. Confidential.)

[MY LORD,] [SIR,] Downing Street, 23rd February, 1925.

[*To Canada, Australia and New Zealand:* With reference to Your Excellency's telegram of the [6th February,*] [16th February,†] [17th February,‡]]

* No. 239. † No. 242. ‡ No. 243.

[*To Union of South Africa, Irish Free State and Newfoundland:* With reference to my Confidential despatch of the 13th February,*] I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, a copy of [*Not to Australia:* telegraphic correspondence† with the Governor-General of the Commonwealth of Australia] [*Not to Australia and New Zealand:* and of] [*Not to New Zealand:* a telegram‡ from the Governor-General of New Zealand] on the subject of the proposed Imperial Economic Committee.

I have, &c.,
L. S. AMERY.

7952

No. 249.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 5.35 p.m., 24th February, 1925.)

TELEGRAM.

[*Answered by No.* 252.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

24TH FEBRUARY. Confidential. My telegram 25th November§ and subsequent correspondence regarding Imperial Economic Committee. Following is text of announcement of setting up of Committee which it is proposed to issue to Press here as soon as names are complete, unless other Governments concerned have in meantime offered any comments:—

Begins: [See enclosure in No. 256.] *Ends.*

Similar message sent to other Dominions.—AMERY.

7962

No. 250.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Confidential.)

SIR, Downing Street, 25th February, 1925.

WITH reference to my Confidential despatch of the 26th November,‖ and subsequent correspondence regarding the proposed Imperial Economic Committee, I have the honour to transmit to Your Excellency, to be laid before your Ministers, a copy of a telegram¶ to the other self-governing Dominions regarding the terms of a proposed announcement in the Press of the setting up of the Committee.

I have, &c.,
L. S. AMERY.

9255

No. 251.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.20 a.m., 26th February, 1925.)

TELEGRAM.

26TH FEBRUARY. My telegram 20th February.** Commonwealth Government has appointed Mr. F. L. McDougall to act as Australia's second representative on the Economic Committee.—FORSTER.

---

* No. 240. † Nos. 242, 244 and 245. ‡ No. 243. § No. 527 in Dominions No. 91. ‖ No. 528 in Dominions No. 91. ¶ No. 249. ** No. 246.

744

10034

No. 252.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.20 a.m., 3rd March, 1925.)

TELEGRAM.

3RD MARCH. Your telegram of 24th February.* Commonwealth Government concurs in terms of suggested statement in connexion with the Imperial Economic Committee.—FORSTER.

10034

No. 253.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 10 p.m., 3rd March, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)

3RD MARCH. Composition of Imperial Economic Committee now complete and announcement in terms set out in my [*Not to Irish Free State:* telegram 24th February*] [*To Irish Free State:* despatch 25th February†] will be issued to Press here for publication on Friday morning. Representatives of His Majesty's Government will be Sir Thomas Allen, W. S. Crawford and Sir Algernon Firth. Secretary will be H. Broadley, Board of Trade, who acted as one of Assistant Secretaries to delegation representing His Majesty's Government at Imperial Economic Conference, 1923.—AMERY.

8577

No. 254.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada. / Commonwealth of Australia. / New Zealand. / Union of South Africa. / Irish Free State. / Newfoundland.) Dominions No. 95. Confidential.)

[MY LORD,] [SIR,] Downing Street, 4th March, 1925.

WITH reference to my Confidential despatch Dominions No. 78 of the 23rd February,‡ I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, a copy of [*Not to Canada:* a despatch§ from the Governor-General of Canada] [*Not to Canada and Australia:* and of] [*Not to Australia:* two telegrams‖ from the Governor-General of the Commonwealth of Australia] on the subject of the proposed Imperial Economic Committee.

I have, &c.,
L. S. AMERY.

---

* No. 249. † No. 250. ‡ No. 248. § No. 247. ‖ Nos. 246 and 251.

10567

No. 255.

COLONIAL OFFICE to NATIONAL FARMERS' UNION.

DEAR SIR, Downing Street, 5th March, 1925.

IN further reply to your letter of the 14th of February,* I am desired by Mr. Amery to say that he fears that it will not be practicable to arrange for direct representation of the National Farmers' Union on the proposed Imperial Economic Committee. He wishes me, however, to assure you that the points mentioned in your letter are receiving the most careful consideration of His Majesty's Government.

The Imperial Economic Committee which it is proposed to appoint will not exercise any administrative functions in regard to expenditure. As regards the proposed annual grant, it will, as the Prime Minister announced on the 17th December last, be invited to make recommendations in an advisory capacity regarding schemes intended to secure for producers in the oversea parts of the Empire a larger share of that portion of the United Kingdom market in foodstuffs which has to be supplied by importation from abroad; and Mr. Amery has no doubt that, if and when any proposals are made which may affect the interests of the home producers, the Minister of Agriculture would use every endeavour to see that full consideration is given to their position.

Yours faithfully,
W. C. HANKINSON.

10034

No. 256.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
Dominions No. 98.)

[MY LORD,] [SIR,] Downing Street, 6th March, 1925.

WITH reference to my telegram of the 3rd March,† I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, copies of the formal announcement of the establishment of the Imperial Economic Committee.

I have, &c.,
L. S. AMERY.

Enclosure in No. 256.

Colonial Office, 5th March, 1925.

IMPERIAL ECONOMIC COMMITTEE.

IN the course of the debate on the Address in the House of Commons on 17th December, 1924, the Prime Minister referred to the constitution of a Committee to deal with the marketing in the United Kingdom of the food products of the oversea parts of the Empire. His announcement followed on discussions between His Majesty's present Government and their predecessors and the other Governments represented at the Imperial Economic Conference, 1923, regarding the Resolution (pages 18-19 of Cmd. 1990) as to the appointment of an Imperial Economic Committee.

It has now been decided to set up a Committee of an *ad hoc* character to be called the Imperial Economic Committee, representing His Majesty's Government and the Governments of the self-governing Dominions, India, and the Colonies and Protectorates with the following terms of reference:—

* No. 241. † No. 253.

745

"To consider the possibility of improving the methods of preparing for market and marketing within the United Kingdom the food products of the oversea parts of the Empire with a view to increasing the consumption of such products in the United Kingdom in preference to imports from foreign countries, and to promote the interests both of producers and consumers."

It has also been agreed that the Committee should concentrate its attention first on meat and fruit.

It has further been arranged that the Committee should be invited to make recommendations regarding schemes upon which useful expenditure might be incurred out of the grant which the Prime Minister announced was to be devoted by His Majesty's Government to securing for producers in the oversea parts of the Empire a larger share of that portion of the United Kingdom market in foodstuffs which has to be supplied by importation from abroad.

Sir Halford Mackinder, who is also Chairman of the Imperial Shipping Committee, has, by agreement between the Governments concerned, been appointed Chairman of the new Committee. The other members will be:—

Representing the United Kingdom—
Sir Thomas Allen, Director of the Co-operative Wholesale Society.
Mr. W. S. Crawford, of Messrs. W. S. Crawford, Ltd.
Sir Algernon Firth, Bart., late President of the Association of Chambers of Commerce of the United Kingdom.

Representing Canada—
Mr. J. Forsythe Smith, of the Canadian Trade Commissioner Service.
Mr. L. McOuatt, of the Department of Agriculture, Ottawa.

Representing the Commonwealth of Australia—
Sir Mark Sheldon, K.B.E., Chairman of the Australian Bank of Commerce.
Mr. F. L. McDougall, one of the Business Advisers to the Australian Delegation at the Imperial Economic Conference, 1923.

Representing New Zealand—
The Hon. Sir James Allen, K.C.B., High Commissioner for New Zealand.
Mr. R. S. Forsyth, London Manager of the New Zealand Producers Board.

Representing the Union of South Africa—
Mr. J. Dimond, Trade Commissioner for the Union of South Africa in London.

Representing the Irish Free State—
Mr. James McNeill, High Commissioner for the Irish Free State.
Mr. S. J. Meyrick, Secretary, Department of Agriculture, Dublin.

Representing Newfoundland—
Captain Victor Gordon, High Commissioner for Newfoundland.

Representing India—
Sir Abul Chandra Chatterjee, K.C.I.E., High Commissioner for India.
Mr. M. M. S. Gubbay, C.S.I., C.I.E., late I.C.S., formerly Secretary to the Finance Department, Government of India.

Representing the Colonies and Protectorates—
Sir Gilbert Grindle, K.C.M.G., C.B., Senior Assistant Under-Secretary of State, Colonial Office.
(A second representative of the Colonies and Protectorates will be selected from a panel including representatives of certain Associations connected with the Colonies.)

The Secretary to the Committee will be Mr. H. Broadley, Board of Trade, to whom all communications on matters affecting the work of the Committee should be addressed, at the Board of Trade, Great George Street, S.W.1.

12090

No. 257.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL AND GOVERNOR.

(Sent 11.20 a.m., 14th March,, 1925.)

TELEGRAM.

[*Answered by Nos.* 260, 261, 262, 263 *and* 265.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

14TH MARCH. Confidential. My telegram 3rd March.* It has been represented to me in connexion with establishment of Imperial Economic Committee that Government of Southern Rhodesia, in view of interest to them of matters to be discussed, would welcome being afforded opportunity to appoint one representative as member of Committee. His Majesty's Government would see no objection to such appointment, subject to any views expressed by other Governments already represented on Committee. Should be grateful for early reply. Similar message sent to other Dominions.—SECRETARY OF STATE FOR THE COLONIES.

12090

No. 258.

IRISH FREE STATE.

THE SECRETARY OF STATE to the GOVERNOR-GENERAL.

[*Answered by No.* 266.]

(Confidential.)

SIR, Downing Street, 16th March, 1925.

WITH reference to my despatch Dominions No. 98 of the 6th March,† I have the honour to transmit to Your Excellency, to be laid before your Ministers, a copy of a telegram‡ to the other self-governing Dominions regarding the suggested appointment of a representative of Southern Rhodesia on the Imperial Economic Committee.

2. I should be glad to learn, as soon as possible, whether your Ministers would see any objection to the appointment of such a representative.

I have, &c.,
L. S. AMERY.

12090

No. 259.

COLONIAL OFFICE to INDIA OFFICE.

[*Answered by No.* 264.]

SIR, Downing Street, 16th March, 1925.

WITH reference to previous correspondence on the subject of the establishment of the Imperial Economic Committee, I am directed by Mr. Secretary Amery to transmit to you, to be laid before the Secretary of State for India, a copy of a despatch§ to the Irish Free State, and of a telegram‡ to the other self-governing Dominions, regarding the suggested representation of Southern Rhodesia on the Committee.

2. Mr. Amery would be glad to learn whether the Secretary of State for India sees any objection to the proposed appointment of a representative of Southern Rhodesia on the Committee.

I am, &c.,
G. G. WHISKARD.

---

* No. 253. † No. 256. ‡ No. 257. § No. 258.

746

12435

No. 260.

CANADA.

THE GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 6.40 p.m., 16th March, 1925.)

TELEGRAM.

16TH MARCH. Confidential. Your telegram 14th March.* My Ministers have no objection to the appointment of Southern Rhodesia representative on the Imperial Economic Committee.—BYNG.

12720

No. 261.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 1.35 p.m., 18th March, 1925.)

TELEGRAM.

18TH MARCH. Your telegram 14th March, Confidential.* Commonwealth Government has no objection to course suggested regarding representation of Southern Rhodesia, Imperial Economic Committee.—FORSTER.

12982

No. 262.

NEWFOUNDLAND.

THE GOVERNOR to the SECRETARY OF STATE.

(Received 7.20 a.m., 20th March, 1925.)

TELEGRAM.

19TH MARCH. Confidential. Your telegram of 14th March.* Representative of Southern Rhodesia on Imperial Economic Committee. My Ministers agree.—ALLARDYCE.

13499

No. 263.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to the SECRETARY OF STATE.

(Received 3.9 p.m., 23rd March, 1925.)

TELEGRAM.

23RD MARCH. Confidential. Your telegram of 14th March, Confidential.* Ministers have no objection to the Government of Southern Rhodesia appointing one representative as member of the Imperial Economic Committee, and would welcome the presence of such representative.—ATHLONE.

---

* No. 257.

13664

No. 264.

INDIA OFFICE to COLONIAL OFFICE.

SIR, India Office, Whitehall, London, S.W.1, 23rd March, 1925.

WITH reference to your letter of the 16th March,* regarding the suggested representation of Southern Rhodesia on the Imperial Economic Committee, I am directed by the Secretary of State for India to state, for the information of the Secretary of State for the Colonies, that after consulting the Government of India on the matter he has no objection to the appointment of a representative of Southern Rhodesia to serve on the Committee.

I have, &c.,
E. J. TURNER,
Secretary, Economic and Overseas Department.

14384

No. 265.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2.0 a.m., 29th March, 1925.)

TELEGRAM.

29TH MARCH. Confidential. Your telegram of 14th March.† No objection whatever on the part of the New Zealand Government to the appointment of a representative of Southern Rhodesia upon the Imperial Economic Committee.—FERGUSSON

15421

No. 266.

IRISH FREE STATE.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 3rd April, 1925.)

(Confidential.)

SIR, Vice Regal Lodge, Dublin, 2nd April, 1925.

I HAVE the honour to acknowledge the receipt of your Confidential despatch of the 16th March‡ transmitting a copy of a telegram† to the other Dominions regarding the suggested appointment of a representative of Southern Rhodesia on the Imperial Economic Committee.

2. My Ministers desire me to inform you that they have no objection to the appointment of such a representative. I understand that you have already been advised to this effect by the High Commissioner in London.

I have, &c.,
T. M. HEALY.

14384

No. 267.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 4.15 p.m., 3rd April, 1925.)

TELEGRAM.

[*Answered by No.* 269.]

3RD APRIL. Following on discussion between Governments represented at Imperial Economic Conference 1923 Committee has recently been set up here under chairmanship of Sir Halford Mackinder with title Imperial Economic Committee

* No. 259. † No. 257. ‡ No. 258.

and following terms of reference: "To consider possibility of improving methods of preparing for market and marketing within United Kingdom food products of the oversea parts of the Empire with a view to increasing consumption of such products in the United Kingdom in preference to imports from foreign countries and to promote interests both of producers and consumers." Committee will concentrate attention first on meat and fruit. Committee have also been invited to make recommendations regarding schemes upon which useful expenditure might be incurred out of the grant to be devoted by His Majesty's Government, see *Hansard* 17th December, 1924, to securing for producers in the oversea parts of the Empire a larger share of that portion of the United Kingdom market which has to be supplied by importation from abroad. Before announcement made of appointment of Committee, question how best to arrange for participation of Southern Rhodesia in its work had been under consideration here, and on learning from High Commissioner that appointment of additional member was likely to be welcomed by your Ministers His Majesty's Government took steps to ascertain views of other Governments concerned. I am glad to say that all Governments now represented on Committee have agreed to appointment of one representative of Southern Rhodesia. If your Ministers desire to make appointment should be glad to learn as soon as possible name of representative as meetings of Committee have already begun.—AMERY.

16720

No. 268.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 11.2 a.m., 11th April, 1925.)

TELEGRAM.

11TH APRIL. Imperial Economic Committee. New Zealand Government approve of Mr. Alexander Crabb, Secretary, High Commissioner's Department in London, acting on Committee on such occasions when Sir James Allen is unable to do so.—FERGUSSON.

17670

No. 269.

SOUTHERN RHODESIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 4.40 p.m., 18th April, 1925.)

TELEGRAM.

18TH APRIL. Your telegram dated 3rd April.* At the request of my Ministers I nominate High Commissioner Southern Rhodesia as this Government's representative on Imperial Economic Committee.—CHANCELLOR.

17670

No. 270.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada. / Commonwealth of Australia. / New Zealand. / Union of South Africa. / Irish Free State. / Newfoundland.) Dominions No. 178. Confidential.)

[MY LORD,] [SIR,] Downing Street, 25th April, 1925.

WITH reference to my Confidential [telegram of 14th March,†] [despatch of 16th March,‡] I have the honour to transmit to [Your Excellency,] [you,] to be laid

* No. 267. † No. 257. ‡ No. 258.

before your Ministers, the accompanying copy of correspondence* with the Governor of Southern Rhodesia regarding the representation of Southern Rhodesia on the Imperial Economic Committee.

2. An announcement† of Sir F. Newton's appointment has been communicated to the Press here.

I have, &c.,
(for the Secretary of State),
W. ORMSBY-GORE.

Annexure.

NOTICE ISSUED TO THE PRESS ON 24TH APRIL FOR PAPERS OF 25TH APRIL.

Imperial Economic Committee.

SIR FRANCIS NEWTON, K.C.M.G., C.V.O., High Commissioner for Southern Rhodesia, has been appointed by the Government of Southern Rhodesia to act as its representative on the Imperial Economic Committee.

34767

No. 271.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Sent 8.5 p.m., 29th July, 1925.)

TELEGRAM.

[*Answered by Nos.* 272 *and* 280.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)
(Southern Rhodesia.)

29TH JULY. Confidential. Chairman of Imperial Economic Committee has asked me to send following message :—

Begins: Expect Imperial Economic Committee will sign to-morrow General and Meat Reports which it is proposed publish 5th August provided no Government opposes before 4th August. Following summary recommendations. Time ripe for national effort stimulate consumption Empire produce in Great Britain, this scheme to rest on British Government legislation for identification of Empire produce and financial assistance for comprehensive scheme of education and publicity. Proposed legislation provides imported meat and fruit be marked with country of origin or in case of Empire countries the broader designation to suffice.

When exposed for sale must be labelled as Empire or foreign, and where Empire produce at time of importation bears name of country this must also be exhibited on Empire label. Removal of producer's marks of origin from canned goods to be prohibited. Committee also recommend small British Commission to administer annual grant of British Government. This Commission to be charged with conducting educational and publicity campaign to promote trade in Empire produce, to which purpose largest portion of grant is allotted. A scheme for co-ordinated research into production and preservation of foodstuffs is of prime importance and provision made to give this practical effect. Provision made for promoting fruit growing in tropical portions of Empire and carriage of stud stock from Britain to overseas parts of Empire. Recommended that law governing importation of live animals into Britain be amended so as to place all Dominions on equal basis. Governments of the Empire urged to continue to encourage standardization of products to meet market requirements. If no objections registered by 4th August British Government will notify date this epitome released for simultaneous publication throughout Empire. Committee taking further evidence on fruit reference and will report later. *Message Ends.*

—AMERY.

---

* Nos. 207 and 269. † Annexure.

748

35760

No. 272.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 5.22 p.m., 4th August, 1925.)

TELEGRAM.

CONFIDENTIAL. 4th August. Your Confidential telegram of 29th July.* Publication of General and Meat Reports of Imperial Economic Committee. Ministers state that the Union Government cannot object to publication of such reports, but of course will not hold itself bound by any recommendation made therein. Any recommendation affecting the Union of South Africa will be considered when full drafts received.—ATHLONE.

34767

No. 273.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Sent 7.25 p.m., 4th August, 1925.)

TELEGRAM.

[*Answered by No.* 280.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)
(Southern Rhodesia.)

4TH AUGUST. Confidential. My telegram 29th July.* Will telegraph later regarding publication of Reports of Imperial Economic Committee. Meantime should be glad if release of summary of reports could be deferred.—AMERY.

36396

No. 274.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Sent 2.30 p.m., 8th August, 1925.)

TELEGRAM.

[*Answered by No.* 280.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)
(Southern Rhodesia.)

8TH AUGUST. Confidential. My telegram 4th August.† Arrangements made for publication here of General Report of Imperial Economic Committee on Monday next, 10th August, at 11 a.m., together with letter of thanks to Chairman on behalf of His Majesty's Government stating that His Majesty's Government will give careful consideration to recommendations of Committee but that they are not

---

* No. 271. † No. 273.

to be understood as being committed to them at this stage. In the meantime no objection, so far as His Majesty's Government concerned, to release of epitome contained in Chairman's message in my telegram 29th July* for publication simultaneously by your Government subject to omission of sentence beginning "recommended that law governing importation" down to "Dominions on equal basis." Will telegraph later as to date of publication of Meat Report to which sentence in question refers.—AMERY.

37319

No. 275.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada. / Commonwealth of Australia. / New Zealand. / Union of South Africa. / Irish Free State. / Newfoundland. / Southern Rhodesia. No. 313.) — Dominions No. 353.)

[MY LORD,] [SIR,] Downing Street, 14th August, 1925.

WITH reference to [*Not to Southern Rhodesia:* my despatch Dominions No. 98 of the 6th of March,†] [*To Southern Rhodesia only:* your telegram of the 18th of April,‡] I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, copies of the First General Report of the Imperial Economic Committee on Marketing and Preparing for Market of Foodstuffs produced in the Overseas Parts of the Empire (Cmd. 2493).

2. I also enclose copies of a letter addressed to Sir Halford Mackinder, Chairman of the Committee, by the Prime Minister.

[*Not to New Zealand and Irish Free State:* 3. Further copies of Cmd. 2493 are being sent in Library despatch.]

I have, &c.,
L. S. AMERY.

Enclosure in No. 275.

LETTER FROM THE PRIME MINISTER TO SIR HALFORD MACKINDER.

"IT affords me much gratification that the Committee over which you have been presiding should have found it possible to make so full a report by the close of the present session. May I take this opportunity of thanking you and all those who have served on the Committee for undertaking the heavy strain which the work of the Committee must inevitably have involved.

Whilst I have not yet had time to read the Report in detail and cannot, therefore, commit the Government in advance to all the recommendations which are included in it, you may rest assured that I and my colleagues will take the Report into full and prompt consideration."

36957

No. 276.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Sent 2.5 p.m., 15th August, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)
(Southern Rhodesia.)

15TH AUGUST. Confidential. My telegram 8th August.§ Imperial

* No. 271. † No. 256. ‡ No. 269. § No. 274.

749

Economic Committee. Publication of Meat Report of Committee now arranged for 20th August. Following is summary of recommendations of Report:—

Begins: (1) Origin of meat to be indicated by retailer at time of sale as prescribed in First Report: (2) necessity of investigations into possibility of quicker transport to bring Australian and New Zealand supplies into "chilled" meat market: (3) grant-in-aid towards carriage of pedigree stock from United Kingdom to Dominions to improve breeds: (4) necessity for reconsideration of United Kingdom legislation regarding importation of live animals with object of placing all Dominions on same footing: (5) suggestions for reduction of cold storage charges by organization and regularization of supplies: (6) importance of encouragement by Governments of Empire of improved grading and standardization by producers: (7) necessity of protection by United Kingdom legislation of producers' marks of origin on canned goods. *Ends.*

Proposed at time of publication of Report to publish also views of His Majesty's Government regarding recommendation (4) as to which see my subsequent telegram.* —AMERY.

36957

No. 277.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 3.0 p.m., 15th August, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Irish Free State.)
(Newfoundland.)

15TH AUGUST. Confidential. My telegram of to-day.† Following from Prime Minister for [your Prime Minister] [President of Executive Council]:—

Begins: His Majesty's Government will take Report of Imperial Economic Committee on Meat most carefully into consideration together with the General Report of the Committee, but they feel bound to state at once that they cannot see their way to adopt the recommendation that the existing legislation regulating the import of live cattle into the United Kingdom should be reconsidered.

This question was fully discussed less than two years ago at the Imperial Economic Conference of 1923, when Sir Robert Sanders explained on behalf of His Majesty's Government that agricultural interests were strongly opposed to any extension of the strict limits imposed by the Importation of Animals Act, 1922, or even to the making of an Order admitting breeding cattle from Canada under Section 2 of that Act.

The Conference recognized that His Majesty's Government were fully entitled to have regard primarily to the interests of their own producers in this matter, and confined its recommendation on this subject to a resolution advocating the promotion of inter-Imperial trade in pedigree stock throughout the Empire on reciprocal terms. Effect has been given to this Resolution, so far as His Majesty's Government are concerned, by the passing of the Importation of Pedigree Animals Act this year.

To-day agricultural interests are as definitely opposed to any extension of the existing system as they were in 1923, and I could hold out no hope that the present Parliament would be ready to take the action required to alter the *status quo* with regard to the importation of livestock from the Dominions.—BALDWIN. *Ends.*

—AMERY.

---

* Nos. 277 and 278. † No. 276.

36957

No. 278.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 3 p.m., 15th August, 1925.)

TELEGRAM.

15TH AUGUST. Confidential. My telegram of to-day.* Meat Report of Imperial Economic Committee. Arrangements made for publication, simultaneously with report, of intimation from Prime Minister to effect that while His Majesty's Government will take report into careful consideration, they feel bound at once to make clear that they cannot accept recommendation (4) regarding importation of live animals.—AMERY.

38961

No. 279.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(Southern Rhodesia. No. 331.) — Dominions No. 372.)

[MY LORD,] [SIR,] Downing Street, 25th August, 1925.

WITH reference to my despatch [Dominions No. 353] [No. 313] of the 14th of August,† I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, copies of the Second Report of the Imperial Economic Committee dealing with Meat (Cmd. 2499); together with a statement,‡ authorized by the Prime Minister in connexion with the Report, which has been published here.

[*Not to New Zealand and Irish Free State:* 2. Further copies of Cmd. 2499 are being sent in Library despatch.]

I have, &c.,
L. S. AMERY.

40943

No. 280.

SOUTHERN RHODESIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 8th September, 1925.)

(Confidential.)

Governor's Office, Salisbury, Southern Rhodesia,
17th August, 1925.

SIR,

I HAVE the honour to acknowledge the receipt of your Confidential telegrams of the 29th July,§ 4th August,‖ and 8th August¶ on the subject of the General and Meat Reports of the Imperial Economic Committee.

2. My Government accepts the recommendations of the Committee, the summary of which was published in the *Bulawayo Chronicle* on Tuesday, 11th August, and in the *Rhodesia Herald* on Wednesday, 12th August.

I have, &c.,
J. R. CHANCELLOR,
Governor.

---

* No. 276. † No. 275. ‡ Not printed here: see No. 277. § No. 271. ‖ No. 273. ¶ No. 274.

750

54809

No. 281.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.47 a.m., 7th December, 1925.)

TELEGRAM.

7TH DECEMBER. Following from my Prime Minister:—

Begins: Commonwealth Government notes with pleasure advances made towards the furtherance of inter-Imperial trade as evidenced by the publication of recommendations of the Imperial Economic Committee. We note with pleasure affirmation of principle of consumption of Empire produce in the United Kingdom. Desire to know what steps your Government propose to take in connexion with these recommendations. Is it proposed to continue meetings of Committee or form sub-committees to deal with special subjects? If the latter, shall be obliged if you will advise at earliest possible date subjects to be dealt with so that ample opportunity will be given for preparation of material in connexion with the subjects to be considered.

My Government sincerely trust that this important subject will not be allowed to rest at the stage reached, namely, mere publication of Resolution but that such Resolution will be translated into action. We confidently hope that steps will be taken immediately to give effect to the spirit which animated the proceedings of the Conference and setting up machinery for furtherance of inter-Imperial trade. *Ends.*

—STONEHAVEN.

VI.
PACIFIC CABLE BOARD.

(*See pages* 329-335 *of Dominions No.* 91.)

46759

No. 282.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 5.50 p.m., 23rd October, 1925.)

TELEGRAM.

[*Answered by Nos.* 283, 284 *and* 285.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)

23RD OCTOBER. Confidential. My telegram 8th October, 1924.* Understood that Sir William Mercer now anxious to retire from Chairmanship of Pacific Cable Board. The question of appointment of successor therefore arises. As your Prime Minister knows it has not yet been found possible to settle the terms of the proposed legislation to amend the constitution of the Board and the appointment therefore falls to be made under existing legislation. Person who occurs to us as being very suitable candidate for appointment is Sir Matthew Nathan who will shortly retire from the Governorship of Queensland. Should be glad if you would ascertain confidentially as soon as possible your Prime Minister's views so that if he and other Prime Ministers agree steps may be taken to sound Nathan.

Similar telegram sent to other Dominions concerned, and copy being sent to High Commissioner confidentially.—AMERY.

48653

No. 283.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2.39 p.m., 27th October, 1925.)

TELEGRAM.

CONFIDENTIAL. 27th October. Your telegram of 23rd October.† Chairmanship of Pacific Cable Board. Commonwealth Government would be agreeable to Sir Matthew Nathan as successor to Sir William Mercer.—STONEHAVEN.

49306

No. 284.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10.0 a.m., 2nd November, 1925.)

TELEGRAM.

2ND NOVEMBER. New Zealand Government concurs in the suggestion contained in your telegram of 23rd October† that Sir Matthew Nathan be approached with a view to his appointment to the position of Chairman Pacific Cable Board on the retirement of Sir William Mercer..—FERGUSSON.

* No. 542 in Dominions No. 91. † No. 282.

49511

No. 285.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4.50 a.m., 3rd November, 1925.)

TELEGRAM.

2ND NOVEMBER. Confidential. Your telegram of 23rd October, Confidential.* Is not considered advisable that any appointment of Chairman for the Pacific Cable Board should be made before a satisfactory adjustment of important matters now at issue between the Board and Canada is assured.—BYNG.

* No. 282.

VII.

RECIPROCAL ARRANGEMENTS FOR PREVENTING INTERFERENCE WITH WIRELESS BROADCASTING.

(*See pages* 336-339 *of Dominions No.* 91.)

18740

No. 286.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL AND GOVERNOR.

[*Answered by Nos.* 287 *and* 293.]

(Canada.)
(Newfoundland.)
(Confidential.)

[MY LORD,] [SIR,] Downing Street, 2nd May, 1925.

WITH reference to my predecessor's [Confidential (2)] [Confidential] despatch of the 13th October* on the subject of the discontinuance of the use of the 450-metres wave length by ships near the coast, I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, a copy of a Note from the United States Government on the subject together with a copy of a despatch to His Majesty's Ambassador at Washington conveying the views of His Majesty's Government on the proposals contained in the United States Note. A copy of a despatch to His Majesty's representatives in Italy, France, Germany, Holland, Belgium, Denmark, Norway, Sweden, Spain and Portugal, is also enclosed.

2. His Majesty's Government would be glad to learn whether your Government desire that steps should be taken for the conclusion of similar formal reciprocal arrangements as between [Canada] [Newfoundland] and the United States (*a*) in any case as regards the 450-metres wave length and (*b*) as regards the 300-metres wave length if the proposal is pursued, and also as between [Canada] [Newfoundland] and such European countries as may be disposed to conclude arrangements, as regards discontinuance of the use either of the 450-metres wave length or of the 300-metres wave length, or of both.

[*To Canada only:* 3. In this connexion I should explain that the phrase "formal reciprocal arrangements" has been used in relation to the 450-metres wave length in paragraph 3 of the draft Note to the United States Government enclosed, as it is gathered from paragraph 3 of Sir Joseph Pope's letter enclosed in your despatch No. 100 of the 11th March, 1924.† that an informal arrangement already exists between Canada and the United States.]

[4.] [3.] Should your Ministers consider it desirable to conclude a reciprocal arrangement on the same lines as between Canada and Newfoundland, to apply to Canadian and Newfoundland ships when off the coasts of Newfoundland and Canada respectively, they will, no doubt, communicate direct with the [Newfoundland] [Canadian] Government on the matter.

[5.] [4.] A similar despatch is being sent to [the Governor of Newfoundland] [the Governor-General of Canada.]

I have, &c.,
L. S. AMERY.

[60036]

Enclosure 1 in No. 286.

EXCELLENCY, Department of State, Washington, 9th December, 1924.

I HAVE the honour to refer to your Note No. 884, dated 1st October, 1924, stating that reciprocal arrangements have been concluded between His Majesty's Government and the Government of Canada, whereby all British vessels, including those owned and registered in the Dominion, are prohibited from using the 450-metre wave length, except in so far as this may be necessary for direction finding

* Nos. 550 and 551 in Dominions No. 91. † No. 546 in Dominions No. 91.

752

purposes, when within 250 miles of the British and Canadian coasts. You stated that the object of this agreement was to lessen interference with radio broadcasting programs. You inquired whether this Government would be disposed to co-operate by concluding a similar reciprocal arrangement with His Majesty's Government.

The appropriate authorities of this Government have considered the matter, and I take pleasure in stating that they are favourably disposed towards the conclusion of such an arrangement with His Majesty's Government. A regulation on this subject applying to American vessels was published on page 13 of the Radio Service Bulletin for 2nd June, 1924. The regulation reads as follows:

> "The 450-metre wave length should not be used for communicating with stations in this country but may be used in foreign waters. The 800-metre wave length should be used for compass work only in this country, but may be used for other traffic with foreign stations if permitted under foreign regulations. All commercial radio operators will please bear this in mind."

A copy of the Radio Service Bulletin containing this Regulation is enclosed.

It is observed that the proposal you submit provides that the 450-metre wave length may be used for direction finding purposes. The Resolution above set forth does not permit the use of the 450-metre wave length by American vessels for direction finding purposes except in foreign waters.

I shall appreciate it if you will inform me whether your Government would be disposed to prohibit the use of the 450-metre wave length for direction finding purposes when within 250 miles of the coasts of the United States.

From your communication it appears that you propose that the arrangement should be concluded with His Majesty's Government. As Canada has concluded a similar agreement with His Majesty's Government I should be pleased if the reciprocal arrangement could be made broad enough to apply to both His Majesty's Government and the Government of Canada. I shall be glad to receive an expression of your views on this suggestion.

It is believed that it would be desirable to include a provision prohibiting the use of the 300-metre wave length in similar cases. The use of the 300-metre wave length has decreased greatly since the International Radio Convention was adopted in 1912. The entire abolition of its use by ships at this time would affect only a very few vessels. The provisions on this subject contained in Articles II and III of the Regulations annexed to the International Radio Telegraph Convention concluded at London on 5th July, 1912, read as follows:

Article II.

> "Two wave lengths, one of 600 metres and the other of 300 metres, are authorized for general public service. Every coastal station opened to such service shall be equipped in such manner as to be able to use these two wave lengths, one of which shall be designated as the normal wave length of the station."

* * * * * *

Article III.

> "1. Every station on shipboard shall be equipped in such manner as to be able to use wave lengths of 600 metres and of 300 metres. The first shall be the normal wave length and may not be exceeded for transmission except in the case referred to under Article XXXV (Paragraph 2)."

* * * * * *

> "3. Vessels of small tonnage which are unable to use a wave length of 600 metres for transmission, may be authorised to employ exclusively the wave length of 300; they must be able to receive a wave length of 600 metres."

It is provided in Article 17 of the Convention that the provisions of Article 17 of the International Telegraph Convention of St. Petersburg of 10th-22nd July, 1875, shall be applicable to international radio telegraphy. Article 17 of the International Telegraph Convention reads as follows:

> "*Article* 17.—The High Contracting Parties reserve respectively the right to enter among themselves into special arrangements of any kind with regard to points of the service which do not interest the States generally."

It is believed that an agreement of the character above suggested is warranted under the provisions of Article 17.

With respect to the laws of the United States applicable to this proposal, I may state that the Act of Congress approved 13th August, 1912, provides in Section 4 as follows:

> "Every ship station, except as hereinafter provided, and every coast station open to public service shall be prepared to use two sending wave lengths, one of three hundred metres and one of six hundred metres, as required by the International Convention in force: Provided, That the Secretary of Commerce may, in his discretion, change the limit of wave length reservation made by regulations first and second to accord with any international agreement to which the United States is a party."

These requirements may, however, be waived by the Secretary of Commerce under the provisions in the second paragraph of Section 4, which reads:

> "The Secretary of Commerce may, in his discretion, waive the provisions of any or all of these regulations when no interference of the character above-mentioned can ensue."

The National Radio Conference, which met in Washington 6th to 10th October, 1924, made the following recommendation regarding the use of the 300-metre wave length:

> "In order to do away with the interference in broadcasting by radiotelegraphic code signals used chiefly in marine communication, the conference recommends that 1,000 kilocycles (300 metres) which falls within the above band be discontinued for marine use, this frequency being left exclusively for broadcasting; 667 kilocycles (450 metres), which up to a short time ago was likewise used for marine communication, has already been discontinued."

It is felt, therefore, that consideration may well be given to the negotiation of a special arrangement which would cover both of these wave lengths, such arrangements between individual countries concerned being permitted under the terms of the Radio Convention. I shall be grateful if you will be so good as to take steps with a view to having the matter considered, and inform me concerning the views of your Government regarding it.

I shall also be pleased to receive a draft of the proposed reciprocal arrangement which I believe could be put into effect by an exchange of notes.

Accept, &c.,
CHARLES E. HUGHES.

His Excellency
The Right Honourable
Sir Esme Howard, G.C.M.G., K.C.B., C.V.O.,
&c., &c., &c.

Enclosure 2 in No. 286.

(No. 622.)

SIR, Foreign Office, S.W.1, 21st April, 1925.

HIS MAJESTY'S Government have had under consideration the note from the United States Government enclosed in Your Excellency's despatch No. 1843 of 12th December last, regarding the proposed reciprocal arrangement for the prevention of interference with wireless broadcasting.

2. It appears that the United States Government are under some misapprehension as regards the precise nature of the proposals put forward in my predecessor's telegram of 24th September last and communicated to them by you in your note of 1st October.

3. I shall accordingly be glad if you will address a further communication to them on the lines of the enclosed draft note.

I am, &c.,
(For the Secretary of State),
G. H. VILLIERS.

His Excellency
The Right Honourable
Sir Esme Howard, G.C.M.G., K.C.B.,
&c., &c., &c.

SIR, State Department, Washington, April, 1925.

HIS MAJESTY'S Government have had under consideration the note which Your Excellency was so good as to address to me on 12th December last, in regard to the proposed reciprocal arrangement for the prevention of interference with wireless broadcasting. It appears to them that the United States Government are under some misapprehension as regards the precise nature of the proposals for such an arrangement which I had the honour to lay before you in my note of 1st October last.

2. The exception therein mentioned that the 450-metre wave should be available for direction finding purposes did not in fact apply to British ships in waters within 250 miles of the East Coast of America, as seems to have been assumed by the United States Government. The agreement arrived at with the Government of the Dominion of Canada provided that the use of the wave of 450 metres should be prohibited for all purposes on ships registered in Great Britain, so long as they were within 250 miles of the coasts of Canada and Newfoundland, on the understanding that ships registered in Canada, when within 250 miles of the coasts of the British Isles, should be forbidden to use that wave except when necessary for the purpose of obtaining bearings from British direction finding stations, which at that time were all working on the 450-metres wave. This exception is no longer necessary as all British direction finding stations have been transferred to other waves.

3. His Majesty's Government are prepared to make similar reciprocal arrangements with the Government of the United States; such arrangements, if made, would apply in the first instance only to ships registered in Great Britain and Northern Ireland. His Majesty's Government understand, however, that similar arrangements have already been introduced as regards ships registered in Canada when within 250 miles of the United States coast. They are in communication with the Governments of Canada and Newfoundland with a view to ascertaining whether those Governments desire to conclude similar formal reciprocal arrangements with the United States Government as regards ships registered in Canada and Newfoundland respectively.

4. So far as His Majesty's Government are aware, the number of British ships, other than those registered in Great Britain and Northern Ireland, Canada and Newfoundland, which visit the Western Atlantic is negligible; but if experience should show that any appreciable interference arose from the transmissions of such ships, His Majesty's Government would be prepared, at the request of the United States Government, to consult the Dominions or Colonies concerned with a view to the further extension of the reciprocal arrangements.

5. His Majesty's Government are favourably disposed to the proposal that the reciprocal arrangements should be extended to cover the 300-metre wave; but as, for the reasons stated below, some difficulties are likely to be experienced in European waters in this connexion, it is suggested that the original proposal should be adopted forthwith and the question of extending it to cover the use of the 300 metre should be pursued independently.

6. Although the 300-metre wave is not used to any large extent by ships registered in Great Britain and Northern Ireland, it is used at present for certain railway ferry services between the British Islands and the continent of Europe. Some continental coast stations and most trawlers and other fishing vessels of French nationality appear to be equipped for the use of that wave and to listen on that wave.

7. The question of the waves to be used for communication to and from ships at sea will no doubt be fully discussed at the next International Radiotelegraph Conference; and it seems doubtful whether any general arrangement for the prohibition for the use of the 300-metre wave could be concluded in advance of that Conference, especially having regard to the fact that the use of the 300-metre wave is specifically provided for in the existing Radiotelegraphic Convention. Apparently, therefore, any such prohibition would necessarily be subject to a proviso permitting the use of the 300-metre wave for the purpose of calling European stations which listen only on that wave. His Majesty's Government are at present endeavouring to arrange for the alteration of the wireless stations connected with the railway ferry services referred to above so as to enable them to use the 800-metre wave; but these arrangements have not yet been completed.

8. In these circumstances it seems questionable whether any advantage would accrue to this country by the immediate conclusion of a reciprocal arrangement

between His Majesty's Government and the United States Government in regard to the 300-metre wave, but if, after consideration of these facts, the United States Government still desire to enter into such an agreement subject to necessary limitations, His Majesty's Government would raise no objection.

9. In the meantime His Majesty's Government are ascertaining whether the Governments of the maritime countries of Western Europe are willing to co-operate in a scheme for the discontinuance of the use of the 300-metre wave.

Enclosure 3 in No. 286.

(No. 1348.)
(No. 722.)
(No. 527.)
(No. 211.)
(No. 476.)
(No. 111.)
(No. 179.)
(No. 91.)
(No. 97.)
(No. 102.)

[MY LORD,] [SIR,] Foreign Office, S.W.1, 21st April, 1925.

IN order to reduce interference with the reception of programmes broadcast by wireless telephony, His Majesty's Government have concluded an agreement with the Government of the Dominion of Canada under which British ships registered in Great Britain and Northern Ireland are prohibited from using the 450-metres wave within 250 miles of the coast of Canada on a reciprocal undertaking that Canadian ships will be prohibited from using that wave within 250 miles of the British Isles, except in so far as it may be necessary for direction finding purposes. No British direction finding station is now working on that wave.

2. Similar arrangements are also in force as regards Newfoundland and will probably be made in the near future with the Government of the United States.

3. These special arrangements are regarded by His Majesty's Government as being in accordance with the provisions of the International Radiotelegraph Convention, which lays down that the provisions of Article 17 of the International Telegraph Convention of St. Petersburg, 1875, shall be applicable to international radiotelegraphy, and consequently the contracting parties have the right to enter, among themselves, into special arrangements of any kind with regard to points of the service which do not interest all the contracting parties.

4. The Government of Canada have expressed a desire that a similar reciprocal arrangement should be concluded with the governments of the maritime countries of Western Europe. It has moreover been suggested that the arrangements should be extended to cover the use of the 300-metre wave, and should, if practicable, be brought into operation in advance of the next International Radiotelegraph Conference, at which no doubt the general question of the waves to be used for ship and shore communication will come under review.

5. His Majesty's Government would suggest that arrangements might be made for the provisional adoption by the principal countries concerned of a spark wave of 220 metres, which was specifically reserved for ship communications in the Draft Regulations prepared at the Washington Conference of December, 1920, for the use of fishing and other vessels, in lieu of the 300-metre wave referred to in Article 3 (paragraph 3) of the International Regulations annexed to the 1912 Convention.

6. I shall be glad if [Your Lordship] [Your Excellency] [you] will communicate the foregoing to the Government to which you are accredited and will invite their views in the matter. You should explain that in so far as ships registered in Great Britain and Northern Ireland are concerned, there would be no serious difficulty in giving effect to the proposals at short notice, on the understanding that it might be necessary for ships to use the 300-metre wave for the purpose of calling any European stations which continued to listen only on that wave, until such time as the listening wave for those stations could be altered to the 600-metres or 800-metres wave, and you should add that steps are being taken to ascertain the views of the Governments [*omit in each despatch the Government to which the addressee is accredited*] of Italy, France, Germany, Holland, Belgium, Denmark, Norway, Sweden, Spain and Portugal in the matter.

[I am, with great truth and respect, &c.,]
[I am, with great truth and regard, &c.,]
[I am, with great truth, &c.,]
(For the Secretary of State),
G. H. VILLIERS.

His Excellency
The Most Honourable
The Marquess of Crewe, K.G.,
&c., &c., &c.
J. Addison, Esq., C.M.G.,
&c., &c., &c.
His Excellency
The Right Honourable
Sir Ronald Graham, G.C.V.O., K.C.M.G.,
&c., &c., &c.
His Excellency
The Right Honourable
Sir Horace Rumbold, Bart., G.C.M.G., M.V.O.,
&c., &c., &c.
His Excellency
The Right Honourable
Sir George Grahame, G.C.V.O., K.C.M.G.,
&c., &c., &c.
His Excellency
The Right Honourable
Sir L. Carnegie, G.C.V.O., K.C.M.G.,
&c., &c., &c.
Sir C. M. Marling, K.C.M.G., C.B.,
&c., &c., &c.
The Earl Granville, G.C.V.O., K.C.M.G.,
&c., &c., &c.
Sir Arthur C. Grant Duff, K.C.M.G.,
&c., &c., &c.
The Honourable
Francis O. Lindley, C.B., C.B.E.,
&c., &c., &c.

29943

No. 287.

CANADA.

THE DEPUTY GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2nd July, 1925.)

[*Answered by No.* 288.]

(Confidential.)

SIR, Ottawa, 23rd June, 1925.

WITH reference to your Confidential despatch of the 2nd May,* on the subject of the discontinuance of the use of certain radio wave lengths by ships near the coast, I have the honour to inform you that the Canadian Government would be glad if His Majesty's Government would take steps to conclude formal reciprocal arrangements between Canada and the United States, and also between Canada and Italy, France, Germany, Holland, Belgium, Denmark, Norway, Sweden, Spain and Portugal:—

(*a*) In respect of discontinuance of the use of the 450 metre wave length:
(*b*) in respect of discontinuance of the use of the 300 metre wave length;

the reciprocal arrangements in each case to be similar to the arrangements which have been or which may be entered into between His Majesty's Government and the countries above mentioned.

* No. 286.

In accordance with paragraph 4 of your despatch under reference, the Dominion Government is communicating directly with the Government of Newfoundland in regard to the conclusion of a similar reciprocal arrangement between Canada and Newfoundland.

I have, &c.,
FRANK A. ANGLIN,
Deputy Governor-General.

35017

No. 288.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL AND GOVERNOR.

(Canada.)
(Newfoundland.)

(Confidential.)

[MY LORD,] [SIR,] Downing Street, 7th August, 1925.

WITH reference to my Confidential despatch of the 2nd May,* [*To Canada:* and to the Deputy Governor-General's Confidential despatch of the 23rd June,†] I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, a copy of a note from the United States Government on the subject of the proposed reciprocal arrangement for the prevention of interference with wireless broadcasting.

2. The terms of the reply to the United States note are still under consideration here; but it is hoped that it will be found possible to secure that the proposed arrangement as between the United States and Great Britain and Northern Ireland should come into force as from the 1st September.

[*To Canada:* 3. At the same time steps would be taken, as requested in the Deputy Governor-General's despatch of the 23rd June,† to conclude a similar arrangement on behalf of the Canadian Government as between the United States and Canada, to take effect from the same date; a further communication will be sent to you by telegraph on this point.]

[4.] [3.] I take this opportunity to enclose a copy of a note received from the French Government on the subject of the similar arrangement proposed to them.

I have, &c.,
L. S. AMERY.

[33337]

Enclosure 1 in No. 288.

SIR, Department of State, Washington, 1st July, 1925.

I BEG to refer to Sir Esme Howard's note No. 475 dated 9th May, 1925, and to this Department's note dated 23rd May, 1925, concerning the proposed reciprocal arrangement for the prevention of interference with radio broadcasting by prohibiting vessels of the United States and of Great Britain from using the 450 metre wave length while within 250 miles of the coasts of the United States and of Great Britain.

I have received communications from the interested departments of this Government regarding the matter, and I am now prepared to state that this Government desires to have an arrangement with Great Britain and Northern Ireland and with Canada and Newfoundland as soon as possible, whereby the use of the 450 metre wave length will be discontinued for maritime service within 250 miles of the coasts of the United States, and of the other Governments concerned.

With regard to the proposal to prohibit the use of the 300 metre wave length, I am informed that at the Third National Radio Conference in the United States it was found that the 300 metre wave length was no longer necessary on American ships, and it was recommended that the use of this wave length by American ships be prohibited. The Department of Commerce no longer requires American ships to be equipped to use the 300 metre wave length. As the 300 metre wave length is

* No. 280. † No. 287.

755

within the band devoted to radio broadcasting in the United States, the use of it within 250 miles of the coasts of the United States causes serious interference with that important public service.

Although it may be necessary to make exceptions respecting the prohibition of the use of the 300 metre wave length to allow for situations in Europe and elsewhere it is considered highly desirable that the arrangement shall also prohibit the use of the 300 metre wave length within 250 miles of the coasts of the United States.

In the circumstances, I suggest that the proposed arrangement prohibit the use of both the 450 and 300 metre wave lengths by ships registered in Great Britain and Northern Ireland when they are within 250 miles of the coasts of the United States, that the use of the 450 metre wave lengths by vessels of American registry shall be prohibited when they are within 250 miles of the coasts of Great Britain and Northern Ireland, and that the use of the 300 metre wave length by American vessels shall be prohibited within the same distance of these British coasts except for zones or areas to be designated by your Government. In case this proposal is accepted, I shall be glad to be informed whether you will be good enough to send me a draft for the proposed arrangement, as I understand that similar arrangements have already been concluded by your Government on this subject.

With reference to the statement in Sir Esme Howard's note dated 9th May, 1925, that communications have been addressed to the Governments of Canada and Newfoundland with a view to ascertaining whether these Governments desire to conclude similar formal reciprocal arrangements with the United States as regards ships registered in Canada and in Newfoundland respectively I shall be grateful if you will inform me whether replies have been received to these inquiries.

Accept, &c.,
FRANK B. KELLOG.

Mr. Henry Chilton, C.M.G.,
Envoy Extraordinary and Minister Plenipotentiary,
Chargé d'Affaires *ad interim* of Great Britain.

[34267]

Enclosure 2 in No. 288.

Ministère des Affaires Etrangères.
Direction des Affaires administratives et techniques.
Sous-Direction des Affaires Administratives et des Unions Internationales.

MONSIEUR L'AMBASSADEUR, Republique Française, Paris, le 17 juillet, 1925.

PAR lettre No. 304 du 22 avril dernier, Votre Excellence a proposé de la part de son Gouvernement la conclusion d'un arrangement provisoire concernant l'interdiction, pour les navires, de se servier de l'onde de 450 mètres à moins de 250 milles des côtes.

J'ai l'honneur de faire connaître en réponse à Votre Excellence que d'après les indications du Ministère compétent les conditions techniques actuelles ne permettent pas à l'Administration française de conclure, pour le moment, un accord de ce genre, mais en raison des transformations incessantes du matériel radioélectriques, les services intéressés expèrent être en mesure, dans un avenir prochain, d'examiner avec plus de chances d'y adhérer les suggestions de l'Administration Britannique à cet égard.

Veuillez agréer, etc.,
Pour le Ministre, etc.
(Signature illisible.)

Son Excellence
Monsieur Le Marquis de Crewe,
Ambassadeur d'Angleterre à Paris.

36439

No. 289.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL AND GOVERNOR.

[*Answered by No.* 297.]

(Canada.)
(Newfoundland.)

(Confidential.)

[MY LORD,] [SIR,] Downing Street, 17th August, 1925.

WITH reference to my Confidential despatch of the 7th August,* and previous correspondence regarding the prevention of interference with wireless broadcasting, I have the honour to request [Your Excellency,] [you,] to inform your Ministers that arrangements are being made for the prohibition on and after the 1st September of the use of the 300 metres wave by ships, the wireless installation on which is operated under licence from the Postmaster-General, within 250 miles of the coasts of Canada and Newfoundland.

[*To Canada:* 2. It is assumed, in the light of the Deputy Governor-General's Confidential despatch of the 23rd June,† that this arrangement is in accordance with the wishes of your Ministers, and that they would be willing to issue similar instructions prohibiting the use of the 300 metre wave by Canadian ships within 250 miles of the coasts of this country.]

[*To Newfoundland:* 2. It is assumed that your Ministers will see no objection to this arrangement, which is supplementary to the arrangement referred to in paragraph 2 of my predecessor's Confidential despatch of the 13th October, 1924,‡ regarding the 450 metres wave; and it is hoped that your Ministers will agree to arrange for the discontinuance of the use of both the 450 metres and the 300 metres wave by Newfoundland ships when within 250 miles of the coasts of this country.]

3. In this connexion I should explain that the exception originally proposed to the restriction on the use of the 450 metres wave near the coasts of this country, viz., that that wave might be used for direction finding purposes, is no longer necessary since all British direction finding stations which formerly worked on the 450 metres wave have now been transferred to other waves.

4. I take this opportunity to enclose a copy of a note received from the Belgian Government on the subject of the proposed arrangement with Belgium regarding the discontinuance of the use by ships of the 450 and 300 metres wave lengths.

I have, &c.,
L. S. AMERY.

[35924]

Enclosure in No. 289.

Direction P.B. Section des Communications.
(No. C. 154/1664 S.)

MONSIEUR LE CHARGÉ D'AFFAIRES, Le 25 juillet, 1925.

ME référant à la lettre que Sir George Grahame a bien voulu adresser à mon prédécesseur, le 23 avril dernier, j'ai l'honneur de vous faire connaître que l'Administration des télégraphes et des téléphones de Belgique ne voit pas d'inconvénient à interdire l'usage de l'onde de 450 m. à moin de 250 milles des côtes pour les communications autre que celles relatives au service radiogoniométrique.

La situation est différente pour l'onde de 300 m. car le trafic dans la mer du Nord est trop intense pour que cette longueur puisse simplement être supprimée. Il faudrait la remplacer par une autre (celle de 220 mètres par exemple), mais cela entrainerait d'importantes et coûteuses modifications aux divers postes côtiers et flottants. Les frais seraient réellement trop élevés pour que l'Administration précitée puisse imposer ces modifications aux navires de faible tonnage, en vue de transformations qui seraient, en réalité provisoire.

L'emploi de l'onde amortie de 220 m. serait d'ailleurs de nature à nuire, en Belgique, au développement de la télégraphie et de la téléphonie sans fil aussi bien pour les besoins industriels et commerciaux, auxquels une longueur d'onde de 150 à

* No. 288. † No. 287. ‡ No. 550 in Dominions No. 91.

756

200 mètres sera assignée, que pour les chalutiers qui font actuellement des essais de téléphonie sans fil sur une longueur de 200 m. environ et le broadcasting dont la marge est limitée entre 220 et 280 mètres et 1,000 à 1,050 mètres.

Les émissions des bateaux de pêche (postes à ètincelles) interféreraient notamment avec celles de la station belge de diffusion (longueur d'onde 265 m.).

Veuillez agréer, etc.,
POUR LE MINISTRE,
Le Directeur Général.

Monsieur C. Wingfield,
Chargé d'Affaires de Sa Majesté Britannique,
Bruxelles.

39476

No. 290.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 2.40 p.m., 2nd September, 1925.)

TELEGRAM.

[*Answered by No.* 292.]

2ND SEPTEMBER. Confidential. My despatch 7th August, Confidential,* His Majesty's representative at Washington now being instructed to address note to United States Government to the effect that, subject to any modifications which may be agreed to internationally at the next International Conference on radio telegraphy, ships registered in Great Britain and Northern Ireland will from 1st October next be prohibited from using waves of 300 and 450 metres within 250 miles of the coasts of the United States on condition that United States ships will from 1st October next be similarly prohibited from using those waves within 250 miles of the coasts of the United Kingdom.

Should be glad to be informed by telegraph whether it is in accordance with your Ministers' wishes that His Majesty's representative at Washington should be instructed to address to United States Government on behalf of Canadian Government note in similar terms with substitution of "ships registered in Canada" for ships registered in Great Britain and Northern Ireland and of "coasts of Canada" for "coasts of United Kingdom."—AMERY.

39476

No. 291.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL AND GOVERNOR.

(Canada.)
(Newfoundland.)

(Confidential.)

[MY LORD,] [SIR,] Downing Street, 4th September, 1925.

WITH reference to my Confidential despatches of the 7th and 17th August† [*To Canada:* and to my telegram of the 2nd September,‡] I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, a copy of a despatch to His Majesty's representative at Washington regarding the proposed reciprocal arrangement with the United States for the prevention of interference with wireless broadcasting.

[*To Newfoundland:* 2. I should be glad to be informed in due course of your Ministers' wishes with regard to the conclusion of a similar reciprocal arrangement as between Newfoundland and the United States of America.]

I have, &c.,
L. S. AMERY.

---

* No. 288. ‡ Nos. 288 and 289. ‡ No. 290.

Enclosure in No. 291.

(No. 1383.)

SIR, Foreign Office, S.W.1, 26th August, 1925.

WITH reference to your despatch No. 1192 of the 8th ultimo, I transmit herewith copy of a letter from the General Post Office on the subject of the proposed reciprocal arrangement with the United States for preventing interference by ships with wireless broadcasting.

2. I see no reason why the proposed arrangement should not be concluded by means of an exchange of notes. You are authorized accordingly to inform the United States Government that, subject to any modifications which may be agreed to internationally at the next International Conference on radiotelegraphy, ships registered in Great Britain and Northern Ireland will, from 1st October next, be prohibited from using the waves of three hundred and four hundred and fifty metres within two hundred and fifty miles of the coasts of the United States on condition that United States ships will, from 1st October next, be similarly prohibited from using these waves within two hundred and fifty miles of the coasts of the United Kingdom.

3. Separate instructions will be addressed to you in regard to the conclusion of a similar arrangement between Canada and Newfoundland on the one hand, and the United States on the other hand.

I am, etc.,
(For the Secretary of State),
G. H. VILLIERS.

H. G. Chilton, Esq., C.M.G.,
&c., &c., &c.

41139

No. 292.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9.10 p.m., 8th September, 1925.)

TELEGRAM.

[*Answered by No.* 298.]

8TH SEPTEMBER. Your telegram of 2nd September* regarding ships registered in Great Britain and Northern Ireland being prohibited from using certain wave lengths. Canadian Government desires that a note be addressed to the United States Government in terms similar to that already sent on behalf of Great Britain and Northern Ireland, same to cover the establishment of reciprocal arrangements between Canada and the United States whereby ships of either country will be prohibited from using either 300 or 450 metres radio waves when within 250 miles of either Canada or the United States coast-line.

41675

No. 293.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 14th September, 1925.)

(Confidential.)

SIR, Government House, St. John's, 29th August, 1925.

I HAVE the honour to acknowledge the receipt of your Confidential despatch of the 2nd May last† on the subject of the discontinuance of the use of the 450 metres wave length by ships near the coast, and to inform you that my Ministers are agreeable that steps should be taken for the conclusion of similar formal reciprocal arrangements as between Newfoundland and the United States (*a*) as regards the 450 metres wave length, and (*b*) as regards the 300 metres wave length if the proposal is pursued.

* No. 290. † No. 286.

757

2. My Ministers are also agreeable to the making of similar formal reciprocal arrangements with such European countries as may be disposed to conclude such, either for a discontinuance of the use of the 450 metres wave length, or of both the 450 metres and 300 metres wave lengths. The Company operating the wireless system in Newfoundland some time ago abolished the use of the 450 metres wave length, and is also agreeable to the abolition of the 300 metres wave length.

3. My Ministers are in communication with the Government of the Dominion of Canada on the subject, and are willing to conclude a reciprocal arrangement with that country on the above lines.

I have, &c.,
W. L. ALLARDYCE.

41626

No. 294.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL AND GOVERNOR.

(Canada.)
(Newfoundland.)

(Confidential.)

[MY LORD,] [SIR,] Downing Street, 19th September, 1925.

WITH reference to my Confidential despatch of the 2nd of May,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a despatch from His Majesty's Representative at Copenhagen forwarding a copy of a note from the Danish Minister for Foreign Affairs regarding the proposal for the conclusion of an arrangement with the Governments of the maritime countries of Western Europe for the prohibition of the use by ships of certain wave lengths within 250 miles of the shore.

I have, &c.,
L. S. AMERY.

Enclosure in No. 294.

(No. 229.)

SIR, Copenhagen, 7th September, 1925.

WITH reference to your despatch No. 91 of the 21st of April last, I have the honour to transmit to you, herewith, copy of a Note from the Danish Minister for Foreign Affairs regarding the proposal to conclude an arrangement with the Governments of the maritime countries of Western Europe on the lines of that concluded with the Government of the Dominion of Canada, for the prohibition of the use by ships of certain wave lengths within two hundred and fifty miles of the shore.

2. You will observe that the Danish Government, while not entirely disapproving of this idea, would prefer to postpone any decision on the subject till the meeting next Spring at Washington of the International Congress of Radiotelegraphy.

I have, &c.,
GRANVILLE.

COPY OF A COMMUNICATION FROM THE DANISH MINISTER FOR FOREIGN AFFAIRS ADDRESSED TO HIS MAJESTY'S MINISTER, DATED 4TH SEPTEMBER, 1925.

MY LORD,

PAR une note en date du 28 avril dernier vous avez bien voulu me demander de vous renseigner sur l'attitude du Gouvernement Royal envers la proposition du Gouvernement de Sa Majesté Britannique quant à la conclusion entre les pays maritimes de l'Europe occidentale d'un accord provisoire interdisant l'usage—dans une distance de moins de 250 milles des côtes—d'une longueur d'ondes de 450 m. éventuellement aussi d'une longueur de 300 m. à la radiophonie dans la navigation.

Ayant communiqué le contenu de Votre note aux autorités compétentes j'ai l'honneur, en réponse, de vous faire savoir ce qui suit :

* No. 286.

La longueur d'ondes de 300 m. n'étant presque plus en usage dans la navigation danoise, rien ne s'oppose à l'abolition de cette longueur; d'autre part l'on n'a aucun désir d'y substituer une longueur de 220 m. surtout pas comme disposition obligatoire. Quant à la longueur de 450 m. elle tombe de plus en plus en désuétude et n'est à présent employée qu'au relèvement et à d'autres trafics spéciaux; or, le relèvement se fait aussi bien et même mieux avec l'autre longueur d'ondes employée à cet usage, c'est-à-dire celle de 800 m. Au lieu d'abolir la longueur de 450 m. l'on aimerait plutôt seulement en restreindre l' usage à la radiophonie sur certaines distances de la côte la plus proche (comme indiqué dans la proposition Canado-Britannique) et à des heures fixées où le trafic en question n'est pas effectué, par exemple entre minuit et midi, ce qui permettrait aux navires de se servir—en dehors de ces distances et périodes—de toutes les longueurs d'ondes entre 400 et 600 m.

Les autorités compétentes danoises ont encore fait valoir qu'une modification comme celle proposée dans votre susdite note nécessite des changements radicaux des appareils installés tant dans les navires qu'aux stations télégraphiques côtières.

Pour ces raisons lesdites autorités, en considérant les difficultés techniques et économiques, hésitent à adhérer à la proposition et se demandent s'il n'y aurait pas lieu d'ajourner la décision de la question jusqu 'à la réunion prochaine du congrès international de radiotélégraphie (à Washington le printemps 1926).

Veuillez agréer, etc.,
C. MOLTKE.

43096

No. 295.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 1.10 a.m., 23rd September, 1925.)

TELEGRAM.

[*Answered by No.* 298.]

22ND SEPTEMBER. Your telegram of 15th September.* Wireless wave lengths. My Ministers desire that steps be taken to bring arrangements into force as between Newfoundland and the United States also on 1st October.—ALLARDYCE.

42360

No. 296.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL AND GOVERNOR.

[*Answered by No.* 303.]

(Canada.)
(Newfoundland.)

(Confidential.)

[MY LORD,] [SIR,] Downing Street, 26th September, 1925.

WITH reference to [the Deputy Governor-General's Confidential despatch of the 23rd of June,†] [your Confidential despatch of the 29th of August,‡] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a despatch from His Majesty's Minister at Stockholm communicating the views of the Swedish Government on the proposal to prohibit ships within 250 miles of the coast from using the 450 and 300 metres wave lengths.

I have, &c.,
L. S. AMERY.

---

* 41675/25: not printed. † No. 287. ‡ No. 293.

758

Enclosure in No. 296.

(No. 271.)

SIR, Stockholm, 7th September, 1925.

ON receipt of your despatch No. 97 of 21st April respecting interference with the reception of programmes broadcast by wireless telephony I duly inquired the views of the Swedish Government on the proposal to prohibit ships within 250 miles of the coast from using the 450 and 300 wave lengths, and to use a spark-wave of 220 metres instead.

2. I have now received a reply from the Swedish Government of which I have the honour to enclose a copy, herewith, in which they inform me that they see no objection to agreeing to this proposal on the assumption that it does not apply to ships of war, and that coast and shore stations called by a 220 metres wave length will be able to reply with a wave length of 600 metres. The note adds that Swedish coast and shore stations have already been instructed to make use of 450 and 300 wave lengths in cases of urgency only.

I have, &c.,
A. C. GRANT DUFF.

The Right Honourable
Austen Chamberlain, M.P.,
&c., &c., &c.
Ministère des Affaires Etrangères.

MONSIEUR LE MINISTRE, Stockholm, le 1er septembre, 1925.

PAR lettre du 11 mai dernier, vous avez bien voulu demander à Monsieur Undén si le Gouvernement Suédois serait disposé à adhérer à un arrangement international proposé en vue d'interdire aux navires se trouvant à moins de 250 milles marine de la côte d'employer pour le service de la correspondance radiotélégraphique une longueur d'onde de 450 et de 300 mètres. Selon ledit projet d'arrangement, l'usage d'une longueur d'onde de 220 mètres serait prescrit en lieu de 300 mètres dans le cas prévu par l'article 3, alinéa 3 du réglement de service annexé à la Convention radiotélégraphique internationale du 5 juillet, 1912.

En réponse à cette lettre, j'ai l' honneur de vous faire connaître que le Gouvernement du Roi ne voit aucun obstacle à l'adhésion de la Suède à un arrangement de la nature susvisée. Le Gouvernement croit cependant devoir faire remarquer qu'il présume que ledit arrangement ne sera pas applicable aux navires de guerre (voir art. 12 de la Convention radiotélégraphique international) et que les stations côtières ainsi que les stations de bord appelées par une longueur d'onde de 220 mètres auront la faculté d'y répondre par une longueur d'onde de 600 mètres.

Je crois en outre devoir vous faire connaître que l'Administration centrale des télégraphes suédoise a déjà prescrit que les stations côtiéres et stations de bord suédoises auront seulement en cas d'urgence le droit de faire usage d'une longueur d'onde de 450 et de 300 mètres.

Veuillez agréer, etc.,
Pour le Président du Conseil et Ministre des Affaires Etrangères,
HAMILTON.

Sir Arthur Grant Duff,
Envoyé Extraordinaire et Ministre Plénipotentiaire
de Sa Majesté Britannique,
etc., etc., etc.
Stockholm.

43650

No. 297.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 28th September, 1925.)

(Confidential.)

SIR, Government House, Ottawa, 16th September, 1925.

WITH reference to your Confidential despatch of the 17th August,* on the subject of the prevention of interference with wireless broadcasting, I have the honour to inform you that the Canadian Government agrees to the proposal outlined in the said despatch, and that suitable instructions are being issued to Canadian ships in this reference.

The Department of Marine and Fisheries is pleased to note that while the Belgian Government does not agree to the prohibition of the use of the 300 metre wave, it has no objection to forbidding the use of the 450 metre wave by ships when within 250 miles of the coast-line.

I have, &c.,
BYNG OF VIMY.

44472

No. 298.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL AND GOVERNOR.

(Sent 12.45 p.m., 3rd October, 1925.)

TELEGRAM.

[*Answered by No.* 301.]

(Canada.)
(Newfoundland.)

[*To Canada:* Your telegram 8th September.†] [*To Newfoundland:* Your telegram 22nd September.‡] Prohibition of use of certain wave lengths. United States Government have agreed to proposed reciprocal arrangements with His Majesty's Government, Canadian Government and Newfoundland Government, and have taken steps to make arrangements effective as far as United States vessels are concerned as from 1st October.—AMERY.

45146

No. 299.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL AND GOVERNOR.

[*Answered by No.* 307.]

(Canada.)
(Newfoundland.)

(Confidential.)

[MY LORD,] [SIR,] Downing Street, 14th October, 1925.

WITH reference to my Confidential despatch of the 26th September,§ I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a despatch from His Majesty's Ambassador at Berlin forwarding a translation of a note from the German Government on the question of the prevention of interference with the reception of programmes broadcast by wireless telephony.

I have, &c.,
L. S. AMERY.

---

*No. 289. † No. 292. ‡ No. 293. § No. 296.

759

Enclosure in No. 299.

(No. 545.)

HIS MAJESTY'S AMBASSADOR at Berlin presents his compliments to His Majesty's Principal Secretary of State for Foreign Affairs, and has the honour to inform him that on receipt of Mr. Chamberlain's despatch No. 722 of 21st April, 1925, Mr. Addison did not fail to invite the views of the German Government on the question of the reduction of interference with the reception of programmes broadcast by wireless telephony.

2. Lord D'Abernon has the honour to transmit herewith translation of the reply which he has now received from the Minister for Foreign Affairs.

British Embassy,
Berlin,
29th September, 1925.

Translation.

Ministry for Foreign Affairs, Berlin.

M. LE CHARGÉ D'AFFAIRES, 14th September, 1925.

WITH reference to His Excellency's letter of 27th April, No. 145—(149/2/25), I have the honour to state as follows:—

(1) The position with regard to wireless communications on busy routes at sea, for instance in the North Sea or the Channel, have altered considerably since the International Wireless Telegraphy Agreement of 1912 came into force. More especially in view of the great increase in the use of wireless at sea and by coastal stations, the use of wireless for direction finding and the extension of broadcasting to regular shipping routes would indicate the necessity of taking certain urgent measures to improve wireless telegraphic communication with ships at sea on busy routes even in advance of the next International Wireless Agreement which should come into force in two years' time. It is agreed, as stated in paragraph 3 of the letter of 27th April, that Article 17 of the Petersburg International Telegraphic Agreement of 1875, the provisions of which also apply to international wireless telegraphy, provides authority for such provisional arrangements.

As far as the North Sea and the Channel are concerned there is urgent need from the German standpoint of measures of the following kind:—

(*a*) Drastic curtailment of the use of the 600 metre wave. Correspondence was exchanged on this subject between the English and German postal authorities in the months of January and February of this year at the instigation of the latter. It was proposed on the German side that the 600 metre wave should in future, except in cases of distress at sea, be confined to calling signals between wireless stations, subsequent intercommunication being carried out by higher waves, say, 660, 706, and 750 metres. The English postal authorities likewise regarded the curtailment of the use of the 600 metre wave as desirable. At the same time the English coastal stations, with the exception of the Lizard, are continuing to use wave 600 for direction finding. The German postal administration cannot endorse this action of the English postal administration, inasmuch as in the Washington Draft Agreement of 1920 (which Great Britain herself was mainly instrumental in drawing up) it was proposed that the 800 metre wave should be used for direction finding because this wave length was already being used by all the German and North American and numerous French stations for that purpose. It proved to be specially suitable for direction finding in the North Sea, so that all the German direction receivers are now tuned to that wave.

(*b*) The use of communication waves of 300 and 450 metres should be discontinued at once. With regard to this the following arrangement has been adopted for German wireless stations:—In order to counteract the interference of ships' wireless with the ever-increasing broadcasting stations the German postal authorities have arranged that the German coastal stations will in future abstain altogether from using wave 450 metres, and only use wave 300 metres in the case of distress at sea when satisfactory communication on wave 600 metres is impossible. Again, the stations on German ships have been instructed to make no use of wave 450 metres within the radius of German coastal stations, and to confine their use of wave 300 metres in German coastal waters to cases of distress at sea (compare notification No. 172 of the International Bureau of the World Telegraphic Union, Berne, 10th June, 1925).

(2) As regards the use of wave 220 metres instead of wave 300 metres as contemplated in Article III, paragraph 3, of the regulations for putting the International Wireless Agreement of 1912 into practice we wish to state as follows:—

Pursuant to the decision of the European Broadcasting Union at Geneva in July, 1925, where England was also represented, it may be assumed that broadcasting in European countries will be effected within waves 500 and 200 metres. If wave 220 metres is to be substituted for wave 300 metres in the case of small craft, it is absolutely certain that similar disturbances will take place as were the subject of complaint at the time on waves 300 and 450 metres. A lower wave of about 160 metres or less appears, however, to be impracticable for these ships, as the efficiency of quenched gap spark or even toned C.W. sets* on such short waves is very poor. It is also to be assumed that traffic on such a wave will probably interfere with the coming short wave wireless service. As the wireless equipment at present in use on some small ships only rarely permits the use of short waves by mere switch adjustment it would appear to be more expedient in their case too to consider the use of waves up to 600 metres. The fact that the 220 metres wave is specified for small ships in the Washington Draft of 1920 is beside the point to-day in view of the altered circumstances, as in 1920 neither the development of broadcasting nor wireless communication on short waves had been foreseen.

(3) It may be pointed out that the arrangement made by Germany in regard to wireless communication as well as direction finding for the North Sea is the same as that on the North American coast. This seemed indispensable, because the use of wireless by ships, both in the case of American ships in European waters as well as European ships in American waters, is so extensive to-day that it appeared impossible that different regulations should obtain on the coasts of the two hemispheres as it would undoubtedly lead to great uncertainty in wireless intercourse. Consequently for this reason it would appear to be urgently advisable that the other states principally concerned should adopt the American usage.

I have the honour, &c.,
KOPKE.

45819

No. 300.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL AND GOVERNOR.

[*Answered by No.* 306.]

(Canada.)
(Newfoundland.)

(Confidential.)

[MY LORD,] [SIR,] Downing Street, 17th October, 1925.

WITH reference to my Confidential despatch of the 14th of October,† I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a despatch from His Majesty's Ambassador at Lisbon forwarding a translation of a note from the Portuguese Minister for Foreign Affairs regarding the prevention of interference with the reception of programmes broadcast by wireless telephony.

I have, &c.,
L. S. AMERY.

Enclosure in No. 300.

(No. 231.)

SIR, Lisbon, 28th September, 1925.

WITH reference to your despatch No. 111 of the 21st April last, relative to the interference with the reception of programmes broadcast by wireless telephony, I have the honour to transmit to you herewith a translation of a Note which I have received from the Minister for Foreign Affairs in reply to my representations on the subject.

I have, &c.,
LANCELOT D. CARNEGIE.

The Right Hon.
Austen Chamberlain, M.P.,
&c., &c., &c.

---

* Continuous Wave—C.W. (Well-known abbreviation.) † No. 299.

(Translation.)

SENHOR EMBAIXADOR, Lisbon, 23rd September, 1925.

WITH reference to your Note of the 8th May relative to the conclusion of an agreement on a reciprocal basis in order that ships of the contracting countries should not use near the coasts wave lengths which interfere with the reception of programmes broadcast, I have the honour to inform you that the Government of the Republic are prepared from the present date to prohibit the use by Portuguese ships of the 450 metres wave within the zone of 250 miles from the coasts of Canada and England, provided it be guaranteed that English ships will, within the zone of 250 miles of the coast of Portugal, not use the wave length which will be notified to them when the conditions under which wireless communication is to be carried on in Portugal have been defined by law.

The Government of the Republic cannot, however, agree to the proposal of His Britannic Majesty's Government that, before the next International Radio-telephony Congress, the 220 metres wave length should be provisionally used instead of the 300 metres prescribed by the Convention, as only a new International Conference will be in a position to express the general opinion in a matter which is now so complex, and then only after the proposals and schemes submitted to it have been studied and discussed.

I avail myself, &c.,
VASCO BORGES.

His Excellency
The Right Hon. Sir Lancelot Carnegie,
&c., &c., &c.

47636

No. 301.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8. 10 p.m., 21st October, 1925.)

TELEGRAM.

21ST OCTOBER. Your telegram of 3rd October.* My Ministers represent that acceptance by the United States Government of the proposed reciprocal arrangement with His Majesty's Government, Canadian Government and Newfoundland Government, to prohibit the use of certain wave lengths has been noted by the Department of Marine, and that orders to place arrangement in effect in so far as British ships registered in Canada are concerned have already been issued.—BYNG.

49361

No. 302.

CANADA.

THE DEPUTY GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 2nd November, 1925.)

[*Answered by No.* 310.]

(Confidential.)

SIR, Ottawa, 22nd October, 1925.

WITH reference to your Confidential despatch of the 19th September,† on the subject of the prohibition of the use of certain radio waves by ships when within 250 miles of the shore, I have the honour to inform you that, as a temporary arrangement, the compromise outlined in the Danish Minister's communication would be very acceptable to the Dominion of Canada pending the next International Radio Conference. This Government's understanding of the matter is that the Danish Government have no objection to the abolition of the use of 300 metres by ships within 250 miles of the Canadian coast, also to the restriction of the use of 450 metres to the period when it is not likely to interfere with Canadian broadcasting.

---

* No. 298. † No. 294.

In order to make the latter specific, it is suggested that the Danish Government be requested to consider the prohibition of the use of 450 metres by Danish ships when within 250 miles of the shore-line of the Dominion of Canada during the hours of 5 p.m. to 2 a.m. daily, Eastern Standard Time.

The Canadian Government would be glad to know if the Danish Government is prepared to accept the above and, if so, on what date their orders covering the same will go into effect.

I have, &c.,
FRANK A. ANGLIN,
Deputy Governor-General.

50562

No. 303.

CANADA.

THE DEPUTY GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 10th November, 1925.)

[*Answered by No.* 310.]

(Confidential.)

SIR,

Ottawa, 27th October, 1925.

WITH reference to your Confidential despatch of the 26th September,* I have the honour to inform you that the Government of Canada is very pleased that the negotiations respecting the prohibition by Sweden of her ships using the radio wave-lengths of 450 and 300 metres when within two hundred and fifty (250) miles of the coast-line have been brought to a successful termination.

The Canadian Government requests that an expression of thanks may be conveyed to the Government of Sweden for their kind consideration of Canada's representations.

I have, &c.,
FRANK A. ANGLIN,
Deputy Governor-General.

49061

No. 304.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL AND GOVERNOR.

[*Answered by No.* 309.]

(Canada. / Newfoundland.) Confidential.)

[MY LORD,] [SIR,]

Downing Street, 10th November, 1925.

WITH reference to my Confidential despatch of the 17th of October,† I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copies of Notes from the Italian, Spanish and Netherlands Ministries for Foreign Affairs regarding the prevention of interference by ships with wireless broadcasting.

2. I also forward a copy of a despatch, with enclosure, to His Majesty's Ambassador at Lisbon regarding the conclusion of a reciprocal agreement with the Portuguese Government on the subject.

I have, &c.,
L. S. AMERY.

[47722]

Enclosure 1 in No. 304.

(Translation.)

NOTE VERBALE.

IN continuation of the Note Verbale of the 29th August last, respecting the proposal for an agreement relative to wireless telegraphy and telephony, the Royal

* No. 296. † No. 300.

761

Ministry for Foreign Affairs have the honour to inform His Britannic Majesty's Embassy that, at first sight and in principle, the Royal Italian Government sees no objection to examining the desirability of prohibiting merchant vessels from using the 450 metre wave in proximity to foreign coasts, on condition, however, that the same prohibition should be imposed upon foreign merchant vessels navigating within a radius of 250 miles from the Italian coasts.

Such prohibition should, however, not be extended to the radio-goniometric service.

In spite of every good wish it would on the other hand not be possible to agree to the proposals of the Canadian Government respecting the analogous prohibition of the 300 metre wave, this wavelength being among the regular wave lengths prescribed by the International Radio-telegraphic Convention, and there being reasons of a technical nature against its abolition.

Nor is it possible to agree to the other proposal for the provisional employment by the vessels of the principal countries interested of a spark wave of 220 metres in place of the 300 metre wave referred to in Article 3 of the International Regulations annexed to the Agreement of 1912, inasmuch as the 220 metre wave has been assigned to the radio-telegraphic service of the Royal Army, by agreement between the Royal Navy and the Royal Department of Communications.

For the rest, on the other hand, the Royal Government expresses the opinion that it would be expedient to put off until the next radio-telegraphic conference all decisions required by the actual state of affairs under consideration.

Rome, 15th October, 1925.

[48589]

Enclosure 2 in No. 304.

(No. 268.)

(Translation.)

YOUR EXCELLENCY,

Ministry of State, Madrid, 16th October, 1925.

IN continuation of the Note from this Ministry dated 16th August last, regarding the prohibition of the use of the 450 metre wave, I have the honour to inform Your Excellency that, according to information received by this Ministry from the Home Office, Spanish merchant ships only use the 600 metre wave in territorial as well as foreign waters, the 450 metre being used for direction-finding purposes.

In regard to any modification in the wave-length of wireless installations on ships, the above-mentioned Department is of the opinion that it would be better to wait for the next International Conference, at which these points will be considered and dealt with.

I avail, &c.,
F. ESPINOSA DE LOS MONTEROS.

His Excellency,
Sir Horace Rumbold,
H.B.M. Ambassador.

[48589]

Enclosure 3 in No. 304.

Direction des Affaires Economiques.

No. 23388.

MONSIEUR LE MINISTRE,

La Haye, le 19 octobre, 1925.

ME référant à l'office de Votre Excellence du 27 avril dernier No. 90, relatif à l'usage de différentes longueurs d'onde dans la correspondance radiotéléphonique, j'ai l'honneur de porter à Sa connaissance que je n'ai pas manqué de m'adresser à ce sujet à MM. les Ministres du Waterstaat et de la Marine.

En réponse, mes susdits collègues viennent de me faire parvenir les renseignements qui ont été consignés dans la note ci-jointe, au contenu de laquelle je me permets de me référer.

Veuillez agréer, etc.,
Pour le Ministre,
Le Secrétaire-Général.

Son Excellence
Sir Charles Marling,
Envoyé Extraordinaire et Ministre Plénipotentiaire
de Sa Majesté Britannique.

(Translation.)

MEMORANDUM.

WITH reference to the letter from the British Minister dated the 27th April last, No. 90, in regard to the use of various wave lengths for wireless communications, the Minister for Ways and Communications ("Waterstaat") reports that the Director-General of Posts and Telegraphs has requested the companies which work Dutch wireless stations on board ships to observe the following regulations:—

1. From 7 p.m. to 11 p.m. (local time) Dutch wireless stations on board ships shall not use a wave length of 450 metres within 250 miles of the British, Canadian or Newfoundland coasts, except when it is required for wireless direction-finding purposes, while this wave length shall be used as little as possible during the other hours of the day.

2. From 7 p.m. to 11 p.m. (local time) Dutch wireless stations on ships shall not use a wave length of 300 metres within 250 miles of the British, Canadian or Newfoundland coasts, while this wave length shall be used as little as possible during the other hours of the day.

The use of a wave length of 300 metres within 250 miles of the British coast shall still be permitted for communications with Dutch coastal stations, but it must be employed as little as possible.

It should be observed in this connexion that the regulations under paragraph 2 do not apply to tugs, fishing vessels, yachts and such like. It is, namely, not feasible to limit these vessels in the use of the 300 metres wave length particularly as regards their communications with each other, while a change to a wave length of 220 metres would hardly be possible on account of technical reasons.

The following information is submitted in regard to naval communications:—

1. The wave lengths of 300 and 450 metres are normally not employed by naval vessels and coastal stations in their communications with each other.

2. In public communications, it occasionally happens that 450 metres is employed for wireless direction finding purposes, but no interference of any importance need be expected on this account, as the 800 metres wave length is being more and more employed for this purpose.

3. It is however not possible in Holland entirely to give up as well the use of the 400 metres wave length, which probably gives rise to interference, but efforts will be made to restrict the use of communications on this wave length as much as possible, particularly on board of ships in the vicinity of the English coast.

4. It is not likely that, in general practice, this wave length of 400 metres will be used in the neighbourhood of the Canadian or Newfoundland coasts.

[49061]

Enclosure 4 in No. 304.

(No. 352.)

SIR, Foreign Office, S.W.1, 29th October, 1925.

WITH reference to your despatch No. 231 of the 28th ultimo, I transmit herewith a copy of a letter from the General Post Office regarding the conclusion of a reciprocal agreement between His Majesty's Government and the Portuguese Government for the prevention of interference with wireless broadcasting.

2. I shall be glad if Your Excellency will communicate with the Portuguese Government in the sense indicated.

I am, &c.,
(For the Secretary of State),
G. H. VILLIERS.

His Excellency
The Right Honourable
Sir Lancelot Carnegie, G.C.V.O., K.C.M.G.,
&c., &c., &c.

[48613]

SIR, General Post Office, London, E.C.1.
26th October, 1925.

WITH reference to your letter of the 10th October forwarding a translation of a note from the Government of Portugal to His Majesty's Ambassador at Lisbon

regarding the proposed reciprocal arrangement to prevent ships' wireless transmissions from interfering with the reception of broadcast programmes, I am directed by the Postmaster-General to say, for the information of the Secretary of State, that he notes that the Portuguese Government cannot agree, pending the next International Radio-telegraph Conference, to the suggestion that ships should use the 220 metres wave instead of the 300 metres wave prescribed by the Convention.

The Postmaster-General notes, however, that the Portuguese Government are prepared to prohibit the use by Portuguese ships of the 450 metres wave when within 250 miles of the coasts of the United Kingdom and Canada on condition that "English ships" (which expression is presumably intended to cover ships registered in the United Kingdom or Canada) are prohibited from using within 250 miles of Portugal a wave which has not yet been decided on but which will be notified when the conditions of wireless communication in Portugal have been defined by law.

The Postmaster-General thinks that it would be undesirable to give a general undertaking to prohibit the use on British ships of a wave not specified, and he suggests that further consideration of the question of concluding an agreement with Portugal on the subject should be postponed until it is known definitely what wave is to be notified by the Portuguese Government.

Copies of this letter have been sent to the Dominions Office and the Imperial Communications Committee.

I am, &c.,
F. W. PHILLIPS.

The Under Secretary of State.
Foreign Office, S.W.1.

51021

No. 305.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL AND GOVERNOR.

(Canada. / Newfoundland. } Confidential.)

[MY LORD,] [SIR,] Downing Street, 23rd November, 1925.

WITH reference to [*To Canada:* the Deputy Governor-General's Confidential despatch of the 27th October,*] [*To Newfoundland:* my Confidential despatch of the 10th November,†] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of a despatch from His Majesty's Representative at Oslo forwarding a translation of a note from the Norwegian Government regarding the prevention of interference by ships with wireless broadcasting.

I have, &c.,
L. S. AMERY.

Enclosure in No. 305.

(No. 293.)

SIR, British Legation, Oslo, 13th October, 1925.

I HAVE the honour to transmit to you herewith a translation of a note which I have received from the Norwegian Ministry for Foreign Affairs on the subject of the proposed reciprocal arrangement for the prevention of the interference with broadcasting, referred to in your despatch No. 102 of 21st April.

2. It will be observed that the Norwegian Government are disinclined to fall in with the British proposal and suggest that the whole question should be left to be dealt with at the forthcoming International Wireless Telegraphy Conference at Washington next spring.

I have, &c.,
E. M. B. INGRAM.

The Right Honourable
Austen Chamberlain, M.P.,
&c., &c., &c.

---

* No. 303. † No. 304.

(Translation.)

Note from Norwegian Foreign Minister to H.M. Chargé d'Affaires, 12th October, 1925.

MONSIEUR LE CHARGÉ D'AFFAIRES,

I HAD the honour to receive Minister Lindley's despatch of 4th May in which, on behalf of His Britannic Majesty's Government, he proposed to the Norwegian Government that an agreement should be concluded between the two countries to prevent interruption in broadcasting, whereby Norwegian and British ships should not use a wave length of 300 and 450 metres when they find themselves within a radius of 250 English miles from Great Britain and Norway respectively.

In this connexion I have the honour to state that the ordinary wave length for ships' installations is 600 metres. It nevertheless occurs that wave lengths of 300 as well as of 450 metres are used. Especially where traffic is large, it is regarded as an advantage to transfer to one of these wave lengths so as to avoid interruption. Moreover, it should be added that as a result of the information I have received, the cost of the alterations in the ships' apparatus involved by the adoption of the wave-length suggested by Great Britain would be very heavy.

In consequence of the above and in view of the fact that the question at issue will probably come up for discussion at the International Wireless Telegraphy Conference to be held at Washington in the spring of 1926, the Norwegian Government for its part suggests that the matter should be left to be dealt with at this Conference.

I have, &c.,
(For the Foreign Minister).
AUG. ESMARCH.

53577

No. 306.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 30th November, 1925.)

[*Answered by No.* 308.]

(Confidential (2).)

SIR, Government House, Ottawa, 14th November, 1925.

WITH reference to your Confidential despatch of the 17th October,* I have the honour to request you to convey to the Government of Portugal, through the proper channel, the thanks of the Government of Canada for their action in the matter of prohibiting the use of the 450 metre wave by Portuguese ships when within 250 miles of the Canadian coast-line.

I have, &c.,
BYNG OF VIMY.

53578

No. 307.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 30th November, 1925.)

[*Answered by No.* 310.]

(Confidential.)

SIR, Government House, Ottawa, 16th November, 1925.

WITH reference to your Confidential despatch of the 14th October,† enclosing a translation of a note from the German Government on the question of the prevention of interference with the reception of programmes broadcast by wireless telephony, I have the honour to inform you that the Department of Marine and Fisheries states that the said note appears to have no reference whatever to cessation of the use of the 450 and 300 metre waves by German ships when they are on this side of the Atlantic.

* No. 300. † No. 299.

My Government request that the matter be again brought to the attention of the German Government with a view to ascertaining if that Government would be disposed to extend the prohibition in question to German ships when within 250 miles of the coast-line of the Dominion of Canada.

I have, &c.,
BYNG OF VIMY.

53577

No. 308.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Confidential.)

MY LORD, Downing Street, 17th December, 1925.

I HAVE the honour to acknowledge the receipt of Your Excellency's Confidential (2) despatch of the 14th November* regarding the prohibition of the use of the 450 metre wave by Portuguese ships when within 250 miles of the Canadian coast-line, and to request you to invite the attention of your Ministers to the last paragraph of my Confidential despatch of the 10th November† on the subject.

2. In the circumstances, I propose to await the reply of the Canadian Government to that despatch before taking any action on the despatch under reply.

I have, &c.,
L. S. AMERY.

57717

No. 309.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 23rd December, 1925.)

(Confidential.)

SIR, Government House, Ottawa, 9th December, 1925.

WITH reference to your Confidential despatch of the 10th November last,† I have the honour to request that an expression of the thanks of the Department of Marine and Fisheries may be conveyed to the Administration of Holland for their acceptance of our proposal, to the extent of prohibiting ships flying the Dutch flag from using the wavelengths of 450 or 300 metres, between the hours of 7 p.m. and 11 p.m., local time, when within 250 miles of the Canadian coast.

I have, &c.,
BYNG OF VIMY.

56672

No. 310.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Confidential (2).)

MY LORD, Downing Street, 30th December, 1925.

WITH reference to the Deputy Governor-General's Confidential despatches of the 22nd and 27th October‡ and to Your Excellency's Confidential despatch of the 16th November,§ regarding the prohibition of the use of certain radio waves by ships when within 250 miles of the Canadian coast-line, I have the honour to transmit to you, for the information of your Ministers, the accompanying copies of despatches to His Majesty's Minister at Copenhagen and to His Majesty's Representatives at Stockholm and Berlin on the subject.

I have, &c.,
L. S. AMERY.

* No. 306. † No. 304. ‡ Nos. 302 and 303. § No. 307.

[56049]

Enclosure 1 in No. 310.

(No. 331.)

MY LORD, Foreign Office, S.W.1, 10th December, 1925.

WITH reference to your despatch No. 229 of the 7th September, I transmit to Your Lordship herewith copy of a despatch* from the Deputy Governor-General of Canada to the Dominions Office regarding the prohibition of the use of certain radio waves by ships when within two hundred and fifty miles of the shore.

2. While it would appear from the Danish Government's note enclosed in your despatch under reply that the risk of interference with Canadian broadcasting by Danish ships is slight under present conditions, I shall nevertheless be glad if you will approach the Danish Government in the sense desired by the Government of Canada.

I am, &c.,
(For the Secretary of State),
G. H. VILLIERS.

The
Earl Granville, G.C.V.O., K.C.M.G.,
&c., &c., &c.

[57241]

Enclosure 2 in No. 310.

(No. 315.)

SIR, Foreign Office, S.W.1, 16th December, 1925.

WITH reference to your despatch No. 271 of 7th September, I transmit to you herewith a copy of further correspondence† regarding the prohibition of the use of certain wireless wave lengths, and I request that you will convey to the Swedish Government the thanks of His Majesty's Government and of the Canadian Government for the attitude which they have adopted in this matter.

I am, &c.,
(For the Secretary of State),
R. H. CAMPBELL.

Sir A. C. Grant Duff, K.C.M.G.,
&c., &c., &c.

Enclosure 3 in No. 310.

(No. 2245.)

SIR, Foreign Office, S.W.1, 16th December, 1925.

WITH reference to Lord D'Abernon's despatch No. 545 (429/11/25) of 29th September, I transmit to you herewith a copy of correspondence‡ with the Dominions Office regarding the prohibition of the use of certain radio waves by German ships when within two hundred and fifty miles of the Canadian coast-line.

2. I shall be glad, if you see no objection, if you will approach the German Government in the sense desired by the Government of Canada.

I am, &c.,
(For the Secretary of State),
G. H. VILLIERS.

J. Addison, Esq., C.M.G.,
&c., &c., &c.

---

* No. 302. † See No. 303. ‡ See No. 307.

764

VIII.

NORTH ATLANTIC SHIPPING RATES.

8881

No. 311.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 8.20 p.m., 23rd February, 1925.)

TELEGRAM.

[*Answered by No.* 312.]

23RD FEBRUARY. His Majesty's Government have received following letter from Chamber of Shipping of the United Kingdom addressed to President Board of Trade. *Begins:—*

Chamber of Shipping of the United Kingdom,
28, St. Mary Axe, E.C.3, 20th February, 1925.

SIR,

Canadian Shipping Situation.

We are instructed to draw attention to certain charges reported to have been made by Mr. W. T. R. Preston of Canada against the Lines interested in the North Atlantic traffic, and are authorized to state that the North Atlantic Lines would cordially welcome a searching investigation of the charges by the Imperial Shipping Committee which was formed at the instance of the Dominions and to which several questions affecting Canadian interests have been quite recently referred by the Canadian Government.

We are, Sir,
Yours faithfully,
(Signed) H. M. CLEMINSON,
General Manager, Chamber of Shipping of the United Kingdom.
(Signed) F. RUSSELL ROBERTS,
Secretary, Liverpool Steamships Owners' Association.

Ends. If your Ministers concur in the desirability of such an investigation His Majesty's Government will be glad to give any facilities in their power for a complete and expeditious hearing.—AMERY.

9599

No. 312.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4.0 a.m., 28th February, 1925.)

TELEGRAM.

[*Answered by No.* 313.]

27TH FEBRUARY. Your telegram of 23rd February.*

My Ministers appreciate the courtesy of the British Government in forwarding copy of communication from the Chamber of Shipping of the United Kingdom to the President of the Board of Trade intimating that the North Atlantic lines would cordially welcome searching investigation by Imperial Shipping Committee into certain charges reported to have been made by W. T. R. Preston and pointing out that the British Government would be glad to give any facilities in their power for complete and expeditious hearing if my Ministers concur in the desirability of such an investigation.

---

* No. 311.

The decision of the Canadian Government to introduce Bill to aid in controlling Ocean rates originated with investigation and report of select special Committee of the House of Commons appointed in 1923 to inquire into agricultural conditions. Committee found that combine existed in the North Atlantic trade and recommended that action be taken to control its operations. In the discussion which has been set for an early date it is the intention of the Canadian Government to propose to the House of Commons to refer the Bill in question to a special committee of the House before which all interested parties will be given opportunity to appear. To this committee supplementary Preston report, to which reference is made by the Chamber of Shipping, will be submitted along with other documents. Canadian Government will welcome before the Committee to be appointed by the House representatives from the Chamber of Shipping of the United Kingdom and will be obliged if the Chamber can be so advised. If for any reason the British Government should conclude that in addition to this inquiry it would be desirable to have an investigation by Imperial Shipping Committee, my Ministers would not wish their course of action, which was decided on some time ago, to deter in any way such further investigation.—BYNG.

11702

No. 313.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 6.5 p.m., 12th March, 1925.)

TELEGRAM.

[*Answered by No.* 314.]

12TH MARCH. Information contained in your telegram 27th February,* regarding appointment of special Committee of House of Commons of Canada to consider proposed Bill to aid in controlling Ocean rates has been communicated to Chamber of Shipping and Liverpool Steamship Owners' Association here, together with your Government's invitation to be represented before Committee. The Lines will be glad to take advantage of this invitation and are arranging for the attendance of witnesses from this side as well as Canada. They are, however, also desirous that investigation should be made by Imperial Shipping Committee as proposed in their earlier letter, see my telegram 23rd February.† In view of last paragraph of your telegram 27th February,* His Majesty's Government propose to request Imperial Shipping Committee to investigate the question of North Atlantic shipping rates and their effect on Empire trade, with special reference to the influence of the Conference system or of other forms of association on these rates and on the service provided.—AMERY.

11897

No. 314.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 11.55 p.m., 13th March, 1925.)

TELEGRAM.

[*Answered by No.* 315.]

13TH MARCH. Your telegram of 12th March‡ received advising that the British Government proposes to request the Imperial Shipping Committee to investigate the question of the North Atlantic Shipping rates and their effect on Empire trade with special reference to the conference system. My Ministers hope that in this connexion British Government will arrange for placing before the Imperial Shipping Committee evidence taken by the special Committee of the House of Commons of Canada to be appointed to consider the proposed Bill to aid in controlling trans-Atlantic rates. If advised that this course is acceptable my Ministers will provide for forwarding certified copies of this evidence from day to day.—BYNG.

---

* No. 312. † No. 311. ‡ No. 313.

765

12315

No. 315.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 8.10 p.m., 19th March, 1925.)

TELEGRAM.

19TH MARCH. Your telegram of 13th March.* North Atlantic Shipping Rates. His Majesty's Government agree that it would be desirable that evidence taken by Special Committee of House of Commons of Canada should be placed before Imperial Shipping Committee. They have accordingly communicated proposal in your telegram to Chairman of Shipping Committee who will, it is understood, get into direct touch with Canadian Government with a view to arranging details of procedure.—SECRETARY OF STATE FOR THE COLONIES.

11803

No. 316.

CANADA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 136.)

Downing Street, 24th March, 1925.

MY LORD,

WITH reference to Your Excellency's telegram of the 13th of March,* and previous correspondence, I have the honour to transmit to you, to be laid before your Ministers, the accompanying copy of a letter from the President of the Board of Trade to the Chairman of the Imperial Shipping Committee requesting the Committee to investigate the question of North Atlantic shipping rates.

I have, &c.,

(for the Secretary of State),

W. ORMSBY-GORE.

Enclosure in No. 316.

13th March, 1925.

SIR,

MY attention was drawn by the Chamber of Shipping of the United Kingdom and the Liverpool Steam Ship Owners' Association, in a letter dated 20th February, to certain charges against the lines interested in the North Atlantic traffic reported to have been made to the Government of Canada by Mr. W. T. R. Preston. The letter stated that the North Atlantic Lines would cordially welcome a searching investigation of the charges by the Imperial Shipping Committee.

A copy of this letter was at once telegraphed to Canada with an intimation that, if the Canadian Government concurred in the desirability of such an investigation, His Majesty's Government would be glad to give any facilities in their power for a complete and expeditious hearing.

On the 27th February the Canadian Government telegraphed in reply that their decision to introduce a Bill to aid in controlling ocean rates originated with the report of a Select Committee of 1923 into agricultural conditions, and that they intended to refer the Bill to a Special Committee of the Canadian House of Commons before which all interested parties would be able to appear. The Preston report, with other documents, would be referred to this Committee. The Canadian Government would welcome representations from the Chamber of Shipping before this Committee, and asked that the Chamber might be so informed. The reply further stated that if the British Government for any reason considered that in addition to this inquiry it would be desirable to institute an investigation by the Imperial Shipping Committee, the Canadian Government would not wish to deter such further investigation in any way.

---

* No. 314.

The Chamber of Shipping and the Liverpool Steam Ship Owners' Association were informed of the purport of this message, and replied that they would accept the invitation to be represented before the Canadian Select Committee, but they reaffirmed the desire of the Lines that the matters in question should be investigated by the Imperial Shipping Committee, and expressed the hope that His Majesty's Government would invite the Imperial Shipping Committee to undertake such investigation.

After careful consideration I have come to the conclusion that it will be of great advantage if the issues raised are investigated by the Imperial Shipping Committee.

I therefore request that the Imperial Shipping Committee will be so good as to investigate the question of North Atlantic shipping rates and their effect on Empire trade, with special reference to the influence of the Conference system or of other forms of association on these rates and on the service provided.

I am, &c.,
P. CUNLIFFE-LISTER.

The Chairman,
Imperial Shipping Committee.

IX.

MERCHANT SHIPPING (EQUIVALENT PROVISIONS) ACT, 1925.

6347

No. 317.

BOARD OF TRADE to COLONIAL OFFICE.

[*Answered by No.* 318.]

Mercantile Marine Department, Board of Trade,
3, Sanctuary Buildings, Great Smith Street,
London, S.W.1, 9th February, 1925.

SIR,

I AM directed by the Board of Trade to enclose herewith a draft of a Bill which it is proposed to introduce for the purpose of taking power to make arrangements with foreign countries for the mutual acceptance of shipping regulations. The main reason for the introduction of this Bill is the fact that the Merchant Shipping Wireless Telegraphy Act, 1919, contains no provision similar to those which exist in the Merchant Shipping Act, 1894 and 1906, with reference to the acceptance of foreign tonnage, passenger and loadline certificates and of foreign regulations regarding life-saving appliances on ships. The question of making a similar arrangement regarding wireless telegraphy apparatus has arisen in connexion with the recent Decree of the French Government concerning wireless telegraphy on ships which comes into force next month (March), but as the French regulations are not in exact conformity with those in force here it has been found impossible, at the present moment, to accept the proposal of the French Government that the regulations of the two countries should be regarded as equivalent, and that an agreement for mutual recognition should be concluded.

In connexion with the draft Bill, the Board had under consideration the question of limiting the application of Clause I (*b*) to British ships registered in the United Kingdom, but they came to the conclusion that this is not necessary and would possibly be a disadvantage. Agreements of the kind contemplated would be agreements for the recognition of the equivalence of regulations applying to ships, and accordingly the question of the port of registry of a ship which complies with the British Regulations would not be of importance. It is the fact, for example, that the passenger ships of the Australian Commonwealth Government Line are, as a rule, surveyed in this country and hold passenger certificates from the Board of Trade, and it would be reasonable to expect a foreign Government to accept these certificates on a ship registered in Australia as readily as on one registered in the United Kingdom.

The Board have also considered the question of including in the draft Bill similar provisions for mutual recognition in regard to the shipping laws and regulations of the Dominions and Colonies; and they have come to the conclusion that it would be undesirable to deal with such a question in a Bill of this kind. The Merchant Shipping Acts already contain provision for the recognition of legislation by His Majesty's Dominions and Colonies such as, for example, Section 284 of the Merchant Shipping Act relating to passenger certificates. In that case, however, the approval of the Dominion or Colonial Regulations is not confined to their application on a ship registered in the particular Dominion or Colony concerned but applies to any ship. It is true that under the Merchant Shipping Wireless Telegraphy Act, 1919, a ship registered out of the United Kingdom is treated in the same way whether it is a British or a foreign ship, but in actual practice no difficulty has arisen under that Act, and no other matter has arisen in which extended powers in connexion with Dominion and Colonial ships has arisen. For these reasons, therefore, the Board do not think it would be desirable to extend the Bill to deal with other than foreign ships.

The Board would be glad to know at as early a date as practicable whether the Secretary of State has any observations to make on the questions raised in this letter.

I have, &c.,
G. E. BAKER.

Enclosure in No. 317.

DRAFT OF A BILL

TO PROVIDE FOR THE EXEMPTION, IN CERTAIN CIRCUMSTANCES, OF FOREIGN SHIPS FROM THE PROVISIONS OF THE MERCHANT SHIPPING ACTS.

BE it enacted, etc.

1. (1) Where His Majesty is satisfied that—

(*a*) ships of a foreign country are required by the law of that country to comply with any provisions which are substantially the same as or equally effective with any provisions of the Merchant Shipping Acts which apply to foreign ships while they are within a port of the United Kingdom; and

(*b*) that country has made or has undertaken to make provision for the exemption of British ships, while they are within a port of that country, from the corresponding requirement of the law of that country;

His Majesty may, by Order in Council, direct that any such provisions of the Merchant Shipping Acts as aforesaid shall not apply to any ship of that country within a port of the United Kingdom if it is proved that the ship complies with the corresponding provision of the law of that country applicable to that ship.

(2) In this Act the expression "the Merchant Shipping Acts" means the Merchant Shipping Acts, 1894 to 1923, and includes any Order in Council, rule or regulation made thereunder, and the expression "United Kingdom" means Great Britain and Northern Ireland.

2. This Act may be cited as the Merchant Shipping (Foreign Ships) Act, 1925, and shall be construed as one with the Merchant Shipping Acts, 1894 to 1923, and those Acts and this Act may be cited together as the Merchant Shipping Acts, 1894 to 1925.

6347

No. 318.

COLONIAL OFFICE to BOARD OF TRADE.

SIR, Downing Street, 23rd February, 1925.

I AM directed by Mr. Secretary Amery to acknowledge the receipt of your letter of the 9th February,* regarding the draft Merchant Shipping (Foreign Ships) Bill, and to request you to inform the Board of Trade that in Mr. Amery's view there are two points to which further consideration should be given before the Bill is introduced into Parliament.

2. In the first place it appears to Mr. Amery that the expression "British Ships" in Clause 1 (1) (*b*) of the draft Bill is too wide. It is conceivable that there may be British ships which do not conform to the requirements of the Imperial Merchant Shipping Acts (e.g., as regards wireless telegraphy, ships registered in Canada which need only comply with the Canadian legislation unless they visit this country), and to which, therefore, a foreign country might not wish to grant exemption from its requirements. If such a case should occur, it would seem that by Clause 1 (1) (*b*) of the draft Bill, His Majesty's Government would be debarred from concluding a reciprocal arrangement with such a foreign country, since it would not be possible for them to be satisfied that the country concerned has made provision for the exemption of British ships. It may be remembered that an analogous difficulty occurred in the course of the recent negotiations with the United States Government under the powers accorded to His Majesty's Government by Section 18 of the Finance Act, 1923, for the reciprocal exemption of shipping from taxation. The United States Government felt some difficulty as to the application of their legislation, which referred to ". . . . ships documented under the laws of a foreign country which grants an equivalent exemption to citizens of the United States . . . . ." on the ground that for the purpose in question the term "foreign country" meant the British Empire and not the United Kingdom, and that unless the whole Empire joined in the agreement it could not be made. The difficulty was surmounted by the United States Government agreeing to accept the United Kingdom as a "foreign country" for the purpose, but only after considerable delay; and the

* No. 317.

instance may serve to illustrate the kind of difficulty which might arise from the present wording of the draft Bill now under consideration. Other recent cases have occurred tending to show that it is not possible to conclude special shipping agreements with foreign countries on the basis that the foreign country is to treat all British ships alike, unless the ships of such countries receive the stipulated treatment throughout the Empire.

3. In the second place Mr. Amery's attention has been called to the terms of the despatch from the Governor-General of Canada of the 12th December, 1923,* of which a copy was enclosed in Colonial Office letter of the 12th January, 1924,† and to the reference in paragraph 3 of the Secretary of State's despatch in reply thereto of the 15th July, 1924‡ (which received the concurrence of the Board of Trade—see your letter of the 8th July§) to the impracticability of legislation on the subject of the modification or suspension of the Merchant Shipping (Wireless Telegraphy) Act, 1919. In view of this correspondence, it appears to Mr. Amery that it would be desirable to consider further whether the present opportunity might not be taken to modify the position as to the application of the Merchant Shipping (Wireless Telegraphy) Act, 1919, to British ships registered elsewhere than in the United Kingdom. For this purpose it would appear sufficient to amend Section 2 of that Act to provide that, if the legislature of a part of His Majesty's Dominions outside the United Kingdom has passed legislation under which provision regarding wireless installation is made substantially equivalent to that under Section 1 of that Act, His Majesty may by Order in Council provide that the provisions of Section 1 shall on a basis of reciprocity not be applied to a ship registered in such part of His Majesty's Dominions while within a port of the United Kingdom if it is proved that the ship complies with the corresponding provision of the law of such part applicable to that ship. A further clause would also be required making provision to enable similar treatment to be accorded to British ships registered in places outside His Majesty's Dominions where His Majesty has jurisdiction.

4. It should be added that Mr. Amery, while noting that Clause 1 of the draft Bill refers to all provisions of the Merchant Shipping Acts which apply to foreign ships while within a port of the United Kingdom, has confined the suggestion in paragraph 3 of this letter to the question of Wireless Telegraphy, on the assumption that the latter is the only point not adequately covered by existing law which need be taken into account in considering the treatment in United Kingdom ports of British ships registered outside the United Kingdom.

I am, &c.,
E. J. HARDING.

10138

No. 319.

MR. C. HIPWOOD (BOARD OF TRADE) to MR. E. J. HARDING (COLONIAL OFFICE).

Mercantile Marine Department, Board of Trade,
3, Sanctuary Buildings, Great Smith Street,
London, S.W.1, 3rd March, 1925.

DEAR HARDING,

As I arranged with you this morning, I am sending you a copy of the correspondence with Liddell about the draft Merchant Shipping Bill on the subject of exemptions.

I think we must accept the second point raised in your official letter,‖ and insert a clause empowering us to accept Dominion legislation on the subject of wireless. By the Bill we are taking power to accept foreign legislation, and we must, I think, take power to accept Dominion legislation also so far as wireless is concerned.

We can settle the form of the clause with you later on. It might be convenient to word it so that it would cover legislation by Colonies as well as legislation by Dominions, but that we can talk about later on.

On the first point raised in your official letter I am much more doubtful. Technically I expect you are right, but practically I think it may prove a very great nuisance to Dominion shipping if we are to be forced each time we have any negotiation with any foreign country about reciprocal recognition of shipping certificates to call the attention of the foreign countries to the fact that they must deal with the Dominions separately.

* 02223/23. † 02223/23. ‡ 25400/24. § 32446/24: not printed; the despatch from Canada suggested the desirability of reaching general international agreement regarding wireless telegraphy requirements on merchant ships; the reply commented, *inter alia*, on the difficulty of amending the Merchant Shipping Acts so as to modify British requirements on this point. ‖ No. 318.

The foreigner will generally, unless he has some special grudge against, say, Canada or Australia, be quite willing to exempt all British ships from the particular restriction, and I think it would be a sound thing to get the concession in general terms where we can.

Moreover, if the language of the clause is quite general, it would permit France to take exception to the Canadian regulations if they wish to and exclude Canada from the reciprocal arrangement.

From the practical point of view, therefore, I think it would be better to leave the clause as it stands at present.

Yours sincerely,
C. HIPWOOD.

BILL FOR THE EXEMPTION OF FOREIGN SHIPS FROM THE REQUIREMENTS OF THE MERCHANT SHIPPING ACTS.

ORIGINALLY the first clause of the draft Bill was as follows :—

1. (1) Where His Majesty is satisfied that—
   (*a*) ships, etc., etc., and
   (*b*) that country has made or has undertaken to make provision for the exemption of British ships registered in the United Kingdom while they are within a port of that country, from the corresponding requirement of the law of that country.

The accompanying correspondence took place on the underlined words.

Mercantile Marine Department, Board of Trade.
3, Sanctuary Buildings, Great Smith Street,
London, S.W.1, 3rd February, 1925.

DEAR LIDDELL,

WITH reference to my letter of 23rd January, regarding the draft Bill dealing with the power of making reciprocal arrangements with foreign countries concerning Shipping Regulations, the President would like your further views on the question of the foreign exemption. The point is whether if we omit the words "registered in the United Kingdom" we should be debarred from making an agreement with a foreign country if that country did not, for example, recognize either a United Kingdom Certificate or an Australian Certificate on an Australian registered ship on the ground that Australia did not recognize her certificates. As an example of what we have in mind, I may mention that the passenger ships of the Australian Commonwealth Line, which are registered at Australian ports, take their passenger certificates from us as a rule and get an emigration clearance when "emigrant ships," although they may occasionally take out Australian passenger certificates. It might be the case that the Australian Government would not accept, say, the French Regulations, and the French, in consequence of that, refuse to accept Australian Passenger Certificates, or even our passenger certificates on an Australian registered ship. Would that fact prevent us from making an agreement with the French for the recognition of United Kingdom Certificates either on United Kingdom registered ships only, or on all British ships?

Section 445 of the Merchant Shipping Act, 1894, contains a proviso regarding the non-application of the Section to countries which do not extend corresponding treatment to British ships. In making agreements with foreign countries for the mutual recognition of Loadline Certificates, we have never gone into the question whether those countries recognize Loadlines assigned by Straits Settlements, Australia or Hongkong, which are the only three Dominion and Colonial Regulations we recognize ourselves.

I shall be much obliged if you will let me have your views on this point.

Yours faithfully,
C. HIPWOOD.

Sir Frederick Liddell, K.C.B.

768

Office of the Parliamentary Counsel, Whitehall, S.W.1.
4th February, 1925.

DEAR HIPWOOD,

I AM inclined to think that the words "registered in the United Kingdom" could be safely omitted from clause 1 (1) (*b*) of the proposed Bill. Even if the exemption granted by (say) France was limited to ships registered in the United Kingdom, I do not think it could be contended that this was not exemption of "British ships" within the meaning of the paragraph. Of course, the insertion of the words "registered in the United Kingdom" would put the matter beyond all doubt; but it is inexpedient that the language of the Bill should differ from that Section 445 of the Merchant Shipping Act, and possibly the Dominions might say that by limiting the Bill to ships registered in the United Kingdom we were disregarding the interests of Dominion shipping.

Yours sincerely,
F. F. LIDDELL.

Attached to 10138

No. 320.

MR. C. HIPWOOD (BOARD OF TRADE) to MR. E. J. HARDING (COLONIAL OFFICE).

[*Answered by No.* 321.]

Mercantile Marine Department, Board of Trade, 3, Sanctuary Buildings,
Great Smith Street, London, S.W.1, 5th March, 1925.

DEAR HARDING,

I ENCLOSE the New Clause* which Liddell has drafted for insertion in the Bill which gives us power to accept equivalent foreign regulations.

Liddell has also altered the title of the Bill, which now reads as follows :—

MERCHANT SHIPPING (EQUIVALENT PROVISIONS) BILL.

A Bill to provide for the exemption in certain circumstances of foreign ships and British ships registered outside the United Kingdom from certain provisions of the Merchant Shipping Acts.

Would the Colonial Office kindly look at Liddell's draft clause, and would you kindly tell me as soon as possible whether they agree?

Yours sincerely,
C. HIPWOOD.

10138

No. 321.

MR. E. J. HARDING (COLONIAL OFFICE) to MR. C. HIPWOOD (BOARD OF TRADE).

Downing Street, 7th March, 1925.

DEAR HIPWOOD,

THANK you for your letter of the 5th† about the Merchant Shipping (Equivalent Provisions) Bill. We concur generally in the draft clause enclosed in your letter, but suggest that it might be extended to deal with British ships registered outside His Majesty's Dominions by the addition to the draft of the words underlined in the enclosed revised draft. This, we think, would meet the point raised in the last sentence of paragraph 3 of our official letter of the 23rd February.‡

Yours sincerely,
E. J. HARDING.

Enclosure in No. 321.

WHERE His Majesty is satisfied that British ships registered in a part of His Majesty's Dominions outside the United Kingdom or in a port within which His Majesty exercises jurisdiction are required by the law of that part of His Majesty's Dominions or the law in force in that port to comply with any provisions which are substantially the same as, or equally effective with, any of the provisions of the Merchant Shipping Acts which apply to such British ships if, but only if, they are within a port of the United Kingdom, His Majesty may, by Order

* See No. 319 and enclosure. † No. 320. ‡ No. 318.

in Council, direct that any such provisions of the Merchant Shipping Acts as aforesaid shall not apply to any ship registered in that part of His Majesty's Dominions or in that port whilst within a port in the United Kingdom if it is proved that the ship complies with the corresponding provision of the law of the part of His Majesty's Dominions or the law in force in the port in which the ship is registered.

10138

No. 322.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada. (Commonwealth of Australia. (New Zealand. (Union of South Africa. (Irish Free State. (Newfoundland. — Dominions No. 115.)

[MY LORD,] [SIR,] Downing Street, 18th March, 1925.

I HAVE the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copies of a Bill as introduced in the House of Lords on the 5th of March, to provide for the exemption, in certain circumstances, of foreign ships and British ships registered outside the United Kingdom from certain provisions of the Merchant Shipping Acts.

I have, &c.,
L. S. AMERY.

32315

No. 323.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada. (Commonwealth of Australia. (New Zealand. (Union of South Africa. (Irish Free State. (Newfoundland. — Dominions No. 309.)

[MY LORD,] [SIR,] Downing Street, 22nd July, 1925.

WITH reference to my despatch Dominions No. 115 of the 18th of March,* I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copies of the Merchant Shipping (Equivalent Provisions) Act, 1925 (15 and 16 Geo. 5. Ch. 37).

I have, &c.,
L. S. AMERY.

---

* No. 322.

X.

769

ACTIVITIES OF UNITED STATES CUSTOMS AGENTS.

29217

No. 324.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL.

(Sent 5.0 p.m., 25th June, 1925.)

TELEGRAM.

[*Answered by Nos.* 325, 326 *and* 327.]

(Canada.)
(Commonwealth of Australia.)
(Union of South Africa.)

25TH JUNE. Confidential. My despatch 3rd March, Dominions 91, Confidential.* Activities of United States Customs Agents in this country. United States Government have now addressed to His Majesty's Government and to various European Governments official request for recognition of such agents as members of diplomatic body. His Majesty's Government are about to reply in concert, it is hoped, with other Governments concerned, that they are unable to grant request on the grounds (*a*) that these agents do not seem to be connected with, or necessary to the discharge of, the normal diplomatic functions of a diplomatic representative, and (*b*) that in any case certain of the activities of these officials are open to strong objection (i.e. their demand to be furnished with particulars of cost of production under threat that importation of goods will be prohibited if particulars withheld). His Majesty's Government propose at the same time in separate communication to United States Government to set out what they understand to be proper limits of the functions of such agents, viz., inquiries into home consumption value, export value, and United States value of goods exported from this country to United States. In this connexion United States officials in informal communications on the subject have referred to the work in the United States of the Customs Agents of Canada and the Commonwealth of Australia. His Majesty's Government would like, therefore, to include some reference to what are understood to be the duties of such agents. The following paragraph has been drafted for this purpose based on information supplied in latter part of 1923 by High Commissioners for Canada and the Commonwealth in reply to inquiries made when difficulty first arose in case of Singer Company. See my despatch 7th August, 1924, Dominions 375, Confidential† :—

> *Begins:* Before closing this note I think it well to remove the misunderstanding which seems to exist in the minds of the United States Government as to the activities of the Customs Agents of Canada and the Commonwealth of Australia in the United States. I have the honour to point out that these agents do not extend their activities so far as to demand particulars as to costs of production of individual firms though it may happen that on occasions they ask whether a firm is prepared to volunteer information on the subject. There is further this great difference between their requests and the demands sometimes made by the United States Customs representatives, viz., that the sanction involved in the exclusion of a firm's goods from the Dominion concerned does not follow on a refusal to give the information. *Ends.*

—AMERY.

29200

No. 325.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 11.30 a.m., 27th June, 1925.)

TELEGRAM.

27TH JUNE. Confidential. United States Customs Agents. My Prime Minister states that the facts as shown in the draft paragraph quoted at the end

---

* 8091/25: not printed; it enclosed copies of an aide-memoire sent to the United States Ambassador on the subject.

† 36120/24: not printed; it enclosed copies of a note addressed to the United States Government protesting against the embargo placed on the importation into the United States of America of goods manufactured by the Singer Manufacturing Company.

of your longer telegram of the 25th June* set forth fairly the position with regard to activities of the Australian Inquiry Officers in the United States of America.—FORSTER.

29277

No. 326.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 4.3 p.m., 27th June, 1925.)

TELEGRAM.

27TH JUNE. Confidential. Your telegram 25th June,* United States Customs Agents. Union Government concur in reply to be sent. Union Customs Investigating Officer only authorized to ascertain export and domestic open market value. In case falling under Section 9 of the Customs Tariff Act, 1914, the Investigating Officer is instructed to discuss the matter with manufacturer or supplier and report to the Commissioner of Customs for the purpose of arriving at a decision. In this connexion draft paragraph *re* Canadian Australian Customs Agents correctly reflects position Union officers.—ATHLONE.

29278

No. 327.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.55 p.m., 27th June, 1925.)

TELEGRAM.

27TH JUNE. Confidential. Your telegram of 25th June,* Activity(ies) of United States Customs Agents. It is represented by the Department of Customs and Excise which has considered the matter that draft paragraph quoted at the end of your telegram correctly represents the situation, and that it is not desired to add any further comment(s).—BYNG.

31692

No. 328.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland. — Dominions No. 321. Confidential.)

[MY LORD,] [SIR,] Downing Street, 29th July, 1925.

WITH reference to my Confidential despatch Dominions No. 91 of the 3rd of March,† [*To Canada:* and to Your Excellency's Confidential telegram of the 27th of June,‡] [*To Commonwealth of Australia:* and to Your Excellency's Confidential telegram of the 27th of June,§] [*To Union of South Africa:* and to Your Excellency's Confidential telegram of the 27th of June,‖] I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copies of correspondence with the United States Ambassador and of notes¶ from the United

* No. 324. † 8991/25: not printed: it enclosed copies of an aide-memoire sent to the United States Ambassador on the subject. ‡ No. 327. § No. 325. ‖ No. 326. ¶ 31576/25 and 31577/25: not printed here.

States Government regarding the activities of United States Customs Attachés in Europe, especially in regard to investigations into the costs of production.

2. I also enclose copies of a Question and Answer in the House of Commons on this subject on the 16th of July.

I have, &c.,
L. S. AMERY.

770

[26588]

Enclosure 1 in No. 328.

(No. 39.)

SIR, London, 18th May, 1925.

I HAVE the honour to state that by an Act of Congress approved 13th January, 1925, it was provided that agents of the Customs Division of the United States Treasury stationed abroad and hitherto entitled Customs Representatives should be regularly and officially attached to American Diplomatic Missions. The title of Customs Attaché has been provided for them, and I am directed to inform you of the appointment of the following Customs Attaché and his assistants, whose headquarters will be at 11, Haymarket, S.W.1. I am further directed to request their recognition in their respective capacities by the appropriate British authorities:

C. Bernard Wait, Customs Attaché.
Thomas P. Drew, Assistant Customs Attaché.
Norman E. Kane, Assistant Customs Attaché.
Francis B. Laughlin, Assistant Customs Attaché.
Roy W. Fischer, Assistant Customs Attaché.

In this connexion I venture to refer to correspondence which has passed between my Government and His Majesty's Embassy at Washington, in particular a note dated 31st March, 1925, from Sir Esmé Howard and the reply of Mr. Kellog. My Government expresses the hope that the tentative attitude of His Majesty's Government towards the appointment of these Attachés may be modified in view of the full explanation which I propose to enter into concerning their activities.

The duties of these Attachés will be in general the following:

Under Section 402 of the United States Tariff Act of 1922 they ascertain the facts relative to the "market value" of merchandise exported to the United States from the countries to which they are assigned; the conditions of sale and shipment thereof; the correctness of invoices executed by shippers; and any other facts deemed necessary to a proper appraisement, examination and classification of the merchandise. This information is embodied in reports submitted to the Secretary of the Treasury for reference to appraising and other customs officers at ports of importation in the United States. They advise foreign exporters and shippers as to the United States Tariff Law and invoice requirements. By direction of the Secretary of the Treasury, upon request from appraising officers, or upon their own motion when they have reason to believe that fraud or undervaluation exists, they make special investigations in the above subjects as well as other violations of the Customs Revenue Laws and improper invoicing of merchandise, and, when necessary, inquire into the cost of production of merchandise. The facts ascertained and reported by them are also used in connexion with the enforcement of the statutes of the United States intended to prevent dumping of foreign merchandise into the United States at less than a fair value.

I have the honour to express the hope that His Majesty's Government will find agreeable the proposed procedure and will accord recognition to the Customs Attachés as desired. I hold myself in readiness to discuss this matter, which my Government considers of great importance, at any time which is convenient to you.

I have, &c.,
A. B. HOUGHTON.

The Right Honourable
Austen Chamberlain,
&c., &c., &c.

Enclosure 2 in No. 328.

YOUR EXCELLENCY, Foreign Office, S.W.1, 1st July, 1925.

I HAVE the honour to acknowledge the receipt of Your Excellency's note of the 18th May, in which you informed me that by an Act of Congress of 13th January, 1925, it was provided that agents of the Customs Division of the United States Treasury Department stationed abroad should be regularly and officially attached to the United States Diplomatic Missions under the title of Customs Attachés. In the same note you further informed me of the appointment of one Customs Attaché and four Assistant Customs Attachés as members of your diplomatic staff and requested that they should be accorded recognition by His Majesty's Government in their respective capacities. In a subsequent note dated 11th June you notified to me the appointment of a fifth Assistant Customs Attaché for whom recognition was also requested.

2. I have the honour to inform you that His Majesty's Government much regret that they are unable to accede to the request of your Government for recognition of these agents as members of the Diplomatic Body in this capital. It is the practice of His Majesty's Government to accord diplomatic privilege to foreign representatives in this country for the purpose of carrying out diplomatic duties. His Majesty's Government further extend the diplomatic privilege to such members of the staff of a foreign representative as may be required to assist him in carrying out these duties. It does not seem from the terms of your note of 18th May that the duties assigned to the officials whom it is proposed to attach to your staff as Customs Attachés are of a diplomatic character or are connected with, or necessary to, the discharge of the diplomatic functions attaching to the position of an ambassador. The duties assigned to them appear to arise rather from the domestic legislation of the United States and to be of a purely administrative and fiscal character. I must point out that to grant the request of your Government would imply an unlimited extension of diplomatic functions and immunities.

3. For this reason alone His Majesty's Government would find themselves reluctantly compelled to decline the request of the United States Government. But there are certain aspects of the duties of the customs agents to which, as you are aware, His Majesty's Government have felt bound to take strong exception. I regret that the proposed new procedure, particulars of which were semi-officially communicated to this department by your Embassy on 18th May, has not removed the objections which my Government entertain to these activities, and for this reason also they are unable to recognize the officers in question as members of your diplomatic staff.

4. On this aspect of the matter I shall have the honour to address to you a separate communication, setting out in detail, on the one hand the attitude of His Majesty's Government towards certain types of inquiry carried out by the agents of the Customs Division of the United States Treasury Department in this country, and on the other a solution which would appear to His Majesty's Government both equitable and practical.

I have, &c.,

His Excellency
The Honourable Alanson B. Houghton,
&c., &c., &c.

Enclosure 3 in No. 328.

YOUR EXCELLENCY, Foreign Office, S.W.1, 1st July, 1925.

IN connexion with the note which I have had the honour of addressing to Your Excellency under to-day's date regarding the request of the United States Government that diplomatic status should be granted to the representatives of the Customs Division of the United States Treasury Department, I beg leave to inform you that His Majesty's Government have given careful consideration to the character of the duties performed by these officials in this country.

2. His Majesty's Government observe from your note of 18th May that it is one of the duties of the officials in question to inquire into the cost of production of merchandise exported to the United States, if information on this point should be considered necessary for appraisement purposes under the United States Tariff Act of 1922.

3. You are aware that His Majesty's Government have already found it necessary to protest against the prosecution of this particular form of inquiry. The

inquiry amounts to a demand on British firms to divulge trade secrets, accompanied by a warning that, if the demand is not complied with by the exporting firm, the goods of that firm may (under the interpretation given to section 510 of the Tariff Act) be denied entry into the United States. I invite your attention to Sir Esmé Howard's note to your government of 12th July, 1924, and the semi-official communication which I had the honour to address to your predecessor on 17th February last.

4. So far the representations of His Majesty's Government have not resulted in agreement to suspend the activities to which His Majesty's Government must take exception on principle. But the United States Government have now proposed a new procedure (details of which have been furnished to me unofficially by your embassy) which they hope may lead His Majesty's Government to modify their attitude.

5. I regret to inform you that a careful study of the proposed new procedure has failed to remove the objections felt by His Majesty's Government.

6. The proposal, if I have understood it correctly, deals with two alternative contingencies: (1) the case of His Majesty's Government granting general permission for the representatives of the Customs Division of the United States Treasury Department to inquire into the cost of production of exporting British firms for purposes of appraisement; (2) the case of His Majesty's Government declining to grant such permission.

7. In the first case the proposed procedure would be as follows. The United States Customs representatives would, when they deemed it necessary, approach the exporting firm with a request to investigate their costs of production. Should the exporting firm refuse, the refusal would be reported to you. You would then make representations to His Majesty's Government, upon whom would be placed the duty of overcoming the firm's objections. If the efforts of His Majesty's Government proved fruitless, the Customs representatives would refrain from making further demands for investigation, merely reporting the refusal to the United States Customs authorities.

8. I regret to inform you that this procedure would not meet the objections felt by His Majesty's Government. These objections apply in principle to the prosecution of this form of inquiry with its element of compulsion, and make it impossible for His Majesty's Government to grant authority of the kind contemplated. We are led, therefore, to the consideration of the second contingency.

9. According to the proposal now made with a view of inducing His Majesty's Government to modify their attitude, the United States Government would give instructions that inquiries into the cost of production should not be attempted in the event of His Majesty's Government withholding their permission. It is, however, made clear that the inability of the Customs representatives to obtain information regarding the costs of production (where they consider such information necessary) would in any given case involve the exclusion of an exporter's goods from the United States.

10. His Majesty's Government regret that this new procedure does not appear to show any advance in substance on the old. In the first place, it is, of course, clear that even in the case of the original procedure, the United States Customs agents would not have prosecuted the inquiries into costs of production if His Majesty's Government had found it necessary to place an embargo on this part of their activities. In the second place, the intention of the United States Government to give instructions that the inquiries shall not be made, is scarcely material since the sole result would be the automatic exclusion from the United States of the goods of any firm whose costs of production the United States authorities would otherwise have investigated.

11. His Majesty's Government are most anxious that the United States Government should remove this penalty, the severity of which they cannot but think excessive. Though the proposals now conveyed to me by you contain no suggestion that the United States Government are ready to do this, yet, in my desire to reach some solution satisfactory to both parties, I venture to recall to your attention the suggestion made in the memorandum accompanying my semi-official note of 17th February to which I have already referred.

12. In that memorandum the following passage occurred:—

> "When the Safeguarding of Industries Act, 1921, was before Parliament a similar question was raised in this country with regard to the assessment of dumping duty in the ordinary sense. There was then a considerable body of opinion both in the country and in Parliament prepared to acquiesce in the

imposition of a dumping duty when foreign goods were sold in this country below their actual cost of production, on the ground that to sell below the cost of production was in fact dumping as commonly understood, whereas to sell at a price lower than the selling price in the country of origin but not below the cost of production need not necessarily be so regarded, but His Majesty's Government felt that it would be impossible to require that British official representatives should make investigations of such a character in a foreign country where His Majesty's Government had no jurisdiction. While therefore in the Act the expression 'Cost of Production' was retained, it was defined arbitrarily as the 'Current sterling equivalent of 95 per cent. of the wholesale price at the works . . .'"

His Majesty's Government of course do not desire to offer any objection to the requests of the United States Authorities for such information as they may deem necessary so long as there is no compulsion on British manufacturers to disclose information which they regard as secret and would object to disclose to British officials.

Other governments faced with the difficulty that goods may be undervalued do not resort to the penalty of prohibiting the importation of the goods of the particular manufacturer, but themselves, if in doubt, appraise the goods at what they consider a fair valuation, and indeed a fair valuation can usually be made. If the valuation is too high, it is for the exporter to satisfy the authorities concerned that it is too high.

His Majesty's Government would therefore most strongly urge on the Government of the United States the desirability of suspending the penalty of prohibition on importation in Section 510, and replacing it by some such method as that above indicated."

13. In order that the friendly disposition of His Majesty's Government may be quite clear, I would explain that His Majesty's Government do not desire to raise any unnecessary objection to the reasonable prosecution of investigations, the purpose of which is to establish the foreign value, the export value or the United States value of goods exported to the United States. The objections of His Majesty's Government apply particularly to demands addressed to individual firms for details of the costs of production of particular articles, accompanied as they are by an explanation that a refusal will result in the goods of such firms being refused entry to the United States.

14. His Majesty's Government would further suggest that, if the United States Government find it impossible in any particular case to fix an appropriate valuation for any goods without satisfying themselves as to the cost of production, they should consider whether they could not adopt for the purpose, the report of a chartered accountant of recognized standing, approved both by the United States Government and the firm in question. The accountant would examine the books of the firm and give a certificate of the cost of production of the goods.

15. Such a procedure does not appear to be inconsistent with the provisions of the United States Tariff Act, which requires the United States authorities in a limited class of cases to be satisfied as to the cost of production of the goods concerned, but does not, if His Majesty's Government rightly interpret its provisions, prescribe the way in which such cost is to be ascertained and in particular does not appear to require that the books of the manufacturer or exporter must be inspected for the purpose, although it contemplates the possibility of such inspection in certain cases, and prescribes a penalty where a demand for inspection is made and refused.

16. I have to express the hope that the United States Government will furnish me with their observations on the foregoing suggestions, which I trust it may be possible for them to accept. I need not assure you that they are offered with the sincere desire to reach a practical agreement upon this matter.

17. Before closing this note I think it well to remove the misunderstanding which seems to exist in the minds of the United States Government as to the activities of the Customs agents of Canada and the Commonwealth of Australia in the United States. These agents of the Dominions do not demand particulars as to costs of production of individual firms, though it may happen that on occasions they ask whether a firm is prepared to volunteer information on the subject. There is further this great difference between their requests and the demands sometimes made

772

by the United States Customs representatives, viz., that the sanction involved in the exclusion of a firm's goods from the Dominion concerned does not follow on a refusal to give the information.

I have, &c.,

His Excellency
The Honourable
Alanson B. Houghton,
&c., &c., &c.

[31870]

Enclosure 6 in No. 328.

HOUSE OF COMMONS.

(16th July, 1925.)

Production Costs.

Investigators, United States.

LIEUTENANT-COLONEL JAMES asked the Secretary of State for Foreign Affairs whether any reply has been sent to the request of the United States Government that diplomatic immunities should be granted to investigators sent by it to study the production costs of private concerns in this country; and, if so, the general character of the reply?

MR. MCNEILL: A reply has been sent to the United States Government in which His Majesty's Government express regret at being unable to accede to the request that diplomatic status should be accorded to the representatives of the Customs Division of the United States Treasury Department.

47360

No. 329.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.

Dominions No. 477. Confidential.)

[MY LORD,] [SIR,] Downing Street, 3rd November, 1925.

WITH reference to my Confidential despatch Dominions No. 321 of the 29th of July.* I have the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, the accompanying copy of a note from the United States Ambassador replying to the notes addressed to him on the 1st of July regarding the activities of the agents of the Customs Divisions of United States Treasury Department in this country.

I have, &c.,
L. S. AMERY.

Enclosure in No. 329.

(No. 322.)

SIR, London, 12th October, 1925.

REFERRING to your note of 1st July, 1925, with regard to the status and activities in Great Britain of the Customs Representatives of the United States Treasury Department, I have the honour, under the instructions of my Government, to comment as follows upon paragraphs 12-15 inclusive of the note under acknowledgment.

The Tariff Act of 1922 definitely fixes and determines what shall constitute "value" of imported merchandise, including cost of production, and no discretionary

* No. 328.

authority is left to the Secretary of the Treasury arbitrarily to define it. The law requires that the basis of appraisement shall be just, impartial, and uniformly applied to all imported merchandise from every country.

The appraising officers cannot arbitrarily appraise merchandise at what they consider "a fair valuation" without some legal basis for such appraisement. If an arbitrarily high valuation were placed on any merchandise the Appraiser's act could be set aside by the Courts on the production of admissible evidence as to the correct market value of the merchandise in question. Such arbitrary action would cause unnecessary litigation, expense, and embarrassment to the importer as well as the Government. It is held that the production of evidence should be in advance of the act of appraisement to assist the Appraiser in fixing the value. The Tariff Act only contemplates the collection of duty at the legal rate based on a proper valuation.

The principle of Section 510, to which the British Government objects, is not entirely new legislation, but gives to the Appraiser a more adequate means of securing information necessary to appraisement than heretofore existed, undoubtedly for the reason that previous legislation failed to produce the desired results, and also makes more effective other provisions of the same act requiring such information to be furnished. Section 510 supersedes paragraph U of Section III, of the Tariff Act of 1913, which in practically the same language provided that in cases where shippers and others sending merchandise to the United States failed or refused to submit to the inspection of a duly accredited investigation officer of the United States when requested to do so any or all of their books, records and accounts pertaining to the value or classification of such merchandise, the Secretary of the Treasury "in his discretion" was authorized, while such failure or refusal continued, to levy an additional duty of 15 per cent. *ad valorem* on all such merchandise imported into the United States. It will be noted that the imposition of the penalty provided in Section 510 is mandatory upon the Secretary of the Treasury instead of being discretionary as in the case of paragraph U.

Section 500 of the present tariff act provides that it shall be the duty of the Appraiser to appraise imported merchandise by ascertaining or estimating the value thereof by all reasonable ways and means in his power, any statement of cost or cost of production in any invoice, affidavit, declaration, or other document to the contrary notwithstanding. Section 499 provides that "imported merchandise, required by law or regulations made in pursuance thereof to be inspected, examined, or appraised, shall not be delivered from Customs custody, except as otherwise provided in the act, until it has been inspected, examined or appraised and is reported by the appraiser to have been truly and correctly invoiced and found to comply with the requirements of the laws of the United States." Inasmuch as the appraiser is responsible for determining in the first instance the correct dutiable value of imported merchandise, he may, even without the authority of Section 510, cause the delivery of merchandise to be withheld in any case where satisfactory information cannot be secured to enable him to make a legal appraisement thereof.

Respecting the suggestion that the report of a chartered accountant of recognized standing be accepted in establishing the cost of production, the following observation is made. This question has been previously submitted and decided in the negative for the reasons, *inter alia*, that the Tariff Act only contemplates that reports, certificates, or depositions be made by American Consuls, customs agents, or other officers of the United States Government, and that copies of official documents, to have full legal effect, must be certified by an official duly authorized to that effect by the Secretary of the Treasury; that any chartered accountant would necessarily have to be thoroughly familiar with the technical provisions of the tariff law and intricate court decisions as to what constitutes "market value;" that each such chartered accountant would have to be commissioned as an officer of the United States Government; that it would require a number of such men in each country with considerable travel, with technical difficulties; that a practice or method adopted with respect to the importations from one country would necessarily have to be uniformly applied; that, while such a practice, if permissible under the law, might work well respecting one country, there would be serious difficulties in applying the same methods to the imported merchandise from all countries for obvious reasons.

I have, &c.,
For the Ambassador,
F. A. STERLING,
Counsellor of Embassy.

The Right Honourable
Austen Chamberlain,
&c., &c., &c.,
Foreign Office, S.W. 1.

51092

773

No. 330.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to THE GOVERNOR.

(Confidential.)

SIR, Downing Street, 23rd November, 1925.

I HAVE the honour to transmit to you, for the information of your Ministers, the accompanying copies of a Note* which His Majesty's Ambassador at Washington addressed to the United States Government on the 12th of July, 1924, and of an Aide-Memoire* subsequently sent to the United States Ambassador regarding the demands made upon British exporting firms by agents of the Customs Division of the United States Treasury for information under Section 510 of the United States Tariff Act, 1922. Copies of further correspondence† with the United States Ambassador regarding the activities of these agents and the attitude of His Majesty's Government towards them are also enclosed.

I have, &c.,
L. S. AMERY.

* Not printed. † Despatch of 12th October (enclosed in No. 329) only printed.

XI.

POSITION OF FOREIGN CONSULS IN THE DOMINIONS.

1565

No. 331.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 12th January, 1925.)

[*Answered by No.* 333.]

(No. 339.)

SIR, Governor-General's Office, Melbourne, 6th December, 1924.

I HAVE the honour, at the instance of my Prime Minister, to inform you that the Commonwealth Government has lately given consideration to the question of the rights, privileges and status of Foreign Consuls in Australia and the other Dominions. It is felt that the time has arrived when the whole position should be reviewed in the light of recent events, which have appreciably affected the status of the Dominions and increased the importance of the duties discharged by the Foreign Consuls.

The procedure which is at present followed is that laid down in a Circular despatch dated 1st June, 1906,* from the then Secretary of State for the Colonies, the Earl of Elgin. This despatch, in turn, quotes as a precedent for the treatment of Consuls a decision given as early as 1856. It is set out therein that, as regards the transaction of public business, Consuls should under no circumstances be permitted to approach the local Governments except on matters connected with the personal welfare of their countrymen as individuals, and that they are not entitled to any special privileges beyond those extended to any prominent inhabitant of the Colony. It is further stated in this despatch that it would prove in the highest degree inconvenient if, in British Colonies, Consuls of Foreign Powers should be permitted to acquire a claim to the privileges or immunities of diplomatic agents, or to assume in any other respect a footing different from that which they hold in the United Kingdom.

Before proceeding to suggest some improvements in the present position, my Ministers have traversed in detail, as follows, the two outstanding reasons why, in their view, the instruction referred to above should now be cancelled and a revised procedure substituted.

1. The greater participation of the Dominions, as self-governing nations, in foreign affairs.
2. The fact that in actual practice the instructions contained in the above-mentioned despatch have long since been exceeded.

With regard to 1, it will, Ministers think, be conceded that, since the date quoted, the self-governing Dominions of the Empire have advanced appreciably, both in their relations with Great Britain and with Foreign Countries. Their direct interest and participation in foreign affairs since the signing of the Treaty of Versailles, and their responsibilities as individual States through the League of Nations, have placed the Dominions in an entirely different position from that which they occupied when the general instructions regarding Consuls were issued.

As an indication of this advance, Ministers mention the Resolution passed at the Imperial Conference, 1923, with regard to the negotiation of Treaties by the Dominions direct with Foreign Powers.

Acting in conformity with this Resolution, the Canadian Government has recently taken steps to consummate a Fisheries Treaty direct with the United States of America.

As a further evidence of the progress made, Ministers mention also the principle which has been affirmed by His Majesty's Government, in connexion with Canada and the Irish Free State, of direct diplomatic representation in the United States. Ministers state that there are indications that certain Dominions will at no distant date take advantage of this lately conferred right and be directly represented at Foreign Capitals.

* 10959/06: not reprinted.

Consequent on the acceptance of the principle under which the Dominions have direct relation with Foreign Powers, and after having observed its operation in actual practice, Ministers are of the opinion that circumstances must inevitably arise when expediency and efficiency will lead to the conduct of detailed negotiations through local Consular representatives. In those circumstances it would be impossible to carry out the instructions laid down in Lord Elgin's despatch.

With regard to 2, the following instances may be mentioned as indicating how the Dominions, as well as Consular representatives, have already departed from the instructions laid down.

In 1904 the Commonwealth Government negotiated directly with the Japanese Consul-General in Australia on the question of admitting Japanese merchants, students and tourists to Australia temporarily without their being subjected to immigration restrictions. In 1922 the French Government invested the French Consul-General in Australia with full powers to negotiate and conclude a Commercial Treaty with Australia. Both these matters would, in the ordinary course between fully independent Sovereign States, have been settled through the diplomatic channels.

In 1906 the Canadian Government negotiated direct with the Japanese Consul-General, and later sent a Canadian Minister to Japan to conclude an arrangement with respect to immigration. Commercial Treaties have also been negotiated by Canada with France, the United States of America, Germany and Italy, either through the Consuls-General or through Canadian Ministers direct with the Foreign Countries concerned.

It will be seen, therefore, that, while it has been expressly laid down and is the practice in International Law that there should be no distinction of treatment between Consuls in Britain and in the Dominions, the Consuls-General in the Dominions have, in the exercise of their functions, carried out duties of a much more important nature than was originally contemplated.

The fact that there are no diplomatic representatives of Foreign Powers in Australia has rendered this development to a certain extent inevitable. As a result, the Consuls-General have been inclined to consider their position as superior to that of their colleagues in other countries such as Britain, where a Minister is specially assigned for the conduct of diplomatic negotiations, and this has led to several requests for recognition of a status and grant of treatment consonant with the duties they discharge. My Ministers regard this contention as having a certain justification, particularly in those cases where Consuls-General have acted as intermediaries between their own and Dominion Governments.

The Commonwealth Government, after the fullest consideration, is of opinion that, subject to the observance of the general principle governing the despatch of 1906—that there must be unity in Imperial policy on all matters of common interest—something more should be done for Consuls-General in the Dominions than has hitherto been deemed necessary or expedient.

It is considered, however, that in dealing with this question of the extension of privileges, regard must be paid to the present status of Consular representatives. Foreign Consuls in Australia at the present time belong to two categories:—

1. Professional Consuls (Consuls de carrière) who are specially sent from the country they represent, and who are not engaged in other than official business.
2. Non-professional Consuls, comprising those of foreign birth as well as Australian citizens, who are engaged in business other than official business.

While there is no distinction in International Law between the different classes of Consuls in so far as their rights and privileges are concerned, it is felt by the Commonwealth Government that, as the professional Consuls in practice exercise a greater authority than the other Consuls, they have a just claim to special treatment.

The Commonwealth Government is further of the opinion that where Foreign Countries pay Australia the compliment of a direct professional representative, national courtesy as well as expediency suggest that there should be some degree of recognition and reciprocation. In this respect the Commonwealth Government cannot ignore the fact that its own representatives travelling in foreign countries have on numerous occasions in the last few years been granted many diplomatic courtesies.

Enclosed herewith are two lists,* in one of which are set out in full the names and designations of the Consular representatives at present in Australia, and in the other the names and designations of the Consuls de carrière in Australia.

* Not printed.

Consuls now enjoy the following privileges in the Commonwealth:—

1. *Exemption from Customs duties.*

(*a*) All uniforms, flags and office requisites for official use imported by a Consul who is not a British subject or engaged in trade are free by law.

(*b*) Passengers' furniture and household goods which have been in actual use by such passengers for at least one year, not exceeding £100 in value for each adult passenger, are exempt from duty. A liberal view is taken in assessing the value, and two members of a family being children are reckoned as one adult.

(*c*) Personal effects are admitted free of duty without limitation as to value.

2. *Exemption from the provisions of the Navigation Act.*

Consular representatives of Foreign Countries, and their families, are also exempt from certain provisions of the Commonwealth Navigation Act, in that they may travel from port to port in Australia in ships of the country of which they are representatives. The approval of the Deputy Director of Navigation in the State in which the Consul resides must be first obtained by the Consul, and a form permitting him so to travel is issued.

3. *Exemption from Federal taxation.*

Exemption of Consular Officers in Australia from Federal taxation is laid down in the Income Tax Assessment Act, 1922, as follows:—

Section 14.—(1) The following incomes, revenues, and funds shall be exempt from income tax:—

(*h*) The official salaries of foreign Consuls and the Trade Commissioners of any part of the British Dominions.

Section 15.—With respect to income which, under the last preceding section, is exempt from income tax, the exemption shall be limited to the persons specified in that section, and shall not extend to the salaries and wages of persons employed by such persons, although such salaries and wages may be paid wholly or in part out of the income, revenues or funds so exempt.

The terms of these sections are in accordance with the practice followed in regard to foreign Consular Officers in England.

It is suggested by my Ministers that consideration should now be given to the question of extending these privileges in the following directions, and that all the Dominions should be consulted concerning the proposal, in order that uniformity of procedure may be observed. In their view, however, these added privileges should be confined to Consuls-General who are nationals of the countries they represent, and who are engaged wholly in duties connected with such representation.

1. Consuls-General of the above category to be accorded a definite place in the Table of Precedence.
2. Dominions to be asked to extend exemption (subject always to the discretion of the Dominion Governments) from Customs duties on all household and official effects imported during term of office.
3. A general ruling to be given that in all matters affecting the interests of the Dominions and any Foreign Country it shall be left to the discretion of the Dominion Government and the Foreign Government concerned to say how far negotiations shall be conducted direct with the Consul-General. This ruling to be always subject to the guiding principle that unity in Imperial policy on all matters of common interest should be maintained.

As this principle is the basis of the resolution with regard to the negotiation of Treaties direct with Foreign Countries, it is believed that in practice no harmful results will ensue from such an innovation.

The points raised in this despatch are regarded by the Commonwealth Government as important, not only because in practice the Dominion Governments have long since been obliged to depart from the instructions originally laid down, but because, in the opinion of Ministers, the time has arrived when the principal Consular representatives of Foreign Countries should be accorded a status in keeping with the functions they are actually called upon to perform.

The subject is, too, of sufficient local importance to affect the attitude adopted by these representatives towards the question of residence in the Federal Capital, to which, it is anticipated, the Government of the Commonwealth will shortly be transferred.

In these circumstances my Ministers would be glad if early consideration could be given to the points raised in this despatch, and a decision conveyed to the several Dominion Governments in due course.

I have, &c.,
FORSTER,
Governor-General.

29235

No. 332.

COMMONWEALTH OF AUSTRALIA.

OFFICE OF THE HIGH COMMISSIONER to COLONIAL OFFICE.

[*Answered by No.* 336.]

SIR, Australia House, Strand, London, W.C.2, 27th June, 1925.

I DESIRE to inform you that I have received a communication from the authorities in Australia, indicating that representations have been made to them by the Consular representatives of foreign countries in the Commonwealth to secure exemption from the payment of licence fees on their motor-cars.

I should, therefore, be glad if you would kindly advise me, as early as possible, what is the position in this respect of Foreign Consuls in Great Britain, as well as of British Consuls in foreign countries.

I am, &c.,
E. A. J. HOGBEN,
Official Secretary.

22148

No. 333.

COMMONWEATH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(No. 193.)

MY LORD, Downing Street, 8th July, 1925.

I HAVE the honour to request Your Excellency to inform your Ministers that His Majesty's Government have had under consideration your despatch No. 339 of the 6th December, 1924,* regarding the position of Foreign Consuls in the Dominions.

2. His Majesty's Government appreciate the view of your Ministers that circumstances have changed since the position of Consular Officers in the Dominions was last reviewed. In particular they agree that the extent to which negotiations as regards matters affecting the interests of foreign countries in the Dominions should be conducted direct with the Consular representative of any particular foreign country is a matter for the decision of the Dominion Government and the foreign Government concerned. Indeed, as suggested in your despatch, procedure of this kind would seem to follow naturally from the principles laid down in the Resolution of the Imperial Conference of 1923 on the subject of the Negotiation, Signature and Ratification of Treaties which, as your Ministers are aware, has been accepted by His Majesty's Government and the Governments of all the Dominions. I would only observe in connexion with Section 1 (1) of the Resolution in question that His Majesty's Government would be interested in, and glad to be informed of, the progress of any negotiations which the Commonwealth Government may arrange to conduct in the manner suggested.

3. As regards the exemption of Consular Officers from taxation and customs duties, the practice in this country is to allow to all foreign Consular Officers, including honorary Consular Officers of British nationality, relief from income tax in respect of their official salaries and of fees paid to them in their official capacity. Articles required for official use of foreign Consular Officers are in practice exempt from customs duties owing to the fact that the articles in question are not subject to any duty on importation into this country. In the case of articles subject to duty

* No. 331.

which may be imported by foreign Consular Officers for personal use, exemption is confined to the Consuls-General and (in certain cases) Consular officers *de carrière* of a limited number of countries with which there exist special arrangements based on reciprocity, and in these cases the concession is granted only in respect of articles imported on first arrival. The practice in the case of foreign Consular Officers in other Dominions as regards Income Tax and Customs Duties varies to some extent. The latest particulars in the possession of His Majesty's Government are given in the memorandum* enclosed. His Majesty's Government doubt whether it would be desirable to endeavour to secure exact uniformity of practice. So far as they are concerned the existing practice as regards exemption of official salaries from Income Tax appears satisfactory; they would also see no objection to the continuance of any exemptions already granted in respect of articles imported by Consular Officers *de carrière* for their official or personal use at any time during their tenure of office or to the grant of exemptions in respect of such articles where these are not already granted.

4. As regards precedence, foreign Consular Officers have not been granted any place in the Table of Precedence in this country, and it has been found that great difficulty would arise in attempting to lay down any rules for according them formal precedence here or in distinguishing between the position of Consuls de Carrière and other Consular Officers. His Majesty's Government feel that they would have even greater difficulties in offering any suggestions as to the principles which might govern the grant of formal precedence to foreign Consular Officers in the Dominions, and they would prefer, if your Ministers agree, to leave this question open until the whole position can be discussed at an Imperial Conference.

5. I am communicating a copy of your despatch and of this reply to the Governments of the other Dominions and the Secretary of State for India.

I have, &c.,
L. S. AMERY.

Attached 1566

No. 334.

MEMORANDUM REGARDING THE EXEMPTION OF CONSULAR OFFICERS FROM PAYMENT OF INCOME TAX AND CUSTOMS DUTIES IN THE DOMINIONS.

(*a*) INCOME TAX.

Canada.

THE Income War Tax Act 1917 as amended by 13 and 14 Geo. V, Chap. 52, section 5 (*b*) (i) exempts

"The income of Consuls and Consuls-General and of officials or officers of a foreign country whose duties require them to reside in Canada, if and only if they are citizens of the country they represent and are not engaged in any business or calling other than the duties appertaining to their official position and provided that the country they represent grants a similar exemption to officials of the Government of Canada."

New Zealand.

It was stated in a despatch from the Governor-General, No. 115, dated 26th May, 1921,† that

"the position in the Dominion of New Zealand is that foreign Consuls . . . are by the Comity of Nations exempt from personal taxation. They are thus free from income tax." . . .

". . . Consular Agents who are permanent residents in New Zealand and carry on other business here, whose consular duties are thus merely incidental to their private businesses, do not enjoy similar privileges to those set out in the above paragraph."

Union of South Africa.

The Income Tax (Consolidation) Act, 1917 (No. 41 of 1917), section 16 (1) (*b*) exempts

"the salaries and emoluments payable in respect of their offices to Consuls of foreign countries and members of their staffs who are not British subjects nor permanently resident in the Union."

* No. 334. † 33469/21: not printed.

Irish Free State.

There appear to be no special provisions dealing with the matter.

Newfoundland.

The Income Tax Act, 1922, section 5 (*b*) (12 and 13 Geo. V, Cap. 26) exempts

"The incomes of Consuls and Vice-Consuls who are citizens of the country they represent, and who are not engaged in any other business or profession."

(*b*) CUSTOMS DUTIES.

Canada.

The Customs Act, 1907, Article 706 (6-7 Ed. VII, Chap. 11) exempts

"Articles for the personal or official use of Consuls-General who are natives or citizens of the country they represent and who are not engaged in any other business or profession."

New Zealand.

The Customs Amendment Act, 1921 (No. 19 of 1921) Third Schedule, exempts

"Official supplies, uniforms, flags, and such other articles as may be approved by the Minister for the official use of Consular Officers, Trade Commissioners, and other accredited representatives of any British or Foreign Government."

Union of South Africa.

The Customs Tariff Act, 1914, Section 14 (No. 26 of 1914) provides that "the Governor-General may by Proclamation declare . . ."

* * * * * * *

"that there may be allowed a rebate or refund of the duty which would be payable in respect of articles (not being private wearing apparel or effects, food or drink, or tobacco in any form) for the official or private use of Consuls who are subjects of the Governments represented by them and are not engaged in any other business, profession, or occupation in the Union."

* * * * * * *

Proclamation dated 3rd July, 1914, made under Act No. 26 of 1914, after reciting the above quoted paragraph (*inter alia*), declared rebates or refunds of duty on the following:—

"(*d*) goods (subject to the exceptions and conditions herein before referred to) imported by Consuls."

Irish Free State.

There appear to be no special provisions dealing with the matter.

Newfoundland.

The Customs Tariff, 1918, Schedule B, Item 195, exempts

"Articles for the official use of Consuls."

22148

No. 335.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

[*Answered by No.* 338.]

(Canada. No. 309.)
(New Zealand. No. 123.)
(Union of South Africa. No. 134.)
(Irish Free State. No. 270.)
(Newfoundland. No. 71.)

[MY LORD,] [SIR,] Downing Street, 8th July, 1925.

I HAVE the honour to transmit to [Your Excellency,] [you,] to be laid before your Ministers, the accompanying copy of correspondence* with the Governor-General of the Commonwealth of Australia regarding the position of Foreign Consuls in the Dominions.

* Nos. 331 and 333.

2. Similar despatches have been sent to the Governors-General of [*To Canada:* New Zealand, the Union of South Africa, and the Irish Free State, and to the Governor of Newfoundland.] [*To New Zealand:* Canada, the Union of South Africa and the Irish Free State, and to the Governor of Newfoundland.] [*To Union of South Africa:* Canada, New Zealand and the Irish Free State, and to the Governor of Newfoundland.] [*To Irish Free State:* Canada, New Zealand and the Union of South Africa, and to the Governor of Newfoundland.] [*To Newfoundland:* Canada, New Zealand, the Union of South Africa, and the Irish Free State.]

I have, &c.,
L. S. AMERY.

31581

No. 336.

COMMONWEALTH OF AUSTRALIA.

DOMINIONS OFFICE to OFFICE OF THE HIGH COMMISSIONER.

SIR, Downing Street, 22nd July, 1925.

WITH reference to your letter of the 27th June* regarding the position of Consuls in respect of exemption from payment of motor-car licence fees, I am directed by Mr. Secretary Amery to request you to inform the High Commissioner that he learns from the Secretary of State for Foreign Affairs that foreign Consular Officers in this country are not exempted from the payment of motor-car licence fees, and that His Majesty's Government could not support any claim by British Consular Officers in foreign countries to exemption from similar charges.

I have, &c.,
E. J. HARDING.

36023

No. 337.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Canada. No. 359.)
(New Zealand. No. 154.)
(Union of South Africa. No. 174.)
(Irish Free State. No. 337.)
(Newfoundland. No. 87.)

[MY LORD,] [SIR,] Downing Street, 24th August, 1925.

WITH reference to my despatch No. [309] [123] [134] [270] [71] of the 8th July,† I have the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, a copy of correspondence‡ with the High Commissioner for the Commonwealth of Australia regarding the position of Consuls in respect of exemption from payment of motor-car licence fees.

2. An inquiry has also been received from the Commonwealth authorities as to the position of Consuls as regards passes for free travelling on railways and other matters. I enclose a memorandum dealing with the question generally, the contents of which have been communicated to the Commonwealth authorities.

3. Similar despatches have been sent to the Governors-General of [*To Canada:* New Zealand, the Union of South Africa, and the Irish Free State, and to the Governor of Newfoundland.] [*To New Zealand:* Canada, the Union of South Africa, and the Irish Free State, and to the Governor of Newfoundland.] [*To Union of South Africa:* Canada, New Zealand, and the Irish Free State, and to the Governor of Newfoundland.] [*To Irish Free State:* Canada, New Zealand, and the Union of South Africa, and to the Governor of Newfoundland.] [*To Newfoundland:* Canada, New Zealand, the Union of South Africa, and the Irish Free State.]

I have, &c.,
L. S. AMERY.

---

* No. 332. † No. 335. ‡ Nos. 332 and 330.

Enclosure in No. 337.

MEMORANDUM.

GENERALLY speaking, the only privileges conceded to foreign Consular Officers in this country (apart from the exemptions in relation to income tax and customs duties referred to in the despatch to the Governor-General of the Commonwealth of Australia of the 8th July*) are—

(i) Exemption from the billeting of troops (see section 104 (2) (*g*) of the Army Act, 1881).

(ii) In the case of Consuls de Carrière and their wives, exemption from the provisions of the Aliens Order 1920 as to registration of aliens (see attached extract from a Home Office Circular to Chief Constables of the 29th March, 1920).

No demand for free railway passes appears to have been made and, if any such request were to be brought to the notice of His Majesty's Government, it would be regarded with disfavour. Similarly His Majesty's Government would not expect a foreign Government to issue a free pass for railway travel to a British Consular Officer and would not support a British Consular Officer in making any such claim or any other claim for privileges of a kind which could not be allowed to foreign Consuls in this country.

It appears that on the whole the Consular Body in this country have not made many claims for special privileges.

EXTRACT FROM HOME OFFICE CIRCULAR TO CHIEF CONSTABLES OF 29TH MARCH, 1920.

* * * * * * *

14. *Exemptions.*—Under Article 14 of the Order the Secretary of State has power to direct that any person or class of persons shall be exempt either unconditionally or subject to conditions from all or any of the provisions of the Order. Under this Article the Secretary of State is pleased to direct that the following three classes of persons shall be exempt from registration as aliens—that is to say, (1) persons naturalized as British subjects in any British Possession, (2) foreign Consular Officers, whether former enemy aliens or not, who are Consuls "de carrière," i.e., paid officials whose whole time is devoted to their Consular duties, and (3) the subjects of Native States in India. If the Police have reason to think that any colonially naturalized British subject or subject of an Indian Native State is to be regarded with suspicion and ought not to enjoy the exemption, they should make application to the Secretary of State for the imposition of special restrictions under Article 11 of the Order. The wives of persons exempt will benefit by their husbands' privileges.

* * * * * * *

53660

No. 338.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 30th November, 1925.)

(No. 221.)

SIR, Government House, Wellington, 14th October, 1925.

I HAVE the honour to acknowledge the receipt of, and to thank you for, your despatch No. 123, of the 8th July,† forwarding a copy of correspondence with the Governor-General of the Commonwealth of Australia regarding the position of Foreign Consuls in the Dominions.

2. The despatch was referred to my Prime Minister who, in reply, makes the following observations:—

> "The New Zealand Government is not entirely in accord with the views of the Government of the Commonwealth with regard to the class of subject matter which may properly be discussed between Consular representatives of

---

* No. 333. † No. 335.

foreign countries and the Government of a Dominion, but is glad to learn that no objection will be offered by His Majesty's Government to the exchange of communications between this Government and Consular representatives of foreign Governments on minor matters which can be more conveniently dealt with here than through the medium of His Majesty's Foreign Office, such, for example, as the matters relating to the private estates and status of foreigners in New Zealand, and mere details of commercial transactions.

The New Zealand Government has certainly no intention of entering into any treaty of commercial arrangement with a foreign country by arrangement with a foreign Consular officer, or otherwise than through His Majesty's Government.

With regard to the mandate which New Zealand holds for Western Samoa by the delegation of His Majesty: questions of various kinds relating to Samoan properties and the Administration, and the rights of foreigners in Samoa, arise from time to time, and this Government may find it convenient to discuss and arrange such questions with the recognized Consular representatives of foreign Powers. It is hoped that that course will have the approval of His Majesty's Government.

As to precedence, it is not considered that any difficulty will arise in New Zealand where a distinction has always been made between the Consular representatives who are salaried officers of their own country and the more general class of subjects of His Majesty, who receive Consular Warrants and are remunerated by fee."

I have, &c.,
CHARLES FERGUSSON,
Governor-General.

XII.
DOMINION LOANS.

778

26567

No. 339.

THE SECRETARY OF STATE to the GOVERNORS-GENERAL and GOVERNOR.

(Sent [*to Australia* 3.50 p.m.] [*to others* 4.15 p.m.] 15th June, 1925.)

TELEGRAM.

[*Answered by Nos.* 341, 342, 343, 348 *and* 350.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

PLEASE communicate following to your Prime Minister:—

Begins: Very Confidential. His Majesty's Government view with some concern the pressure on the London market for overseas loans. The figures of the United Kingdom balance of payment suggest that United Kingdom may be lending more than she has available for the purpose from savings, and overlending will burden the exchanges to the disturbance of trade. This will be the more undesirable now that in harmony with the Dominions we have adopted the gold standard.

His Majesty's Government are anxious that the London market should at all times give financial facilities to the Dominions to the utmost extent possible; but if the market is overstrained the reaction will be detrimental to all.

They would therefore welcome any action Dominions can take to diminish for the present their demands on London for loans. They would also be glad to receive as long notice as may be possible of any loans which it may be essential to place in order that these issues may be co-ordinated with other essential financial operations. Similar telegram sent to other Dominions. [*To Commonwealth of Australia only:* States of course are equally concerned but it is not proposed to make any communications to them pending reply from you as we do not know whether there have been any recent discussions between Commonwealth and States as to limitation of oversea borrowings.] *Message ends.*

This message has I understand already been communicated unofficially to Mr Bruce through Major Casey, who, on grounds of exceptional urgency obtained my sanction by telephone yesterday, Sunday, when I was in the provinces.—AMERY.

26567

No. 340.

SOUTHERN RHODESIA.

THE SECRETARY OF STATE to the GOVERNOR.

(Sent 4.15 p.m., 15th June, 1925.)

TELEGRAM.

PLEASE communicate following to your Prime Minister:—

Begins: Very Confidential. His Majesty's Government view with some concern the pressure on the London market for overseas loans. The figures of the United Kingdom balance of payment suggest that United Kingdom may be lending more than she has available for the purpose from savings, and overlending will burden the exchanges to the disturbance of trade. This will be the more undesirable now that in harmony with other parts of the Empire we have adopted the gold standard.

His Majesty's Government are anxious that the London market should at all times give financial facilities to oversea governments to the utmost extent possible; but if the market is overstrained the reaction will be detrimental to all.

They would therefore welcome any action you can take to diminish for the present your demands on London for loans. They would also be glad to receive as long notice as may be possible of any loans which it may be essential to place in order that these issues may be co-ordinated with other essential financial operations. *Ends.*

—AMERY.

27758

No. 341.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 8.55 p.m., 17th June, 1925.)

TELEGRAM.

[*Answered by No.* 346.]

18TH JUNE. Very confidential. Following from my Prime Minister:—

Begins: With reference to your telegram of 15th June,* Loans. Council comprising Commonwealth Treasurer and Treasurers of the States met to-day to discuss loan programme for the year ending June, 1926. Commonwealth Government most anxious to reduce borrowings as far as possible and in any case desire to limit them to forty millions which is approximately the total of loan expenditure in the year just closing. After fullest pressure upon the States to eliminate all postponeable items there remains a total of about fifty millions of new money which will have to be borrowed for developmental purposes. No further reduction could be brought about without imperilling the continuance of the Loan Council, all the States of course having sovereign jurisdiction and absolute powers. Estimated not more than ten millions can be borrowed in Australia without serious financial disturbance. This leaves 40 millions to be borrowed abroad for the programme for the year. Loan Council agrees that overseas borrowing should be in London if reasonable terms obtainable, also that if America is to be approached for loans, borrowings should be carried out by Commonwealth Government as single borrowing authority for all. States requested Commonwealth to ascertain (?manner in which) total overseas borrowing should be allocated between London and America if full amount not available in London. Information in my possession indicates position of London market would not enable full amount to be issued there. Shall be obliged if you will let me have views of your Government as to possiblity and desirability to endeavour to obtain all the monies London. Also whether in view of probability of part of requirements ordinarily satisfied by London market being diverted to America steps are contemplated for issue of Anglo-American loan by co-operation between London and New York groups. This of course appears desirable, but if no steps are being taken in this direction Australia ?will ?have to fill requirements not satisfied in London by direct borrowings New York. In the past Australia has financed through London, but if commencement now made in regard to direct independent borrowings in New York this practice will probably be continued. Australian public opinion in favour of continuance of British finance. Glad if you would treat foregoing as strictly confidential and should appreciate your reply earliest possible date. *Ends.*

—FORSTER.

---

* No. 339.

779

27759

No. 342.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9.34 a.m., 18th June, 1925.)

TELEGRAM.

[*Answered by No.* 345.]

18TH JUNE. Confidential. Following from my Prime Minister:—

Begins: Your telegram of 15th June.* Loan Council comprised of the Treasurers of the Commonwealth and the States met yesterday and the loan programme for the year ending June, 1926, considered. Commonwealth Government does not require to communicate the contents of your telegram to the States Treasurers, but I consider it would be advisable if the same now forwarded by you direct to the State Governments in order that they may be fully seized of the prospects on the London market. *Ends.*

—FORSTER.

27760

No. 343.

UNION OF SOUTH AFRICA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1.27 p.m., 18th June, 1925.)

TELEGRAM.

18TH JUNE. Secret. Your telegram of 15th June.* Very Confidential. Following from my Prime Minister:—

Begins: The Union Government fully appreciate the attitude of His Majesty's Government with regard to Dominions borrowing on London market and their desire to receive notice of proposed loans in order that these issues may be co-ordinated with other essential financial operations.

The Union is under the necessity of providing for repayment of a loan of £3,000,000 in London at the end of this month and of obtaining other funds for development purposes. The High Commissioner in London has these operations in hand and is conversant with Union requirements in respect of loans on London market to the end of March next. He has, therefore, been requested to advise His Majesty's Treasury fully of operations in hand and in contemplation. *Ends.*

—ATHLONE.

27759

No. 344.

NEW SOUTH WALES.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 11.10 a.m., 19th June, 1925.)

TELEGRAM.

[*Answered by Nos.* 349 *and* 351.]

PLEASE communicate following to your Premier:—

Begins: [As in No. 340.] *Ends.*

Please repeat this telegram to Governors of other Australian States.—AMERY.

---

* No. 339.

27759

No. 345.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 7.0 p.m., 22nd June, 1925.)

TELEGRAM.

CONFIDENTIAL. Your telegram of 18th June.* Following for your Prime Minister:—

Begins: I have communicated with State Governments as suggested in your telegram of 18th June.* *Ends.*

—AMERY.

28030

No. 346.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 12.40 p.m., 24th June, 1925.)

TELEGRAM.

[*Answered by No.* 347.]

YOUR telegram of 18th June. Very Confidential.† Following from Chancellor of Exchequer for your Prime Minister:—

Begins: 1. We understand from your cable that you count on meeting in Australia maturing domestic debt, Commonwealth and State, plus £10,000,000 of new money and that your total requirement. Commonwealth and States, outside Australia in twelve months from 1st July, 1925, will be £40,000,000. This does not include any of the sums recently raised in London.

Is this correct or have you in addition maturities, Commonwealth or State in London?

2. Of the £40,000,000 how much do you require to raise before 31st December, 1925?

3. We entirely agree on the importance of a single borrowing authority for negotiation with America.

4. We also favour co-operation between London and New York by simultaneous sterling and dollar issues.

5. Probably arrangements for American co-operation can best be made in London. Who do you wish to represent you in London? *Ends.*

—AMERY.

29402

No. 347.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9.50 a.m., 27th June, 1925.)

TELEGRAM.

27TH JUNE. Following from my Prime Minister:—

Begins: Very Confidential. Your telegram of 24th June.‡ We count on raising £10,000,000 of new money in Australia. We also would require £40,000,000 of new money to be raised abroad. We shall endeavour to raise in Australia all the moneys required to convert the obligations maturing in Australia, but may have to look abroad for the shortage on such conversion amounting perhaps to £15,000,000. This should not, however, increase our

* No. 342. † No. 341. ‡ No. 346.

780

estimated overseas requirements because the £15,000,000 when brought here and paid to maturing bondholders should enable us later to borrow similar amount in addition to the £10,000,000 referred to above. In addition to the £40,000,000 mentioned, the States of Australia will require to convert £8,000,000 maturing in London during the next financial year. The £40,000,000 does not include any of the sum(s) recently raised. We require to raise before the 31st December, 1925, fully half of the £40,000,000.

Have been in telegraphic communication with the High Commissioner in connexion with the question of the London and New York borrowing and co-operation between the London and New York groups. Suggest advisable that you should see him and discuss the whole position. *Ends.*

—FORSTER.

29397

No. 348.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.30 a.m., 29th June, 1925.)

TELEGRAM.

VERY Confidential. 29th June. My Prime Minister advises me that the contents of your telegram of 15th June* have been carefully noted and that the New Zealand Government will be glad to observe the request of His Majesty's Government as to procedure to be adopted regarding any essential loan(s).—FERGUSSON.

29781

No. 349.

NEW SOUTH WALES.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 1.12 p.m., 30th June, 1925.)

TELEGRAM.

30TH JUNE. Your telegram of 19th June, Confidential,† repeated to other Governors. I have discussed the question with my Prime Minister who informs me that he is anxious not to go to America for (the) money. Despatch to follow.—DE CHAIR.

31667

No. 350.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 12.45 a.m., 11th July, 1925.)

TELEGRAM.

CONFIDENTIAL. 10th July. Your telegram of 15th June.* Canadian Government has not in mind the placing in the near future of any new issue on the London market.—BYNG.

45005

No. 351.

NEW SOUTH WALES.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 6th October, 1925.)

(Confidential.)

SIR, Government House, Sydney, 22nd August, 1925.

REFERRING to your telegraphic despatch, Confidential, of the 19th June last, and my telegraphic reply thereto of 30th June,‡ in regard to the further flotation of

* No. 339. † No. 344. ‡ No. 349.

loans on the London market, I have the honour to report that my Ministers have been devoting very earnest attention to the financial position of New South Wales—particularly in view of the representations contained in your telegram above quoted.

2. It is imperative that this State—if only for the carrying out of developmental works of an urgent and important character—must have access to a financial market and, failing the British market, the alternative would appear to be to turn to the United States of America for financial accommodation. My Ministers are opposed to this course and express the view that it would be time enough to consider having resource to New York when they find London definitely and finally closed to them. They feel that the stringency now being experienced in London will pass off and that it would be a mistaken policy to break the long tradition of New South Wales financial connexion with London on account of a temporary difficulty that may disappear a few months hence. Ministers point out that the London market has never yet refused to finance New South Wales requirements and that the financial connexion between Great Britain and this State has been mutually beneficial, for while New South Wales has been granted the financial assistance required the bulk of the money has remained in England being used for the purchase of British goods, etc.

3. Ministers have definitely decided to refrain from joining the Australian Loan Council. There is a strong diversity of opinion as to the wisdom of this action, but Ministers are of opinion that in order to finance the large operations in this State they must be armed with absolute freedom in connexion with the raising of all loans. Whatever advantage the Loan Councils arrangements might have in avoiding competition between States are outweighed, in the estimation of Ministers, by the possibility of New South Wales being limited in its amount of borrowing either in London or locally.

I have, &c.,
D. R. S. DE CHAIR,
Governor.

47060

No. 352.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 1.3 p.m., 19th October, 1925.)

TELEGRAM.

[*Answered by No.* 353.]

19TH OCTOBER. Press cables announce that His Majesty's Government has placed embargo on the issue in London of Dominion loan for new money. Ministers would much appreciate advice of the action taken and the reason.—STONEHAVEN.

47982

No. 353.

COMMONWEALTH OF AUSTRALIA.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Sent 8.45 p.m., 23rd October, 1925.)

TELEGRAM.

SECRET. I have discussed your telegram of 19th October,* with Chancellor of Exchequer who asks that following statement may be communicated to your Prime Minister:—

Begins: Press Cables are somewhat misleading. There is no new embargo but a continuance of the conditions which have prevailed since the Spring. It has been necessary to limit Overseas Loans in order to avoid overlending here, with consequent pressure on Exchange, and increase of money rates here to the general disadvantage. It was never the intention to maintain permanently an embargo, and we are anxious to bring it to a close as soon

* No. 352.

781

as may be possible. Mr. Bruce will remember that, in March last, with the general approval of the Dominions and to the great advantage of Australian Exchange, we returned to the gold standard. This has necessarily been a somewhat delicate operation, and we have to move very circumspectly more particularly until the effects of the Autumn Exchange pressure can be fully weighed. It is for this reason that we have been proceeding, and feel bound to proceed, with great care, so far with success. We hope we may see our way to take further steps before long, but, for the moment, the position, particularly having regard to uncertain conditions in America, is delicate and continues to impose great caution on us.

The above is, naturally, very confidential. *Ends.*

—AMERY.

49762

No. 354.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Sent 4.35 p.m., 3rd November, 1925.)

TELEGRAM.

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)
(Southern Rhodesia.)

3RD NOVEMBER. Confidential. My telegram 15th June,* Oversea Loans, Chancellor of Exchequer proposes to announce in speech to-night that henceforth no restrictions will be placed on issue of loans in London market.—AMERY.

49762

No. 355.

NEW SOUTH WALES.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 4.35 p.m., 3rd November, 1925.)

TELEGRAM.

CONFIDENTIAL. My telegram 19th June.† Overseas Loans. Chancellor of Exchequer proposes to announce in speech to-night that henceforth no restrictions will be placed on issue of loans in London market. Please repeat to other Australian States.—AMERY.

51911

No. 356.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNORS.

(Canada.
(Commonwealth of Australia.
(New Zealand.
(Union of South Africa.
(Irish Free State.
(Newfoundland.
(New South Wales.
(Victoria.
(Queensland.
(South Australia.
(Western Australia.
(Tasmania.
(Southern Rhodesia. No. 449.)

Dominions No. 501.)

[MY LORD,] [SIR,] Downing Street, 25th November, 1925.

I HAVE the honour to transmit to [Your Excellency,] [you,] for the information of your Ministers, the accompanying copy of an extract from the House of

* No. 339. † No. 344.

Commons Official Report of the 17th November, 1925, containing questions and answers regarding Dominion and Foreign loans raised in this country.

[*To Commonwealth of Australia only:* 2. A similar despatch has been sent to the Officers Administering the Government of the Australian States.]

I have, &c.,

L. S. AMERY.

Enclosure in No. 356.

HOUSE OF COMMONS.

(17th November, 1925.)

Foreign Loans (Removal of Embargo).

MR. HARMSWORTH (by Private Notice) asked the Chancellor of the Exchequer whether the recent decision to remove the embargo on Dominion and Foreign loans being raised in this country provided for guarantees that money loaned should be expended entirely upon goods produced or manufactured within the United Kingdom?

MR. CHURCHILL: I would refer my hon. Friend to what I said at Sheffield on this subject. [An Hon. Member: "When?"] Last week. Once the so-called embargo has been removed it is not practicable to prescribe exact conditions to the market. It must either be removed or maintained, and I am satisfied that at the present time the right course was removal. All loans must ultimately go out in goods or services.

782

XIII.

ARRANGEMENTS FOR THE IMPERIAL CONFERENCE, 1926.

15477

No. 357.

HOUSE OF COMMONS.

(6th April, 1925.)

IMPERIAL CONFERENCE.

SIR H. BRITTAIN asked the Prime Minister whether the question of holding the next Imperial Conference in one of the Overseas Dominions has been considered by the Cabinet, and whether such a suggestion would meet with favourable consideration.

THE PRIME MINISTER: His Majesty's Government would, of course, always be ready to consider, in consultation with the other Governments concerned, whether it would be practicable to hold a meeting of the Imperial Conference in one of the Overseas Dominions; but arrangements for these Conferences depend so much on the circumstances in which they are called, that I fear it is impossible for me to give a definite reply to my Honourable Friend's question.

55357

No. 358.

THE SECRETARY OF STATE to THE GOVERNORS-GENERAL AND GOVERNOR.

(Sent 3.30 p.m., 21st December, 1925.)

TELEGRAM.

[*Answered by Nos.* 360, 361 *and* 362.]

(Canada.)
(Commonwealth of Australia.)
(New Zealand.)
(Union of South Africa.)
(Newfoundland.)

21ST DECEMBER. Confidential. Following from Prime Minister for your Prime Minister:—

Begins: You will remember that in my message of 18th November,* on the subject of the Locarno Treaty, I said that we hoped to be able to make proposals in the near future as to the date of the next Imperial Conference.

We have been considering whether we should propose a meeting in 1926 or in 1927. We could hardly at this stage suggest a time for assembling if the latter alternative were adopted, but if a meeting were arranged for next year, we think that the time might be either the middle of June or the beginning of October. Before, however, proceeding any further we should be glad to know your own views as to the most suitable date. I am sending a similar telegram to the other Prime Ministers.—BALDWIN. *Ends.*

—AMERY.

55357

No. 359.

IRISH FREE STATE.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL.

(Confidential (2).)

SIR, Downing Street, 22nd December, 1925.

I HAVE the honour, at the instance of the Prime Minister, to transmit to Your Excellency, for communication to the President of the Executive Council, the accom-

* No. 560 in Dominions No. 94.

panying copy of a telegram* to the other Dominions regarding the date of the next Imperial Conference.

2. The Prime Minister would be glad to learn Mr. Cosgrave's views as to the most suitable date.

I have, &c.,
L. S. AMERY.

57729

No. 360.

NEW ZEALAND.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 9.55 a.m., 23rd December, 1925.)

TELEGRAM.

23RD DECEMBER. Confidential. Your telegram of 21st December.* Following for Prime Minister from my Prime Minister:—

Begins: Your message regarding Imperial Conference. While I recognize that there are several very important Empire matters to be dealt with by Imperial Conference and that it is desirable that its meeting should not be delayed unduly, there are several difficulties in the way of my attendance at a conference next year. A new Parliament has just been elected and its first session will not begin in the ordinary course until the end of June next. It is essential that I should personally not be absent from New Zealand during this period. It is unnecessary to mention other obstacles in detail. It would therefore be more convenient to the New Zealand Government and myself if the Conference was held in 1927.—COATES. *Ends.*

57819

No. 361.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 6.0 a.m., 24th December, 1925.)

TELEGRAM.

CONFIDENTIAL. 23rd December. Your telegram of 21st December.* Date of the next Imperial Conference. Prime Minister desires me to say that if the Conference is held next year October would be the more suitable time for him to attend.

57871

No. 362.

COMMONWEALTH OF AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received 7.41 a.m., 24th December, 1925.)

TELEGRAM.

24TH DECEMBER. Your telegram of 21st December. Confidential.* Next Imperial Conference. Following for Prime Minister from my Prime Minister:—

Begins: Your telegram of 21st December,* my Government very strongly of opinion that the Imperial Conference should be called in 1926, and indeed we cannot see how the same can be delayed. The Locarno Treaty has been hailed as the most important and far-reaching Treaty of recent years. The Australian people are waiting for some declaration from Government in regard to it. Official pronouncements from your Government have

* No. 358.

emphasized the importance of the Treaty and the necessity for an early Imperial Conference to discuss it. On the 18th of November* you cabled that it seemed to you that before arriving at any final judgment Dominion Governments would desire the fullest possible information as to the situation created by the Treaty in relation to the whole field of foreign policy and defence. In the statement made in the House of Commons on that date the Secretary of State for Foreign Affairs said that it was recognized that only Dominion Governments acting with the approval of their Parliaments could undertake on their behalf the obligations which His Majesty's Government asked the Imperial Parliament to undertake and that your Government hoped to discuss matters with the Dominions at the next Imperial Conference which should not be too long delayed. Further, that it was not thought possible to discuss questions of such importance and covering so wide a field by despatch or telegraph. These statements have received wide publicity and naturally aroused considerable interest in the Treaty. To now put off the Conference until 1927 is to completely destroy this effect and create the impression that the Treaty is relatively unimportant despite your Government's assurance to the contrary, and that the principle of consultation on such matters is a comparatively unimportant formality. My Government is convinced that only by personal consultation between Prime Ministers at the Imperial Conference can a basis for united Empire action in regard to the Locarno Treaty which is vital be arrived at, which will be acceptable to and receive the endorsement of the Parliaments of the self-governing Dominions. Failing an Imperial Conference in June, various Parliaments will of necessity have to consider the attitude toward the Locarno Treaty with extreme probability of different decisions being arrived at which would present the appearance of disunity in the Empire on a fundamental and vital question. This most essential to avoid. As to the Treaty itself, from cables exchanged between us we are convinced that it is now and in its ultimate effect of paramount importance to the Dominions. Your telegram above quoted suggests that it has created a new situation with regard to foreign policy and defence.

These are the conclusions formed by my Government, and indeed we feel convinced that as a direct and logical result of the Treaty new proposals will be formulated in the direction of defence (?). Any such development particularly in regard to naval limitations is of vital interest to the whole Empire, and especially to those portions of the Empire contiguous to the Pacific. On such a matter we must be consulted.

In short, we feel that the Locarno Treaty in itself is of sufficient importance to render an early Imperial Conference essential, and that it carries with it a suggestion of further development upon which it is imperative that the Empire should be consulted and speak with a single voice. The moral effect of a united Empire declaration in regard to these matters is in our opinion profound, and my Government considers that on every possible occasion the Empire should so speak. It is impossible to ignore the fact that the question of inter-Imperial consultation has reached a very interesting and delicate stage, and it is highly desirable in the interests of the Empire that the advances we have already made in this connexion should be consolidated. To delay the Conference until 1927 especially when there are so many important matters to be discussed would be a retrograde (?) step of a most dangerous character. My Government therefore considers it is most desirable that an Imperial Conference should be held in June, 1926, and trusts that it will be found possible to so arrange. *Ends.*

—STONEHAVEN.

---

* No. 500 in Dominions No. 94.