
EXECUTIVE AGREEMENTS

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Provisional agreement between the United States of America and Bulgaria respecting commercial relations. Effected by exchange of notes, signed August 18, 1932; effective August 18, 1932.

August 18, 1932.

The American Minister (Shoemaker) to the Bulgarian Minister for Foreign Affairs (Mooshanoff)

LEGATION OF THE UNITED STATES OF AMERICA,
Sofia, Bulgaria, August 18, 1932.

MR. MINISTER:

I have the honor to confirm and to make of record by this note the following provisional commercial agreement between our respective governments.

Commercial agree-
ment with Bulgaria.

The United States will accord to goods, the growth, produce or manufacture of Bulgaria and Bulgaria will accord to goods, the growth, produce or manufacture of the United States in all respects and unconditionally the most favored nation treatment. The said treatment shall apply to all goods from whatever place arriving including goods destined for consumption or re-exportation or in transit.

The stipulations of this agreement do not extend to the treatment which is accorded by the United States to the commerce of Cuba under the provisions of the commercial convention concluded between the United States and Cuba on December 11, 1902, or the provisions of any other commercial convention which hereafter may be concluded between the United States and Cuba. Such stipulations moreover do not extend to the treatment which is accorded to the commerce between the United States and the Panama Canal Zone or any dependency of the United States or to the commerce of the dependencies of the United States with one another under existing or future laws.

Nothing in this agreement shall be construed as a limitation of the right of either high contracting party to impose on such terms as it may see fit prohibitions or restrictions of a sanitary character designed to protect human, animal or plant life or regulations for the enforcement of police or revenue laws.

The present agreement becomes operative on this eighteenth day of August, 1932, and shall continue in force until superseded by a definitive treaty of commerce and navigation, or until denounced by one of the two High Contracting Parties by advance notice of three months. If however either party should be prevented by the future

action of its legislature from carrying out the terms of the agreement the obligations thereof shall thereupon lapse.

I avail myself of this opportunity Mr. Minister, to reiterate to Your Excellency the assurance of my highest consideration.

HENRY W. SHOEMAKER.

HIS EXCELLENCY

MR. NICOLAS MOOSHANOFF,

Minister for Foreign Affairs,

*The Royal Bulgarian Ministry for Foreign Affairs,
Sofia, Bulgaria.*

*The Bulgarian Minister for Foreign Affairs (Mooshanoff) to the
American Minister (Shoemaker)*

MINISTÈRE
DES AFFAIRES ÉTRANGÈRES
ET DES CULTES

№ 14036/19/П

София, 18 августъ 1932 г.

Господине Министре,

Имамъ честь да потвърдя въ конкретна форма, съ настоящата нота, следната временна търговска спогодба между респективнитѣ ни правителства:

България ще признае за стоки—естествени или индустриални произведения на Съединенитѣ Щати и Съединенитѣ Щати ще признаятъ за стоки—естествени или индустриални произведения на България въ всѣко отношение и безусловно третирането на найоблагоприятствуваната страна. Това третиране ще се прилага за всички стоки, отъ което мѣсто и да пристигатъ, включително стоки предназначени за консумация, или преаносъ или за транзитиране.

Уговореното въ настоящето споразумение нѣма да се простира до третирането, което е признато на Съединенитѣ Щати за търговията съ Куба, съгласно разпореденията на търговската конвенция сключена между Съединенитѣ Щати и Куба на 11 декемврий 1902 година, или съ разпореденията на нѣкоя друга търговска конвенция, която би могло следъ това да бжде сключена между Съединенитѣ Щати и Куба. Сжщитѣ разпоредения сжщо така нѣма да се прилагатъ до третирането, което е признато за търговията между Съединенитѣ Щати и зоната на Панамския каналъ или всѣко друго владение на Съединенитѣ Щати, или за търговията на владенията на Съединенитѣ Щати помежду имъ, съгласно сжществуващитѣ или бждещитѣ закони.

Нищо въ това споразумение нѣма да се счита като ограничаване правото на нѣкоя отъ високитѣ договорящи страни да налага забрани или ограничения отъ санитаренъ характеръ, каквито намира за необходими, предназначени да защитатъ живота на човѣка, животнитѣ или растенията, както и да издава наредби за прилагане законитѣ за полицията или върху дохода.

Настоящото споразумение ще влѣзе въ сила на 18 августъ 1932 г. и ще продължава да бѣде въ сила до отмѣняването му съ окончателенъ договоръ за търговия и мореплаване, или до като бѣде денонсирано отъ една отъ дветѣ договорящи страни при тримесечно предварително уведомяване. Ако, обаче, нѣкоя отъ странитѣ бѣде възпрепятствувана отъ нѣкой бждещъ актъ на законодателството си да изпълнява условията на споразумението, задълженията по същото ще паднатъ.

Възползувамъ се отъ случая, Господине Министре, да Ви изкажа високото си почитание.

Н. МУШАНОВ

До Негово Превъзходителство

Господинъ Х. В. ШУМЕЙКЪРЪ,

Извънреденъ Пратеникъ и Пълномощенъ Министъръ
на Американскитѣ Съединени Щати,
Софѣя.

[Translation]

MINISTRY
OF FOREIGN AFFAIRS
AND OF CULTS

No. 14036/19/II

SOFIA, August 18, 1932.

MR. MINISTER,

I have the honor to confirm in concrete form, by this note, the following provisional commercial agreement between our respective governments:

Confirmation by
Bulgaria.

Bulgaria will accord to goods—natural or manufactured products of the United States and the United States will accord to goods—natural or manufactured products of Bulgaria in all respects and unconditionally the most favored nation treatment. This treatment shall apply to all goods, from whatever place arriving, including goods destined for consumption, or reexportation or in transit.

The stipulations of the present agreement shall not extend to the treatment, which is accorded by the United States to the commerce of Cuba, under the provisions of the commercial convention concluded between the United States and Cuba on December 11, 1902, or the provisions of any other commercial convention, which hereafter may be concluded between the United States and Cuba. The same stipulations similarly will not apply to the treatment, which is accorded to the commerce between the United States and the Panama Canal Zone or any dependency of the United States, or to the commerce of the dependencies of the United States with one another, under existing or future laws.

Nothing in this agreement shall be deemed as a limitation of the right of either of the high contracting parties to impose prohibitions or restrictions of a sanitary character, which either party considers necessary, destined to protect human, animal or plant life, or regulations for the enforcement of police or revenue laws.

The present agreement will enter into force on the 18th of August 1932 and shall continue to be in force until superseded by a definitive treaty of commerce and navigation, or until denounced by one of the two Contracting Parties by advance notice of three months. If, however, either of the parties should be prevented by any future action of its legislature from executing the conditions of this agreement, the obligations thereof shall lapse.

I take this opportunity, Mr. Minister, to express my high respect.

N. MOOSHANOFF

To HIS EXCELLENCY

MR. H. W. SHOEMAKER,

*Envoy Extraordinary and Minister Plenipotentiary
of the United States of America,
Sofia.*

[No. 41]

Arrangement between the United States of America and the Netherlands for the reciprocal recognition of load-line certificates. Effected by exchange of notes, signed August 26, 1931, November 16, 1931, March 18, 1932, April 22, 1932, June 29, 1932, and September 30, 1932.

August 26, 1931.

*The Acting Secretary of State (Castle) to the Netherland Chargé
d'Affaires ad interim (Van Hoorn)*

DEPARTMENT OF STATE,
Washington, August 26, 1931.

SIR:

Further reference is made to the Legation's note No. 113, dated January 20, 1931,¹ enclosing copies of the Netherland Shipping Act and Royal Decree and Order in Council relating to load lines for the consideration of this Government in relation to its proposal to the Netherland Government to conclude a reciprocal load line agreement with this Government pending the coming into force of the International Load Line Convention.

Arrangement with
the Netherlands for the
reciprocal recognition
of load line certificates.

Note has been made of the Legation's statement that the laws, rules and regulations pertaining to load lines for vessels now enforced by the Netherland Government are identical with those enforced by the Government of Great Britain, with the sole exception of the rules and regulations pertaining to the carriage of deck cargoes of wood goods.

The competent authorities of this Government consider that the 1906 rules of the British Board of Trade, concerning load lines, are as effective as the United States Load Line Regulations for the determination of load lines on ordinary merchant vessels. The rules of the Netherland Government for determining the load lines of vessels with wood cargoes have been examined by these authorities and have likewise been found to be as effective as the rules contained in the United States Load Line Regulations applicable to vessels carrying wood cargo on deck.

Pending the coming into effect of the International Load Line Convention in the United States and the Netherlands, the competent authorities of the Government of the United States are prepared to recognize the load line marks and the certificate of such marking of merchant vessels of the competent authorities of the Netherland Government as equivalent to their own load line marks and certificates of marking: provided, that the load line marks are in accordance with the load line certificates; that the hull and superstructures of

¹ Not printed.

LOAD-LINE CERTIFICATES—NETHERLANDS.

the vessel certificated have not been so materially altered since the issuance of the certificate, as to affect calculations on which the load line was based, and that alterations have not been made so that the—

- (1) Protection of openings,
- (2) Guard Rails,
- (3) Freeing Ports,
- (4) Means of Access to Crews Quarters,

have made the vessel manifestly unfit to proceed to sea without danger to human life.

It will be understood that on the receipt of a note from you to the effect that the competent authorities of the Netherland Government will give full recognition to the load line marks made and the certificates issued by the competent authorities of this Government and expressing the Netherland Government's concurrence in the foregoing understanding, the reciprocal agreement will become effective.

Accept, Sir, the renewed assurances of my high consideration.

W. R. CASTLE, JR.

Acting Secretary of State.

856.8561/4

MR. L. G. VAN HOORN,
Chargé d'Affaires ad interim
of the Netherlands.

November 16, 1931. *The Netherland Minister (Van Royen) to the Secretary of State (Stimson)*

No. 3956.

ROYAL NETHERLAND LEGATION.
Washington, D.C., 16 November 1931.

SIR:

Concurrence by the
Netherlands.

I have the honor to refer to the Department's note of August 26, 1931, No. 856.8561/4, concerning the conclusion of a reciprocal load line agreement between the United States of America and the Netherlands pending the coming into force of the International Load Line Convention.

Pursuant to instructions from the Minister of Foreign Affairs at The Hague, I beg leave to transmit herewith four copies of the Royal Decree of October 8, 1931,² published in the Collection of Official Documents ("Staatsblad") No. 414, by which the laws, rules and regulations pertaining to load lines for vessels now enforced by the United States Government are recognized by the Netherlands Government.

² See appendix, p. 1763.

I am further requested to inform Your Excellency that the Netherlands Government has designated the following bureaus as private investigation bureaus recognized in accordance with the "Schepenwet" (Netherlands Merchant Shipping Act of July 1, 1909):

1. Lloyd's Register of British and Foreign Shipping;
2. British Corporation for the survey and registry of shipping;
3. Bureau Veritas;
4. Germanischer Lloyd;
5. Det Norske Veritas.

I avail myself of this opportunity to renew to you, Sir, the assurance of my highest consideration.

J. H. VAN ROYEN

THE HONORABLE
THE SECRETARY OF STATE
Washington, D.C.

*The Netherland Minister (Van Royen) to the Secretary of State
(Stimson)*

No. 935.

LÉGATION DES PAYS-BAS.
Washington, D.C., 18 March 1932.

SIR:

Pursuant to instructions received from my Government, I have the honor to enclose herewith copy of the Royal Decree of January 29, 1932,³ (*Official Gazette* No. 25) regarding load line regulations in the Netherlands, purporting modification of the Royal Decree of September 22, 1909, which was amended last by Royal Decree of November 4, 1926 and copy of which was transmitted to Your Excellency by my note of January 20, 1931, No. 113.⁴

According to this new Decree in certain cases a somewhat more lenient rule may be adopted in the Netherlands with regard to load line marks, provided this will not endanger ship and crew and will be in conformity with the minimum requirements as stipulated in the International Load Line Convention of London of July 5, 1930.

I may remark at the same time that the Netherland Government, according to this measure, has already put into force the stipulations of the London Convention before it has been ratified.

Please accept, Sir, the renewed assurances of my highest consideration.

J. H. VAN ROYEN

THE HONORABLE
THE SECRETARY OF STATE
Washington, D.C.

³ See appendix, p. 1764.

⁴ Not printed.

LOAD-LINE CERTIFICATES—NETHERLANDS.

*The Acting Secretary of State (Castle) to the Netherland Minister
(Van Royen)*

DEPARTMENT OF STATE
Washington, April 22, 1932.

SIR:

I have the honor to refer to your note No. 3956, dated November 16, 1931, and likewise to your note No. 935 of March 18, 1932, both of which relate to the proposed load-line agreement between the Governments of the United States and the Netherlands.

It is noted that the Government of the Netherlands has designated the following bureaus as private investigation bureaus recognized in accordance with the "Schepenwet" (Netherlands Merchant Shipping Act of July 1, 1909) :

1. Lloyd's Register of British and Foreign Shipping;
2. British Corporation for the survey and registry of shipping;
3. Bureau Veritas;
4. Germanischer Lloyd;
5. Det Norske Veritas.

The United States Government is willing to recognize the load-line certificates issued by the aforementioned classification societies to merchant ships of the Netherlands when they are issued under the authority thus granted by the Netherland Government.

This Government has authorized the marking of load-lines and the issuance of certificates therefor, on American vessels, by the American Bureau of Shipping, the American Committee of Lloyd's Registry of Shipping, and the American representatives of the Bureau Veritas.

The Government of the United States is also willing to recognize the certificates issued by the Netherland Government pursuant to the Royal Decree of January 29, 1932,⁵ (*Official Gazette* No. 25) which amends certain regulations under the Shipping Law of the Netherlands so as to allow the assignment of smaller freeboards than hitherto authorized provided it can be done without danger to ship and crew, and that the freeboards so assigned are in accordance with the provisions contained in the International Load Line Convention of July 5, 1930.

Note has been taken of Royal Decree No. 414 of October 8, 1931,⁶ by which the provisions in force in the United States in regard to the minimum water-line as established under the law of March 2, 1929, will be recognized by the Netherland Government. It is the view of this Government, therefore, that the agreement for the recog-

⁵ See appendix, p. 1764.

⁶ See appendix, p. 1763.

dition by each Government of the load-lines marked and of the certificates issued under the authority of the other Government, may now be regarded as complete.

Accept, Sir, the renewed assurances of my highest consideration.

W. R. CASTLE, JR.

Acting Secretary of State.

MR. J. H. VAN ROYEN,

Minister of the Netherlands.

*The Netherland Minister (Van Royen) to the Secretary of State
(Stimson)*

No. 2168.

LÉGATION DES PAYS-BAS.

Washington, D.C., 29 June 1932.

SIR:

Referring to my note of April 27, 1932,⁷ No. 1393, regarding the loadline agreement between the Governments of the Netherlands and the United States and to the third paragraph of Your Excellency's letter of April 22, 1932 on the same subject, I have the honor, pursuant to instructions received from The Hague, to inform you, that, according to article 34 of the Royal Decree of 1929, referred to in articles 5, 9 and 17 of the "Schepenwet" (Netherland Merchant Shipping Act) of July 1, 1909 published in the "Staatsblad" (*Official Gazette*) No. 219 of said year,—of which two documents I presented you with a copy by my letter of January 20, 1931,⁷ No. 113,—the Netherland load-line certificates are exclusively issued by the "Commissie tot Vaststelling van de minimum-Uitwatering" (Commission for the Determination of loadlines) and never by the classification societies even when recognized in accordance with the "Schepenwet".

These classification bureaux, when recognized by the Netherland Government, act on the subject of the marking of loadlines and the issuance of certificates, only in advisory capacity; however, the advice of the majority of these bureaux is generally followed.

I avail myself of this opportunity to renew to you Sir, the assurances of my highest consideration.

J. H. VAN ROYEN

THE HONORABLE

THE SECRETARY OF STATE

Washington, D.C.

⁷ Not printed.

LOAD-LINE CERTIFICATES—NETHERLANDS.

*The Netherland Minister (Van Royen) to the Secretary of State
(Stimson)*

No. 3031.

LÉGATION DES PAYS-BAS.

Washington, D.C., 30 September 1932.

SIR:—

By note of April 27, 1932,^s No. 1393, I had the honour to inform Your Excellency that I did not fail to communicate to the Department of Foreign Affairs at The Hague the contents of Your communication of April 22, 1932, regarding the LOADLINE AGREEMENT between the Governments of The Netherlands and the United States.

I am now instructed by the Minister of Foreign Affairs and take pleasure to inform Your Excellency that it is also the view of the Royal Government that said agreement for the recognition by each Government of the loadlines marked and of the certificates issued under the authority of the other Government, may now be regarded as complete.

I avail myself of this opportunity to renew to You, Sir, the assurances of my highest consideration.

J. H. VAN ROYEN

THE HONORABLE
THE SECRETARY OF STATE
Washington, D.C.

^s Not printed.

APPENDIX

Appendix.

STAATSBLAD VAN HET KONINKRIJK DER NEDERLANDEN.

(No. 414.) BESLUIT van den 8sten October 1931, tot erkenning van de in de Vereenigde Staten van Noord-Amerika geldende bepalingen betreffende de minimum-uitwatering. Netherlands Official Gazette.

WIJ WILHELMINA, BIJ DE GRATIE GODS, KONINGIN DER NEDERLANDEN, PRINSES VAN ORANJE-NASSAU, ENZ., ENZ., ENZ.

Op de voordracht van Onzen Minister van Waterstaat van 2 October 1931, La. L. Afdeeling Vervoer- en Mijnwezen;

Gelet op artikel 67, eerste lid, onder a, van de Schepenwet;

Hebben goedgevonden en verstaan:

de in de Vereenigde Staten van Noord-Amerika geldende bepalingen betreffende de minimum-uitwatering, vastgesteld bij de wet van 2 Maart 1929, te erkennen als hebbende in voldoende mate eene overeenkomstige strekking en draagwijdte als de hier te lande betreffende de minimum-uitwatering geldende wettelijke bepalingen.

Onze Minister van Waterstaat is belast met de uitvoering van dit besluit, hetwelk in het *Staatsblad* zal worden geplaatst.

Het Loo, den 8sten October 1931.

WILHELMINA.

De Minister van Waterstaat,
P. J. REYMER.

Uitgegeven den zes en twintigsten October 1931.

De Minister van Justitie,

J. DONNER.

[Translation]

OFFICIAL GAZETTE OF THE KINGDOM OF THE NETHERLANDS.

(No. 414.) DECREE of October 8, 1931, recognizing the minimum freeboard regulations in force in the United States.

WE WILHELMINA, BY THE GRACE OF GOD, QUEEN OF THE NETHERLANDS, PRINCESS OF ORANGE-NASSAU, ETC., ETC., ETC.

On the recommendation of Our Minister of Waterways (Waterstaat) of October 2, 1931, La. L. Transportation and Mining Section, have approved and agreed as follows on the basis of article 67, paragraph 1, under a, of the Law on Shipping:

That the provisions in force in the United States in regard to the minimum freeboard, as fixed by the law of March 2, 1929, shall be recognized as having fully the same extent and scope as the provisions of law in force in this country in regard to the minimum freeboard.

Our Minister of Waterways is intrusted with the execution of this decree, which shall be inserted in the *Official Gazette*.

Het Loo, October 8, 1931.

WILHELMINA.

The Minister of Waterways,
P. J. REYMER.

Published October 26, 1931.

The Minister of Justice,

J. DONNER.

STAATSBLAD VAN HET KONINKRIJK DER NEDERLANDEN.

(No. 25.) BESLUIT van den 29sten Januari 1932, tot nadere wijziging van den algemeenen maatregel van bestuur, als bedoeld in de artikelen 5, 9 en 17 van de Schepenwet, vastgesteld bij Koninklijk besluit van 22 September 1909 (*Staatsblad* no. 315), het laatst gewijzigd bij Koninklijk besluit van 4 November 1926 (*Staatsblad* no. 369).

WIJ WILHELMINA, BIJ DE GRACIE GODS, KONINGIN DER NEDERLANDEN, PRINSES VAN ORANJE-NASSAU, ENZ., ENZ., ENZ.

Op de voordracht van Onzen Minister van Waterstaat van 9 Januari 1932, La. G.G., Afdeling Vervoer- en Mijnwezen;

Den Raad van State gehoord, advies van 19 Januari 1932, no. 21;

Gezien het nader rapport van Onzen voornoemden Minister van 25 Januari 1932, La. F., Afdeling Vervoer- en Mijnwezen;

Gelet op de artikelen 5, 9 en 17 van de Schepenwet;

Hebben goedgevonden en verstaan:

In den algemeenen maatregel van bestuur, als bedoeld in de artikelen 5, 9 en 17 van de Schepenwet, vastgesteld bij Koninklijk besluit van 22 September 1909 (*Staatsblad* no. 315), het laatst gewijzigd bij Koninklijk besluit van 4 November 1926 (*Staatsblad* no. 369), wordt de volgende wijziging aangebracht:

ARTIKEL I.

Aan artikel 54 wordt een nieuw lid toegevoegd, luidende:

“3. Door de in artikel 39 bedoelde commissie kan, wanneer dit zonder gevaar voor schip en bemanning kan geschieden, onder door haar te stellen voorwaarden eene geringere uitwatering worden toegestaan dan volgens de bepalingen van dit besluit, mits ten minste voldaan wordt aan de eischen, gesteld bij het op 5 Juli 1930 te Londen gesloten Verdrag betreffende de uitwatering van schepen.”

ARTIKEL II.

Dit besluit treedt in werking op den tweeden dag na dien der dagteekening van het *Staatsblad*, waarin het is geplaatst.

Onze Minister van Waterstaat is belast met de uitvoering van dit besluit, dat in het *Staatsblad* zal worden geplaatst, en waarvan afschrift zal worden gezonden aan den Raad van State.

's-Gravenhage, den 29sten Januari 1932.

WILHELMINA.

De Minister van Waterstaat,

P. J. REYMER.

Uitgegeven den elfden Februari 1932.

De Minister van Justitie,

J. DONNER.

[Translation]

OFFICIAL GAZETTE OF THE KINGDOM OF THE NETHERLANDS.

(No. 25.) DECREE of January 29, 1932, in further amendment of the general administrative regulations under Articles 5, 9, and 17 of the Shipping Law, (promulgated by Royal Decree of September 22, 1909 (*Official Gazette* No. 315), last amended by Royal Decree of November 4, 1926 (*Official Gazette* No. 369)).

WE WILHELMINA, BY THE GRACE OF GOD, QUEEN OF THE NETHERLANDS, PRINCESS OF ORANGE-NASSAU, ETC., ETC., ETC.

On the recommendation of Our Minister of Waterways, of January 9, 1932, La. G.G., Transportation and Mining Division;

The Council of State having been consulted, opinion of January 19, 1932, No. 21;

In view of the further report of Our Minister aforesaid, of January 25, 1932,
La. F., Transportation and Mining Division;

Referring to articles 5, 9 and 17 of the Shipping Law;

Have approved and agreed:

The following amendment is made to the general administrative regulations mentioned in articles 5, 9 and 17 of the Shipping Law, promulgated by Royal Decree of September 22, 1909 (*Official Gazette* No. 315), last amended by Royal Decree of November 4, 1926 (*Official Gazette* No. 369):

ARTICLE I.

A new paragraph is added to article 54, reading as follows:

“3. Whenever it can be done without danger to ship and crew, a smaller freeboard may be permitted by the commission mentioned in article 39, under the stipulations to be made by it, than in accordance with the provisions of this decree, provided that as a minimum the requirements established concerning the freeboard of ships by the convention concluded at London on July 5, 1930, be met.”

ARTICLE II.

This decree goes into effect on the second day after the date of the *Official Gazette* in which it appears.

Our Minister of Waterways is intrusted with the execution of this decree, which is to be inserted in the *Official Gazette*, and a copy of which shall be sent to the Council of State.

The Hague, January 29, 1932.

WILHELMINA.

The Minister of Waterways,
P. J. REYMER.

Published February 11, 1932.
The Minister of Justice,
J. DONNER.

[No. 42]

October 22, 1932.

Arrangement between the United States of America and Belgium for the reciprocal recognition of certificates of airworthiness for imported aircraft. Effected by exchange of notes, signed October 22, 1932; effective November 21, 1932.

The American Ambassador (Gibson) to the Belgian Minister for Foreign Affairs (Hymans)

No. 907 EMBASSY OF THE UNITED STATES OF AMERICA,
Brussels, October 22, 1932.

MR. MINISTER,

Arrangement with Belgium for the reciprocal recognition of certificates of airworthiness for imported aircraft.

I have the honor to communicate to Your Excellency the text of the arrangement between the United States of America and Belgium, providing for the acceptance by the one country of certificates of airworthiness of aircraft imported from the other country as merchandise, as understood by me to have been agreed to in the negotiations which have just been concluded between our two Governments as follows:

AN ARRANGEMENT BETWEEN BELGIUM AND THE UNITED STATES OF AMERICA CONCERNING THE ACCEPTANCE BY ONE OF THE PARTIES OF CERTIFICATES OF AIRWORTHINESS FOR AIRCRAFT IMPORTED AS MERCHANDISE FROM THE TERRITORY OF THE OTHER PARTY.

1. The present arrangement applies to civil aircraft constructed in continental United States of America, exclusive of Alaska, and exported to Belgium; and to civil aircraft constructed in Belgium and exported to continental United States of America, exclusive of Alaska.

2. On condition that the agreement be reciprocal, certificates of airworthiness issued by the competent authorities of the Government of the United States in respect of aircraft subsequently registered in Belgium, shall have the same validity as if these certificates had been issued in accordance with the regulations in force on the subject in Belgium. However, the validity of a certificate issued in the United States shall in every case be subject to the issuance by the authorities of the Government of the United States of a special airworthiness certificate for exportation.

3. This arrangement shall apply to civil aircraft of all categories, including those used for public transportation or for private purposes.

4. Each of the Contracting Parties may terminate the present arrangement by giving to the other sixty days notice.

This arrangement will come into force thirty days after the date of this note.

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

HUGH GIBSON

HIS EXCELLENCY

MONSIEUR PAUL HYMANS,
Minister for Foreign Affairs.

The Belgian Minister for Foreign Affairs (Hymans) to the American Ambassador (Gibson) Agreement by Belgium.

Direction P, n° 49/8420.

MINISTÈRE DES AFFAIRES ÉTRANGÈRES,
Bruzelles, le 22 Octobre 1932.

MONSIEUR L'AMBASSADEUR,

J'ai l'honneur de faire savoir à Votre Excellence que le Gouvernement belge s'engage à observer vis-à-vis du Gouvernement des Etats-Unis d'Amérique les termes de l'arrangement suivant, relatif à la reconnaissance par l'une des Parties des certificats de navigabilité des aéronefs importés comme marchandise du territoire de l'autre Partie:

1) le présent arrangement s'applique aux aéronefs civils construits dans la partie continentale des Etats-Unis d'Amérique, à l'exclusion d'Alaska, et exportés en Belgique, et aux aéronefs civils construits en Belgique et exportés dans la partie continentale des Etats-Unis d'Amérique, à l'exclusion de l'Alaska.

2) Sous condition de réciprocité, les certificats de navigabilité aérienne délivrés par les autorités compétentes du Gouvernement des Etats-Unis pour des aéronefs immatriculés ensuite en Belgique, auront la même valeur que si ces certificats avaient été délivrés conformément aux règlements sur la matière en vigueur en Belgique. Toutefois, la validité d'un certificat délivré aux Etats-Unis sera, dans chaque cas subordonnée à la délivrance par les autorités du Gouvernement des Etats-Unis d'un certificat de navigabilité aérienne spécial pour l'exportation.

3) Le présent arrangement s'applique aux aéronefs civils de toutes catégories, y compris ceux qui sont utilisés à des transports publics ou à des usages privés.

4) Chacune des Parties contractantes pourra mettre fin au présent arrangement en donnant à l'autre un préavis de soixante jours.

Cet arrangement entrera en vigueur dans trente jours, à dater d'aujourd'hui.

Je saisis cette occasion, Monsieur l'Ambassadeur, de renouveler à Votre Excellence les assurances de ma très haute considération.

HYMANS

SON EXCELLENCE MONSIEUR HUGH GIBSON,
Ambassadeur des Etats-Unis d'Amérique,
Bruzelles.

AIRWORTHINESS CERTIFICATES—BELGIUM.

[Translation]

Department P, No. 49/8420 MINISTRY OF FOREIGN AFFAIRS,
Brussels, October 22, 1932.

MR. AMBASSADOR,

I have the honor to inform Your Excellency that the Belgian Government undertakes to observe, in its relations with the Government of the United States of America, the terms of the following arrangement relative to the recognition by one of the Parties of certificates of airworthiness of aircraft imported as merchandise from the territory of the other Party:

[Here follows the French text of the arrangement, articles 1 to 4, inclusive, which is the equivalent of the English text of these articles contained in the note of October 22, 1932, from the American Ambassador in Brussels to the Minister for Foreign Affairs of Belgium.]

This agreement shall become effective 30 days from to-day's date.

I avail myself of this occasion, Mr. Ambassador, to renew to Your Excellency the assurance of my highest consideration.

HYMANS

HIS EXCELLENCY HUGH GIBSON,
Ambassador of the United States of America,
Brussels.

[No. 43]

Agreement between the United States of America and France interpreting Article 7 of the Consular Convention concluded February 23, 1853. Effected by exchange of notes, signed February 23 and March 4, 1933; effective March 4, 1933.

February 23, 1933.
March 4, 1933.

The American Ambassador (Edge) to the French Minister for Foreign Affairs (Paul-Boncour)

No. 2246 EMBASSY OF THE UNITED STATES OF AMERICA,
Paris, February 23, 1933

EXCELLENCY:

I have the honor to communicate to Your Excellency my Government's interpretation of Article 7 of the Consular Convention between the United States of America and France concluded February 23, 1853, in relation to the rights of American citizens in France in connection with the French rent laws. It is my understanding that the following interpretation which has prevailed in the past is concurred in by your Government for the future application of the convention.

Agreement with France relating to rights of American citizens in connection with the French rent laws.
Vol. 10. p. 996.

The effect of the provisions of Article 7 is to establish the right of citizens of the United States in France to enjoy the same treatment as French citizens in matters relating to the ownership, possession and disposal of property. Accordingly, citizens of the United States are entitled, to enjoy in France the benefit of all the provisions, whether applicable to owners or tenants, contained in the French law of April 1, 1926, as amended by the law of June 29, 1929, governing the relations between lessors and lessees of premises used for residential purposes, and in the law of June 30, 1926, as amended by the law of April 22, 1927, governing the relations between tenants and landlords of premises used for commercial or industrial purposes, notwithstanding Article 11 of the Civil Code and the exceptions or restrictions applicable to foreigners under the aforesaid laws.

I may add that, under the laws of the states of the United States and the District of Columbia, French citizens in the United States enjoy the same treatment as American citizens with regard to the leasing and renting of real property.

I shall be glad to have your confirmation of the agreement thus reached.

I avail myself of this occasion to renew to Your Excellency the assurance of my highest consideration,

WALTER E. EDGE

HIS EXCELLENCY
MONSIEUR PAUL-BONCOUR
Minister for Foreign Affairs
Paris

*The French Minister for Foreign Affairs (Paul-Boncour) to the
American Ambassador (Edge)*

MINISTERE
DES
AFFAIRES ETRANGERES.

SOUS-DIRECTION
DES CHANCELLERIES
ET DU
CONTENTIEUX.

CONTENTIEUX
Loyers.

PARIS, le 4 Mars 1933

MONSIEUR L'AMBASSADEUR,

Acceptance by
France.

Par lettre du 23 du mois dernier vous m'avez fait connaître l'interprétation que votre Gouvernement donne de l'article 7 de la Convention consulaire conclue le 23 février 1853 entre la France et les Etats-Unis d'Amérique, au sujet des droits des citoyens américains en France, relativement à la loi française sur les loyers.

J'ai l'honneur d'informer Votre Excellence que le Gouvernement français accepte, pour l'application future de la Convention, l'interprétation suivante déjà valable dans le passé.

Les dispositions de l'article 7 ont pour effet d'assurer aux citoyens des Etats-Unis résidant en France le droit de jouir du même traitement que les citoyens français en matière de propriété, de possession et de disposition de biens immeubles. En conséquence, les citoyens des Etats-Unis jouiront en France du bénéfice de toutes les dispositions, applicables soit aux propriétaires soit aux locataires, de la loi française du 1er avril 1926, modifiée par celle du 29 juin 1929, régissant les relations entre bailleurs et preneurs de locaux à usage d'habitation, et de la loi du 30 juin 1926, modifiée par celle du 22 avril 1927, régissant les relations entre locataires et propriétaires de locaux à usage commercial ou industriel, nonobstant l'article 11 du Code Civil et les exceptions ou restrictions applicables aux étrangers en vertu des lois précitées.

Je prends acte de ce que, suivant les lois des différents Etats de l'Union et du District de Columbia, les citoyens français résidant aux Etats-Unis jouissent du même traitement que les citoyens américains lorsqu'il s'agit de donner ou de prendre à bail des propriétés immobilières./.

Veuillez agréer, Monsieur l'Ambassadeur, les assurances de ma très haute considération.

J. PAUL-BONCOUR.

SON EXCELLENCE

MONSIEUR WALTER EVANS EDGE

*Ambassadeur des Etats-Unis d'Amérique
à Paris.*

[Translation]

MINISTRY
FOR
FOREIGN AFFAIRS.

SUB-DIVISION OF
CHANCERIES AND
LEGAL MATTERS.

LEGAL MATTERS.
Rents.

PARIS, *March 4, 1933.*

MR. AMBASSADOR,

By a letter of the 23d of last month you acquainted me with your Government's interpretation of article 7 of the consular convention concluded on February 23, 1853, between France and the United States of America, dealing with the rights of American citizens in France in relation to the French rent law.

I have the honor to inform Your Excellency that the French Government accepts, for the future application of the convention, the following interpretation, already valid in the past.

The effect of the provisions of article 7 is to secure for citizens of the United States residing in France the right to enjoy the same treatment as French citizens in matters relating to the ownership, possession, and disposal of real property. Consequently, citizens of the United States will enjoy in France the benefit of all the provisions, whether applicable to owners or tenants, of the French law of April 1, 1926, amended by the law of June 29, 1929, governing the relations between lessors and lessees of premises used for residential purposes, and the law of June 30, 1926, amended by the law of April 22, 1927, governing the relations between tenants and landlords of premises used for commercial and industrial purposes, notwithstanding article 11 of the Civil Code and the exceptions or restrictions applicable to foreigners under the aforesaid laws.

I take note that, under the laws of the different States of the United States and of the District of Columbia, French citizens residing in the United States enjoy the same treatment as American citizens in regard to the leasing or renting of real property.

Kindly accept, Mr. Ambassador, the assurances of my very high consideration.

J. PAUL-BONCOUR.

HIS EXCELLENCY

MR. WALTER EVANS EDGE,

*Ambassador of the United States of America,
Paris.*

[No. 44]

February 8, 11, 12,
1933.

Agreement extending duration of agreement and attached notes of February 17, 1930, respecting Chinese courts in the International Settlement at Shanghai effected by exchanges of notes, signed February 8, 11, and 12, 1933; and a unilateral declaration renewing the unilateral declaration of February 17, 1930, signed, February 8, 1933.

The Foreign Signatories to the Chinese Minister for Foreign Affairs (Lo)

NANKING, 8th February, 1933.

SIR,

Chinese courts in the
International Settlement
at Shanghai.
Proposal to extend
agreement respecting.

Article 10 of the Agreement signed at Nanking on February 17th, 1930, between the representative of the Chinese Government on the one hand and the representatives of the Brazilian, American, French, United Kingdom, Norwegian and Netherlands Governments on the other hand relating to the Chinese courts in the International Settlement at Shanghai provides as follows:—

Vol. 47, p. 2715.

“The present Agreement and the attached Notes shall enter into effect on April 1st, 1930, and shall continue in force for a period of three years from that date, provided that they may be extended for an additional period upon mutual consent of the parties thereto.”

It is now proposed, as arranged between us, that the said Agreement and attached Notes shall be extended for a period of three years from April 1st, 1933; that either of the parties thereto may notify the other, six months before the expiration of the period, of their desire to denounce them; and that in case both parties fail to do so in time, the Agreement and attached Notes shall continue in force thereafter, until they are denounced by either of the parties thereto, of which denunciation six months prior notice shall be given to the other party.

We have the honour on behalf of our respective Governments to agree to the proposed arrangements set forth above for the extension of the said Agreement and attached Notes and to request Your Excellency's confirmation thereof.

We avail ourselves of this opportunity to renew to Your Excellency the assurance of our highest consideration.

WILLYS R. PECK
Counsellor of Legation
on behalf of the American Minister

PHILIPPE BAUDET
in the name of the French Minister

E. M. B. INGRAM
on behalf of His Majesty's Minister

N. AALL
Norwegian Chargé d'Affaires a.i.

THORBECKE
Netherlands Minister

AF. LOPES DE ALMEIDA
in the name of the Brazilian Minister.

HIS EXCELLENCY
DOCTOR LO WEN-KAN,
Minister for Foreign Affairs,
Nanking.

The Chinese Minister for Foreign Affairs (Lo) to the American Minister
(Johnson)

No. 577

WAICHIAOPU
Nanking, February 8, 1933.

EXCELLENCY:

I have the honor to acknowledge receipt of your Note of to-day's date which reads as follows: Confirmation by
China.

“Article 10 of the Agreement signed at Nanking on February 17th, 1930, between the representative of the Chinese Government on the one hand and the representatives of the Brazilian, American, French, United Kingdom, Norwegian and Netherlands Governments on the other hand relating to the Chinese courts in the International Settlement at Shanghai provides as follows:—

‘The present Agreement and the attached Notes shall enter into effect on April 1st, 1930, and shall continue in force for a period of three years from that date, provided that they may be extended for an additional period upon mutual consent of the parties thereto.’

“It is now proposed, as arranged between us, that the said Agreement and attached Notes shall be extended for a period of three years from April 1st, 1933, that either of the parties thereto may notify the other, six months before the expiration of the period, of their desire to denounce them; and that, in case both parties fail to do so in time, the Agreement and attached Notes shall continue in force thereafter until they are denounced by either of the parties thereto, of which denunciation six months prior notice shall be given to the other party.

“We have the honor on behalf of our respective Governments to agree to the proposed arrangements set forth above for the extension of the said Agreement and attached Notes and to request Your Excellency's confirmation thereof.”

In reply I have the honor to confirm that the Chinese Government agrees to the proposed arrangements as set forth above.

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

LO WEN-KAN.

HIS EXCELLENCY

MR. NELSON T. JOHNSON,
*American Minister to China,
American Legation,
Peiping.*

The Foreign Signatories to the Chinese Minister for Foreign Affairs (Lo)

NANKING, 11th February, 1933.

SIR,

Checking undue delay in civil proceedings.

With reference to our recent conversations we understand that measures are now under contemplation by the Chinese authorities for checking undue delay in civil proceedings, with special reference to matters of appeal and execution of judgment, and that such measures, when adopted, will apply also to the Courts functioning in the International Settlement at Shanghai. We should be grateful for Your Excellency's confirmation of the above understanding.

We avail ourselves of this opportunity to renew to Your Excellency the assurance of our highest consideration.

E. M. B. INGRAM
on behalf of His Majesty's Minister

WILLYS R. PECK
*Counsellor of Legation
on behalf of the American
Minister*

N. AALL
Norwegian Chargé d'Affaires a.i.

THORBECKE
Netherlands Minister

PHILIPPE BAUDET
*in the name of the French
Minister*

AF. LOPES DE ALMEIDA,
in the name of the Brazilian Minister.

HIS EXCELLENCY

DR. LO WEN-KAN,
*Minister for Foreign Affairs,
Nanking.*

*The Chinese Minister for Foreign Affairs (Lo) to the American Minister
(Johnson)*

WAICHIAOPU
Nanking, February 12, 1933.

EXCELLENCY:

Confirmation by
China.

I have the honor to acknowledge the receipt of your Note of yesterday's date which reads as follows:

"With reference to our recent conversations we understand that measures are now under contemplation by the Chinese authorities for checking undue delay in civil proceedings, with special reference

to matters of appeal and execution of judgment and that such measures, when adopted, will apply also to the Courts functioning in the International Settlement at Shanghai. We should be grateful for Your Excellency's confirmation of the above understanding."

In reply I have the honor to confirm that the above understanding is correct.

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

LO WEN-KAN

HIS EXCELLENCY

MR. NELSON T. JOHNSON,
American Minister to China,
American Legation,
Peiping.

*Unilateral Declaration of the Foreign Signatories to the Chinese Minister
for Foreign Affairs (Lo)*

NANKING, 8th February, 1933.

SIR,

With reference to the Notes which we have exchanged to-day relating to the extension of the Agreement concerning the Shanghai Courts, we have the honour to renew the declaration made in our Note of February 17th, 1930, as follows:

"We desire to point out that such Agreement cannot in any way affect or invalidate rights guaranteed to the Powers concerned and to their nationals under existing Treaties between such Powers and China and we accordingly reserve our full rights in this regard. We further reserve the right to object to the enforcement in the International Settlement of any future Chinese laws that affect or in any way invalidate the Land Regulations or Byelaws of the International Settlement or that may be considered prejudicial to the maintenance of peace and order within this area."

We avail ourselves of this opportunity to renew to Your Excellency the assurance of our highest consideration.

E. M. B. INGRAM
on behalf of His Majesty's Minister

WILLYS R. PECK
*Counsellor of Legation
on behalf of the American
Minister*

N. AALL
Norwegian Chargé d'Affaires a.i.

THORBECKE
Netherlands Minister

PHILIPPE BAUDET
*in the name of the French
Minister*

AF. LOPES DE ALMEIDA,
in the name of the Brazilian Minister.

HIS EXCELLENCY

DR. LO WEN-KAN,
Minister for Foreign Affairs,
Nanking.

[No. 45]

August 7, 1933.

Agreement between the United States of America and Haiti concerning Haitianization of the Garde, withdrawal of military forces from Haiti, and financial arrangement. Signed August 7, 1933.

SECTION I

Haitianization of the Garde d'Haiti and Withdrawal of Military Forces from Haiti.

The undersigned plenipotentiaries, duly authorized by their respective governments, have agreed upon the following Accord:

ARTICLE I

The American officers now serving with the Garde d'Haiti will be replaced in such a manner that by October 1, 1934, the Garde shall be completely commanded by Haitian officers.

ARTICLE II

On October 1, 1934, the Garde, under complete command of Haitian officers, will be turned over to a Colonel in active service whom the President of the Republic shall designate as Commandant.

ARTICLE III

The promotions to be effected until the complete Haitianization of the Garde will be made after examinations held in the presence of the representative of the Government of Haiti in conformity with Article X of the Treaty of September 16, 1915.

TITRE I

Haitianization de la Garde et desoccupation militaire du territoire de la Republique.

Les plénipotentiaires, soussignés, dûment autorisés par leurs Gouvernements respectifs, ont convenu de l'arrangement suivant:

ARTICLE I

Les officiers américains servant actuellement dans la Garde d'Haiti seront remplacés de manière que, au 1er octobre 1934, la Garde soit complètement commandée par des officiers haitiens.

ARTICLE II

Au 1er octobre 1934, la Garde, entièrement commandée par des officiers haitiens, sera remise à un Colonel en service actif que le Président de la République désignera comme commandant.

ARTICLE III

Les promotions à faire pendant le cours de l'haitianisation de la Garde seront faites après examens passés en présence d'un représentant du Gouvernement haitien en conformité de l'article X du Traité du 16 septembre 1915.

Haitianization of the Garde and withdrawal of military forces.

ARTICLE IV

To complete the instruction, training and discipline of the Garde the President of Haiti, may, if he consider it desirable, request the President of the United States to designate a Military Mission of not more than seven members among the American officers who have served in Haiti. The powers to be granted to this Mission will be determined by a decree of the President of Haiti. The services of this Mission shall terminate at the request of either party to the agreement upon sixty days notice given by either party.

ARTICLE V

The withdrawal of the Marine Brigade of the United States and the American Scientific Mission established by the Accord of August 5, 1931, shall commence on October 1, 1934, and shall be completed within thirty days.

ARTICLE VI

The Government of Haiti, in order to preserve public order, assumes the obligation of maintaining strict discipline in the Garde and of applying for this purpose the present regulations of the Garde d'Haiti.

It will enact a statute which will fix the conditions of appointment, promotion and retirement in the Garde. It will also take all legislative measures recognized as necessary to guarantee public peace and security.

ARTICLE IV

Pour compléter l'instruction, l'entraînement et la discipline de la Garde, le Président d'Haiti, s'il le juge utile, pourra demander au Président des Etats-Unis de désigner une Mission Militaire de sept membres au plus parmi les officiers américains qui ont servi en Haiti. Les pouvoirs à conférer à cette Mission feront l'objet d'un arrêté du Président d'Haiti. Les services de cette Mission prendront fin à la requête de l'une ou l'autre des deux hautes parties après un préavis de soixante jours donné par la partie requérante à l'autre partie.

ARTICLE V

Le retrait de la Brigade de Marine des Etats-Unis et de la Mission Scientifique américaine établie par l'Accord du 5 août 1931 commencera le 1er octobre 1934 et devra être complet dans les trente jours qui suivront.

Vol. 47, p. 2659.

ARTICLE VI

Le Gouvernement d'Haiti pour la garantie de l'ordre public, assume la responsabilité de maintenir dans la Garde une stricte discipline et d'appliquer dans ce but les règlements actuels de la Garde d'Haiti.

Il sera établi un statut légal qui déterminera les conditions de nomination, de promotion et de retraite dans la Garde. Il sera également pris toutes mesures législatives reconnues nécessaires pour garantir la paix et la sécurité publique.

SECTION II

Financial Arrangement. Adjustment of financial guarantees stipulated in the Protocol of 1919 and the loan contract of 1922.

ARTICLE VII

Beginning January 1, 1934, the services of the Financial Adviser-General Receiver and of the Deputy General Receiver shall be carried on, in fulfillment of the obligations and guarantees undertaken in order to obtain the loan issued in accord with the Protocol of October 3, 1919, by a Fiscal Representative and a Deputy Fiscal Representative, appointed by the President of the Republic upon nomination of the President of the United States, who shall exercise the powers hereinafter set forth.

ARTICLE VIII

As the Customs Revenues constitute the principal pledge to the holders of the bonds of the 1922 loan, the Fiscal Representative will have under his direction, until the complete amortization or the prior refunding of the loan under reference, the Customs Service and the application of the laws relative thereto. In addition he shall inspect the activities of the Internal Revenue Service and make appropriate recommendations for its proper operation; he shall be in charge of the existing Service of Payments, reserve being made of the provisions of Article XII hereafter; he shall maintain adequate records of receipts and disbursements which records shall be open to inspection;

TITRE II

Arrangement Financier. Aménagement des Garanties financières stipulées dans le protocole de 1919 et le contrat d'emprunt de 1922.

ARTICLE VII

A partir du 1er janvier 1934, les services du Conseiller Financier-Receveur Général et du Receveur Général-adjoint seront transmis à un Représentant Fiscal et à un Représentant Fiscal-adjoint commissioné par le Président d'Haïti, sur la proposition du Président des Etats-Unis d'Amérique. Pour remplir les obligations et les garanties stipulées en vue d'obtenir l'emprunt émis conformément au Protocole du 3 octobre 1919, le Représentant Fiscal et le Représentant Fiscal-adjoint exerceront les attributions ci-après déterminées.

ARTICLE VIII

Les droits de douane constituant le gage principal des porteurs des obligations de l'emprunt de 1922, le Représentant Fiscal aura dans ses attributions, jusqu'au remboursement ou rachat anticipé du dit emprunt, la direction du Service douanier et l'application des lois y relatives. Il inspectera, en outre, toutes les activités de l'Administration générale des Contributions, et fera les recommandations utiles pour la bonne marche de cette administration; il sera chargé du service des Paiements existant, sous réserve des dispositions de l'article XII ci-après; il tiendra pour toutes les recettes et dépenses, des comptes adéquats, lesquels seront ouverts à l'examen et à la

Financial arrangement; adjustment of guarantees.

tion and verification by the appropriate authorities; and he shall submit monthly reports of his activities to the Secretary of State for Finance and the Secretary of State of the United States.

In order properly to carry out his duties, the Fiscal Representative shall have such employees and assistants as may appear necessary. The number of Americans so employed shall not exceed eighteen. The President of Haiti, upon the presentation which will be made to him by the Secretary of State for Finance, will commission as of January 1, 1934, the employees occupying positions of authority and trust under the Fiscal Representative and recommended by the latter. Thereafter, any position which may become vacant among the commissioned employees shall be filled by examination, the form and procedure of which shall be determined by an accord between the Secretary of State for Finance and the Fiscal Representative. The successful competitor in such examination shall be recommended for the vacancy and will be commissioned by the President of Haiti. Such commissioned employees may be suspended without pay by the Fiscal Representative, on charges filed with the Secretary of State for Finance and such employee or assistant shall not be reinstated unless the charges shall have been disproved to the satisfaction of the Secretary of State for Finance, and of the Fiscal Representative. Pending the hearing of the charges made, the Fiscal Representative, after a report to the Secretary of State for Finance, may fill the

vérification des autorités compétentes; il fera un rapport mensuel de ses activités au Secrétaire d'Etat des Finances et au Secrétaire d'Etat des Etats-Unis.

En vue de bien remplir les obligations de sa charge, le Représentant Fiscal pourra avoir tous employés et assistants qui pourront paraître nécessaires. Le nombre des américains ainsi employés ne devra pas excéder dix-huit. Le Président d'Haiti, sur la présentation qui lui en sera faite par le Secrétaire d'Etat des Finances, commissionnera à la date du 1er janvier 1934, les employés occupant les postes d'autorité et de confiance dans les services du Représentant Fiscal et recommandés par ce dernier. Dans la suite, tout poste qui pourra devenir vacant parmi les employés commissionnés, sera comblé par la voie d'un concours dont le mode et la procédure seront arrêtés par le Secrétaire d'Etat des Finances d'accord avec le Représentant Fiscal. Le concurrent qui aura triomphé sera recommandé pour le poste vacant et sera commissionné par le Président d'Haiti. Un employé commissionné pourra être suspendu avec perte de salaire, par le Représentant Fiscal, sur des griefs présentés au Secrétaire d'Etat des Finances; un tel employé ne sera pas réintégré, si les charges contre lui ne sont pas réfutées à la satisfaction du Secrétaire d'Etat des Finances et du Représentant Fiscal. Pendant l'enquête sur les griefs avancés, le Représentant Fiscal, après rapport au Secrétaire d'Etat des Finances, pourra combler la va-

vacancy provisionally, if necessary, until the charges have been disproved or a new commission issued.

cance provisoirement, si c'est nécessaire, jusqu'à ce que les charges aient été réfutées ou qu'une nouvelle commission ait été émise.

ARTICLE IX

The salaries of the Fiscal Representative and of the Deputy Fiscal Representative shall be made the subject of an accord between the two Governments. These salaries, together with the expenses of the activities of the Fiscal Representative, but excluding the expenses of the Internal Revenue Inspection Service, may not exceed five per centum of customs receipts except by agreement between the two Governments.

ARTICLE IX

Les salaires du Représentant Fiscal et du Représentant Fiscal-adjoint feront l'objet d'un accord entre les deux Gouvernements. Ces deux salaires, ainsi que l'ensemble des dépenses des services placés sous les ordres du Représentant Fiscal, non compris les dépenses du Service d'inspection des Recettes internes, ne doivent pas excéder cinq p. 100 des recettes douanières, sauf entente entre les deux Gouvernements.

ARTICLE X

The Internal Revenue Service, the personnel of which shall be exclusively Haitian, shall be placed in charge of a Haitian Director under the Secretary of State for Finance.

Nevertheless, if the Fiscal Representative should notify the Secretary of State for Finance and the Director General of Internal Revenue in writing that there is reason to suppose any officer or employee of the Internal Revenue Service is inefficient, or that his action is not correct, such officer or employee shall be suspended, and not reinstated unless the charges shall have been disproved to the satisfaction of the Secretary of State for Finance.

ARTICLE X

Un Directeur haïtien sera chargé de l'Administration générale des Contributions, sous le contrôle du Secrétaire d'Etat des Finances, et avec un personnel exclusivement haïtien.

Néanmoins, si le Représentant Fiscal faisait rapport par écrit au Directeur général des Contributions et au Secrétaire d'Etat des Finances qu'il y avait motif à supposer qu'un fonctionnaire ou employé quelconque de l'administration des Contributions fut inférieur à sa tâche, ou que ses actes ne fussent pas corrects, ce fonctionnaire ou employé sera suspendu de ses fonctions, et il ne sera pas réintégré tout le temps que les charges portées n'auront pas été réfutées à la satisfaction du Secrétaire d'Etat des Finances.

The expenses of the Internal Revenue Service shall be paid from the funds set aside for this purpose by the National Bank

Les dépenses de l'Administration générale des Contributions seront effectuées sur les fonds mis de côté à cette fin, par la

of the Republic of Haiti in accordance with schedules of payments agreed upon between the Secretary of State for Finance and the Fiscal Representative. These expenses shall not exceed ten per centum of internal revenue receipts, and the expenses of the Internal Revenue Inspection Service shall not exceed five per centum of internal revenue receipts. Any sums not required by the Internal Revenue Inspection Service within this allowance shall be made available to the Internal Revenue Service.

ARTICLE XI

On and after January 1, 1934, all monies received by or for the Haitian Government shall be deposited in the National Bank of the Republic of Haiti to the credit of the Haitian Government with the exception of the five per centum of customs revenues foreseen in Article IX above and the amounts needed for payments connected with execution of the loan contracts, which amounts shall be credited to the Fiscal Representative. The National Bank of the Republic of Haiti also shall set aside preferentially each month to the credit of the Fiscal Representative the amounts provided in Article X above for the expenses of the Internal Revenue Service and of the Internal Revenue Inspection Service.

In order to assure the maintenance of public order, the monthly allocation for the Garde d'Haiti will be set aside preferentially by the National Bank of the Republic of Haiti for the exclusive use of the Garde from the funds thereafter remaining.

Banque Nationale de la République d'Haiti, et suivant des états de paiement convenus entre le Secrétaire d'Etat des Finances et le Représentant Fiscal. Ces dépenses ne devront pas excéder dix p. 100 des recettes internes; et les dépenses du Service d'inspection des Recettes internes ne devront pas excéder cinq p. 100 des dites recettes. Toute somme non requise pour le Service d'inspection des Recettes internes, dans les limites de l'allocation pour ce Service, sera mise à la disposition de l'Administration générale des Contributions.

ARTICLE XI

A partir du 1er janvier 1934, tous les fonds recouverts pour le Gouvernement haitien seront déposés, au nom du Gouvernement haitien, à la Banque Nationale de la République d'Haiti, à l'exception des cinq p. 100 des recettes douanières prévus à l'article IX ci-dessus et des fonds exigibles pour les paiements afférents au service des contrats d'emprunt, lesquelles valeurs seront portées au crédit du Représentant Fiscal. La Banque Nationale de la République d'Haiti prélèvera et mettra de côté aussi, chaque mois, et portera au crédit du Représentant Fiscal, les valeurs prévues à l'Article X ci-dessus pour les dépenses de l'Administration générale des Contributions et du Service d'inspection des Recettes internes.

Ante, p. 1780.

En vue d'assurer le maintien de l'ordre public, l'allocation mensuelle de la Garde d'Haiti sera ensuite prélevée et mise de côté par la Banque Nationale de la République d'Haiti et affectée exclusivement à l'usage de la Garde d'Haiti.

ARTICLE XII

All payments of Government funds shall continue to be made by checks prepared by the Service of Payments. The existing arrangement, as agreed upon between the two Governments on August 5, 1931, shall continue to govern this service except that all checks henceforth will be signed by the Secretary of State for Finance, or his delegate, reserve being made in the case of those checks drawn against the funds deposited at the National Bank of the Republic of Haiti to the credit of the Fiscal Representative, which checks shall be signed only by the latter, or his delegate.

ARTICLE XIII

Each year, by January 31st at the latest, the Fiscal Representative shall present a detailed estimate of receipts for the following fiscal year. Except by special agreement, the budget of the Republic shall not exceed the amount of probable ways and means which the Secretary of State for Finance and the Fiscal Representative shall have agreed upon.

ARTICLE XIV

The Haitian Government may authorize any appropriations whatsoever if unobligated funds are available, or derivable at an early date from the ordinary revenues, to cover such appropriations after setting up such reserves as may appear to the Secretary of State for Finance and the Fiscal Representative to be necessary.

ARTICLE XII

Tous les paiements sur les fonds du Gouvernement continueront à être effectués par chèques préparés par le Service des Paiements. L'arrangement existant, suivant l'Accord du 5 août 1931, entre les deux Gouvernements, continuera à régir ce service, sauf que tous les chèques seront dorénavant signés par le Secrétaire d'Etat des Finances ou son délégué, réserve faite des chèques tirés sur les fonds déposés à la Banque Nationale de la République d'Haiti au crédit du Représentant Fiscal, lesquels seront signés par ce dernier seulement, ou son délégué.

ARTICLE XIII

Chaque année au 31 janvier au plus tard, le Représentant Fiscal présentera une estimation détaillée des recettes pour l'année budgétaire suivante. Le budget de la République, à moins d'une entente spéciale, ne devra pas dépasser le montant des voies et moyens probable qui aura été arrêté par le Secrétaire d'Etat des Finances et le Représentant Fiscal.

ARTICLE XIV

Le Gouvernement haitien est libre d'autoriser tout crédit quel qu'il soit, si des fonds non affectés sont disponibles ou peuvent, à une date rapprochée, être tirés des recettes ordinaires, pour servir de voies et moyens à ce crédit, après la constitution des réserves qui pourront paraître nécessaires au Secrétaire d'Etat des Finances et au Représentant Fiscal.

ARTICLE XV

In case of a probable budgetary deficit, expenditures must be brought to the level of ways and means, either by reducing expenditures or by the creation of new receipts. In every case, it will not be possible without the accord of the Fiscal Representative to cover a deficit by calling upon the reserve funds of the Government.

ARTICLE XV

En cas de déficit probable au budget, les dépenses devront être ramenées au niveau des voies et moyens, soit par compression des dépenses, soit par création de nouvelles recettes. Toutefois, il ne sera pas possible de couvrir un déficit budgétaire en faisant appel aux fonds de réserve du Gouvernement, sans l'accord du Représentant Fiscal.

ARTICLE XVI

There shall be included annually in the budget of the Republic the amounts necessary for the regular service of the funded debt and other contractual obligations, as well as two lump sums representing five per centum of customs and five per centum of internal revenues, respectively, for the payment of the expenses of the Fiscal Representative, and those of the Internal Revenue Inspection Service, and finally a lump sum representing ten per centum of internal revenue receipts for the payment of the expenses of the Internal Revenue Service. The balance may be apportioned by the Haitian Government between the budgets of the various departments as it may see fit. If the revenues received in any month shall be insufficient to meet the full debt service and expenses of collection, the Government will make available the amount required to make up the difference.

ARTICLE XVI

Il sera inscrit chaque année au Budget de la République les valeurs nécessaires pour le service régulier des obligations de la dette publique et autres obligations contractuelles, ainsi que les deux valeurs globales représentant respectivement les cinq p. 100 des recettes douanières et des recettes internes pour le paiement des dépenses du Représentant Fiscal, et du Service d'inspection des Recettes internes, et aussi une valeur globale représentant dix p. 100 des recettes internes pour le paiement des dépenses de l'Administration générale des Contributions. Le solde restant pourra être réparti par le Gouvernement haïtien entre les budgets des divers départements ministériels comme bon lui semblera. Si les revenus recouverts au cours d'un mois quelconque sont insuffisants pour couvrir le service intégral de la dette et les dépenses de perception, le Gouvernement rendra disponible la valeur requise pour couvrir le déficit.

ARTICLE XVII

Without the accord of the Fiscal Representative no new financial obligation will be assumed

ARTICLE XVII

Le Gouvernement haïtien n'assumera aucune nouvelle obligation financière, à moins que les

unless the ordinary revenues of the Republic, after defraying the expenses of the Government, shall be adequate to assure the final discharge of such obligation.

ARTICLE XVIII

The Government will not dispose of its investments except with the accord of the Fiscal Representative.

ARTICLE XIX

The present finance law shall be the organic act of the Republic so far as concerns the administration of government finances.

ARTICLE XX

The Government of Haiti agrees not to reduce the tariff nor to modify the taxes and internal revenues in such a manner as to reduce the total amount thereof without the accord of the Fiscal Representative.

ARTICLE XXI

The Custom Houses of the Republic will have an exclusively Haitian personnel and the title of Director shall be reestablished in lieu of that of Collector. However, inspectors of the Customs Service may be assigned, either temporarily or permanently, to oversee the operation and the strict application of the customs laws.

ARTICLE XXII

In case of payment under protest of customs duties or internal revenue taxes, and where restitu-

revenus ordinaires de la République, après que les dépenses courantes du Gouvernement auront été défrayées, ne soient suffisants pour assurer l'acquittement de l'obligation et cela d'accord avec le Représentant Fiscal.

ARTICLE XVIII

Le Gouvernement haitien ne disposera pas de ses placements, si ce n'est d'accord avec le Représentant Fiscal.

ARTICLE XIX

La loi de Finances actuelle deviendra une loi organique de la République en ce qui concerne l'administration des Finances du Gouvernement.

ARTICLE XX

Le Gouvernement Haitien convient de ne pas réduire le tarif, ni modifier les taxes internes, de manière à en réduire le rendement total, sans l'accord du Représentant Fiscal.

ARTICLE XXI

Les Douanes de la République auront un personnel exclusivement haitien et le titre de Directeur sera rétabli en lieu et place de celui de Collecteur. Cependant des inspecteurs du Service du Représentant Fiscal, pourront y être délégués, soit temporairement, soit à poste fixe, pour en surveiller les opérations et la stricte application des lois douanières.

ARTICLE XXII

En cas de paiement sous protest de droits de douane ou de taxes internes, et au cas où une resti-

tion of such payment is requested, a written claim shall be presented to the competent service within a time limit of thirty working days beginning with the date on which the duties or taxes were paid. If the decision is not accepted, the matter shall be presented to a commission composed of a representative of the Secretary of State for Finance and a representative of the Fiscal Representative.

If there should still be failure to reach an agreement, the claim for restitution shall be decided by legal proceedings, but the State may not be liable for any compensatory or punitive damages.

ARTICLE XXIII

In view of the fact that under normal conditions the operation of the sinking fund will result in retirement of the outstanding series of the loan authorized by the law of June 26, 1922, approximately by the year 1944, and inasmuch as any further issue of the loan would necessarily extend the operation of this agreement, to a period beyond that year, which extension is contrary to their desire, it is hereby agreed by both Governments that the loan shall be considered closed and that no additional series shall be issued thereunder.

ARTICLE XXIV

In case there should appear to be occasion for judicial proceedings against the Fiscal Representative or his American assistants, the two Governments, in order to avoid possible misunderstand-

tution du montant payé est demandée, une réclamation écrite sera faite au service compétent dans le délai de trente jours ouvrables commençant à la date à laquelle les droits ou les taxes auront été payés. Si la décision n'est pas acceptée, l'affaire sera présentée à une commission formée d'un délégué du Secrétaire d'Etat des Finances et d'un délégué du Représentant Fiscal.

Si le désaccord persiste, la demande de restitution sera décidée par la voie judiciaire, sans que l'Etat puisse être condamné à des dommages-intérêts ou astreintes.

ARTICLE XXIII

Vu que, dans les conditions normales, le paiement régulier des fonds d'amortissement aura pour résultat le retrait, vers l'année 1944, des séries en circulation de l'emprunt autorisé par la loi du 26 juin 1922, et vu que l'émission d'une autre série de l'emprunt prolongerait nécessairement, au-delà de cette date, la durée du présent accord, ce qui serait contraire au désir des deux Gouvernements, les deux Gouvernements conviennent que l'emprunt est considéré comme fermé et qu'aucune série additionnelle ne sera émise.

ARTICLE XXIV

Dans le cas où l'occasion se présenterait d'exercer une action judiciaire contre le Représentant Fiscal, ou ses assistants américains, les deux Gouvernements, dans le but d'éviter toute possi-

ing, agree to examine each case impartially and to agree upon the legal action which might be appropriate.

ARTICLE XXV

The Haitian Government, upon the signature of the present agreement, will issue irrevocable instructions to the National Bank of the Republic of Haiti in order that there may be full and complete execution of the clauses herein respecting the deposit and disbursement of the funds of the Government.

ARTICLE XXVI

The Haitian Government reserves the right to retire the bonds issued in accord with the Protocol of October 3, 1919, in advance of their due date; and the Government of the United States will not invoke the provisions of Article VI of the Protocol as an obstacle to such retirement before the expiration of the period of fifteen years fixed therein, provided that the Haitian Government is able to make an arrangement for this purpose satisfactory to the holders of the outstanding bonds.

In this case the provisions of this accord shall automatically become null and void and of no effect upon the completion of the funding operation. The Haitian Government in order to hasten the retirement of the loan of 1922 may continue as rapidly as its resources will permit, to buy on the open market bonds of the several series of the said loan.

bilité de malentendu, conviennent d'examiner impartialement un tel cas, et de se mettre d'accord sur l'action légale appropriée.

ARTICLE XXV

Le Gouvernement haïtien, dès la signature du présent Protocole, enverra des instructions irrévocables à la Banque Nationale de la République d'Haïti, afin qu'il y ait exécution pleine et entière des clauses des présentes, relatives au dépôt et à la sortie des fonds du Gouvernement.

ARTICLE XXVI

Le Gouvernement haïtien se réserve le droit de racheter par anticipation les obligations émises en accord avec le Protocole du 3 octobre 1919, dont le Gouvernement des États-Unis n'invoquera pas l'article VI comme un obstacle à ce rachat avant l'expiration de la période de quinze ans fixée par ce Protocole, pourvu que le Gouvernement haïtien puisse à cet effet faire des arrangements satisfaisants avec les porteurs des obligations en circulation.

En ce cas, les stipulations du présent Accord deviendront automatiquement nulles et non avenues à la réalisation de l'opération de rachat. Le Gouvernement Haïtien, en vue de rapprocher l'échéance de l'emprunt de 1922, pourra continuer, au fur et à mesure que ses ressources le lui permettront, à acheter en marché ouvert les titres des diverses séries du dit emprunt.

ARTICLE XXVII

Any controversy which may arise between the two Governments on the subject of the clauses of the present accord shall be submitted to arbitration in case it cannot be settled through diplomatic channels, in accordance with the Arbitration Treaty of January 7, 1909 between the two countries.

Signed at Port-au-Prince in duplicate in the English and French languages, this seventh day of August, 1933.

[SEAL]

NORMAN ARMOUR

[SEAL]

A. BLANCHET

ARTICLE XXVII

Toutes les controverses qui pourraient s'élever entre les deux Gouvernements au sujet des clauses du présent accord, seront soumises à l'arbitrage, au cas où elles ne pourraient pas être réglées par la voie diplomatique conformément au Traité d'arbitrage du 7 janvier 1909 entre les deux pays.

Fait de bonne foi en double exemplaire en français et en anglais, à Port-au-Prince, le sept août 1933

Vol. 36, p. 2193.

Signatures.

September 8, 9, 1933.

Arrangement between the United States of America and Sweden for air navigation. Effected by exchange of notes, signed September 8 and 9, 1933; effective October 9, 1933.

The Secretary of State (Hull) to the Swedish Chargé d'Affaires ad interim (Beck-Friis)

DEPARTMENT OF STATE,
Washington, September 8, 1933.

SIR:

Reciprocal arrangement with Sweden for air navigation.

Reference is made to the negotiations which have taken place between the Government of the United States of America and the Government of Sweden for the conclusion of a reciprocal air navigation arrangement between the United States of America and Sweden, governing the operation of civil aircraft of the one country in the other country.

It is my understanding that it has been agreed in the course of the negotiations, now terminated, that this arrangement shall be as follows:

Arrangement between the United States of America and Sweden concerning the operation of civil aircraft of the one country in the territory of the other country.

ARTICLE 1

Terms.

Pending the conclusion of a convention between the United States of America and Sweden on the subject of air navigation, the operation of civil aircraft of the one country in the other country shall be governed by the following provisions.

ARTICLE 2

Area affected.

The present arrangement shall apply to continental United States of America, exclusive of Alaska, and to Sweden, including the adjacent territorial waters of the two countries.

ARTICLE 3

Aircraft construed.

The term aircraft with reference to one or the other party to this arrangement shall be understood to mean civil aircraft, including state aircraft used exclusively for commercial purposes, duly registered in the territory of such party.

ARTICLE 4

Liberty of passage.

Each of the parties undertakes to grant liberty of passage above its territory in time of peace to the aircraft of the other party, provided that the conditions set forth in the present arrangement are observed.

Regular air routes.

It is, however, agreed that the establishment and operation of regular air routes by an air transport company of one of the parties within the territory of the other party or across the said territory,

with or without intermediary landing, shall be subject to the prior consent of the other party given on the principle of reciprocity and at the request of the party whose nationality the air transport company possesses.

Each party to this arrangement agrees that its consent for operations over its territory by air transport companies of the other party may not be refused on unreasonable or arbitrary grounds. The consent may be made subject to special regulations relating to aerial safety and public order.

The parties to this arrangement agree that the period in which pilots may, while holding valid pilot licenses issued or rendered valid by either country, operate registered aircraft of that country in the other country for non-industrial or non-commercial purposes shall be limited to a period not exceeding six months from the time of entry for the purpose of operating aircraft, unless prior to the expiration of this period the pilots obtain from the Government of the country in which they are operating, pilot licenses authorizing them to operate aircraft for non-industrial or non-commercial purposes.

ARTICLE 5

The aircraft of each of the parties to this arrangement, their crews and passengers, shall, while within the territory of the other party, be subject to the general legislation in force in that territory as well as the regulations in force therein relating to air traffic in general, to the transport of passengers and goods and to public safety and order in so far as these regulations apply to all foreign aircraft, their crews and passengers.

Jurisdiction over aircraft, etc.

Each of the parties to this arrangement shall permit the import or export of all merchandise which may be legally imported or exported and also the carriage of passengers, subject to any customs, immigration and quarantine restrictions, into or from their respective territories in the aircraft of the other party, and such aircraft, their passengers and cargoes, shall enjoy the same privileges as and shall not be subjected to any other or higher duties or charges than those which the aircraft of the country, imposing such duties or charges, engaged in international commerce, and their cargoes and passengers, or the aircraft of any foreign country likewise engaged, and their cargoes and passengers, enjoy or are subjected to.

Each of the parties to this arrangement may reserve to its own aircraft air commerce between any two points neither of which is in a foreign country. Nevertheless the aircraft of either party may proceed from any aerodrome in the territory of the other party which they are entitled to use to any other such aerodrome either for the purpose of landing the whole or part of their cargoes or passengers or of taking on board the whole or part of their cargoes or passengers, provided that such cargoes are covered by through bills of lading, and such passengers hold through tickets, issued respectively for a journey whose starting place and destination both are not points between which air commerce has been duly so reserved, and such aircraft, while proceeding as aforesaid, from one aerodrome to another, shall, notwithstanding that such aerodromes are points between which air commerce has been duly reserved, enjoy all the privileges of this arrangement.

ARTICLE 6

Each of the parties to this arrangement reserves the right to forbid flights over certain areas of its territory which are or may hereafter be designated as prohibited areas.

Reservation of right to forbid flights over designated areas.

Each of the parties reserves the right under exceptional circumstances in time of peace and with immediate effect temporarily to limit or prohibit air traffic above its territory on condition that in this respect no distinction is made between the aircraft of the other party and the aircraft of any foreign country.

ARTICLE 7

Aircraft over prohibited area.

Any aircraft which finds itself over a prohibited area shall, as soon as it is aware of the fact, give the signal of distress prescribed in the Rules of the Air in force in the territory flown over and shall land as soon as possible at an aerodrome situated in such territory outside of but as near as possible to such prohibited area.

ARTICLE 8

Identification.

All aircraft shall carry clear and visible nationality and registration marks whereby they may be recognized during flight. In addition, they must bear the name and address of the owner.

All aircraft shall be provided with certificates of registration and of airworthiness and with all the other documents prescribed for air traffic in the territory in which they are registered.

The members of the crew who perform, in an aircraft, duties for which a special permit is required in the territory in which such aircraft is registered, shall be provided with all documents and in particular with the certificates and licenses prescribed by the regulations in force in such territory.

The other members of the crew shall carry documents showing their duties in the aircraft, their profession, identity and nationality.

The certificates of airworthiness, certificates of competency and licenses issued or rendered valid by one of the parties to this arrangement in respect of an aircraft registered in its territory or of the crew of such aircraft shall have the same validity in the territory of the other party as the corresponding documents issued or rendered valid by the latter.

Each of the parties reserves the right for the purpose of flight within its own territory to refuse to recognize certificates of competency and licenses issued to nationals of that party by the other party.

ARTICLE 9

Radio regulations.

Aircraft of either of the parties to this arrangement may carry wireless apparatus in the territory of the other party only if a license to install and work such apparatus shall have been issued by the competent authorities of the party in whose territory the aircraft is registered. The use of such apparatus shall be in accordance with the regulations on the subject issued by the competent authorities of the territory within whose air space the aircraft is navigating.

Such apparatus shall be used only by such members of the crew as are provided with a special license for the purpose issued by the Government of the territory in which the aircraft is registered.

The parties to this arrangement reserve respectively the right, for reasons of safety, to issue regulations relative to the obligatory equipment of aircraft with wireless apparatus.

ARTICLE 10

Transportation of munitions prohibited.

No arms of war, explosives of war, or munitions of war shall be carried by aircraft of either party above the territory of the other party or by the crew or passengers, except by permission of the competent authorities of the territory within whose air space the aircraft is navigating.

ARTICLE 11

Upon the departure or landing of any aircraft each party may within its own territory and through its competent authorities search the aircraft of the other party and examine the certificates and other documents prescribed.

Inspection.

ARTICLE 12

Aerodromes open to public air traffic in the territory of one of the parties to this arrangement shall in so far as they are under the control of the party in whose territory they are situated be open to all aircraft of the other party, which shall also be entitled to the assistance of the meteorological services, the wireless services, the lighting services and the day and night signalling services, in so far as the several classes of services are under the control of the party in whose territory they respectively are rendered. Any scale of charges made, namely, landing, accomodation or other charge, with respect to the aircraft of each party in the territory of the other party, shall in so far as such charges are under the control of the party in whose territory they are made be the same for the aircraft of both parties.

Aerodromes.

ARTICLE 13

All aircraft entering or leaving the territory of either of the parties to this arrangement shall land at or depart from an aerodrome open to public air traffic and classed as a customs aerodrome at which facilities exist for enforcement of immigration regulations and clearance of aircraft, and no intermediary landing shall be effected between the frontier and the aerodrome. In special cases the competent authorities may allow aircraft to land at or depart from other aerodromes, at which customs, immigration and clearance facilities have been arranged. The prohibition of any intermediary landing applies also in such cases.

Landings.

In the event of a forced landing outside the aerodromes, referred to in the first paragraph of this article, the pilot of the aircraft, its crew and the passengers shall conform to the customs and immigration regulations in force in the territory in which the landing has been made.

Aircraft of each party to this arrangement are accorded the right to enter the territory of the other party subject to compliance with quarantine regulations in force therein.

The parties to this arrangement shall exchange lists of the aerodromes in their territories designated by them as ports of entry and departure.

ARTICLE 14

Each of the parties to this arrangement reserves the right to require that all aircraft crossing the frontiers of its territory shall do so either between certain points, or close by an aviation customs office in that territory, at such altitude that signals can be received, even though there should be no landing of the aircraft. The contracting parties shall inform each other of the points where the respective frontiers thus may be crossed.

Flight restrictions.

It is understood that neither of the courses mentioned in the preceding paragraph exempts aircraft crossing the frontiers of either party from the obligation of landing at a regular airport of entry, as stipulated in Article 13.

ARTICLE 15

As ballast, only fine sand or water may be dropped from an aircraft.

Ballast.

ARTICLE 16

Permits to unload.

No article or substance, other than ballast, may be unloaded or otherwise discharged in the course of flight unless special permission for such purpose shall have been given by the authorities of the territory in which such unloading or discharge takes place.

ARTICLE 17

Nationality of aircraft.

Whenever questions of nationality arise in carrying out the present arrangement, it is agreed that every aircraft shall be deemed to possess the nationality of the party in whose territory it is duly registered.

ARTICLE 18

Intercommunication of regulations.

The parties to this arrangement shall communicate to each other the regulations relative to air traffic in force in their respective territories.

ARTICLE 19

Duration.

The present arrangement shall be subject to termination by either party upon sixty days' notice given to the other party or by the enactment by either party of legislation inconsistent therewith.

I shall be glad to have you inform me whether the text of the arrangement herein set forth is as agreed to by your Government. If so, it is suggested that it should be understood that the arrangement will become effective on October 9, 1933.

Accept, Sir, the renewed assurances of my high consideration.

CORDELL HULL

BARON JOHAN BECK-FRIIS,

Chargé d'Affaires ad interim of Sweden.

The Swedish Chargé d'Affaires ad interim (Beck-Friis) to the Secretary of State (Hull)

LEGATION OF SWEDEN,

Washington, D.C., September 8, 1933.

SIR:

Reference is made to the negotiations which have taken place between the Government of Sweden and the Government of the United States of America for the conclusion of a reciprocal air navigation arrangement between Sweden and the United States of America, governing the operation of civil aircraft of the one country in the other country.

It is my understanding that it has been agreed in the course of the negotiations, now terminated, that this arrangement shall be as follows:

“Avtal mellan Sverige och Amerikas Förenta Stater angående framförande av i det ena landet hemmahörande civila luftfartyg inom det andra landets område.

Medlemmar av besättningen, som ombord å luftfartyg fullgöra åligganden, för vilka särskilt tillstånd fordras inom det område, varest sådant luftfartyg är registrerat, skola vara försedda med alla de handlingar och särskilt med de certifikat och tillståndsbevis, som föreskrivas genom bestämmelser, som äro gällande inom ifrågavarande område.

Övriga medlemmar av besättningen skola innehava handlingar, utvisande deras åligganden ombord å luftfartyget samt deras yrke, identitet och nationalitet.

Luftvärdighetsbevis, behörighetscertifikat och tillståndsbevis, som utfärdats eller förklarats giltiga av en av de kontraherande parterna beträffande luftfartyg, registrerat inom dess område, eller beträffande besättningen å sådant luftfartyg, skola hava samma giltighet inom den andra partens område som motsvarande handlingar, vilka utfärdats eller förklarats giltiga av den sistnämnda parten.

Envar av de fördragsslutande parterna förbehåller sig rätt att, i fråga om luftfart inom dess eget område, vägra att erkänna behörighetscertifikat och tillståndsbevis, som utfärdats för en av dess egna medborgare av den andra parten.

ARTIKEL 9.

Luftfartyg tillhörande en av de fördragsslutande parterna äger medföra radioapparat inom den andra partens område endast om tillstånd till installerande och begagnande av dylik apparat meddelats av vederbörande myndighet i den stat, inom vars område luftfartyget är registrerat. Begagnande av sådana apparater skall ske i överensstämmelse med de bestämmelser i ämnet, som utfärdats av vederbörande myndigheter i det land, inom vars luftområde luftfartyget framföres.

Dylik apparat må endast brukas av sådana medlemmar av besättningen, som äro i besittning av särskilt för sådant ändamål av regeringen i det område, inom vilket luftfartyget är registrerat, utfärdat certifikat.

De fördragsslutande parterna förbehålla sig rätt att, av säkerhetsskäl, var för sig utfärda bestämmelser beträffande skyldighet att förse luftfartyg med radioapparater.

ARTIKEL 10.

Krigsvapen, explosiva varor eller krigsammunition få icke befordras å luftfartyg, tillhörigt endera parten, över den andra partens område eller av besättning eller passagerare, såvida icke tillstånd erhållits av vederbörande myndighet i det land, inom vars luftområde luftfartyget framföres.

ARTIKEL 11.

Vid ett luftfartygs avgång eller landning må vardera parten inom sitt eget område och genom dess vederbörande myndigheter visitera den andra partens luftfartyg samt granska certifikat och andra föreskrivna handlingar.

ARTIKEL 12.

Flygplats upplåten för allmän luftrafik inom en av de fördragsslutande parternas område skall, i den mån den står under kontroll av den part, inom vilkens område den är belägen, vara öppen för alla den andra partens luftfartyg, vilka också skola vara berättigade att erhålla väderlekstjänst, radiotjänst, belysningstjänst samt signal-tjänst såväl dag som natt, i den mån de olika slagen av tjänster äro

Envar av de fördragsslutande staterna skall tillåta att med den andra partens luftfartyg till och från parternas respektive områden dels importerar och exporterar alla varor, som lagligen må importerar och exporterar, dels befördras passagerare, allt dock i den mån tull-, immigrations- och karantänsbestämmelser så medgiva. Sådana luftfartyg, deras passagerare och last skola komma i åtnjutande av samma förmåner som och skola icke påläggas andra eller högre avgifter eller pålagor än dem, som gälla för i internationell lufttrafik använda luftfartyg tillhörande det land, som pålägger nämnda avgifter och pålagor, eller dessa luftfartygs laster och passagerare eller på liknande sätt använda luftfartyg, tillhöriga någon främmande nation och dessa luftfartygs laster och passagerare.

Envar av de fördragsslutande parterna har rätt att förbehålla sina egna luftfartyg handelsluftfart mellan två punkter, av vilka ingendera är belägen i ett främmande land. Dock må luftfartyg, tillhörande en av parterna, framföras från en inom den andra partens område belägen flygplats, som den är berättigad att begagna, till en annan sådan flygplats vare sig i avsikt att urlasta hela eller en del av lasten eller att avlämna en eller flera passagerare eller att taga ombord hela eller en del av lasten eller en eller flera passagerare. Förutsättning för nämnda medgivande är emellertid, att sådan last är upptagen å genomgående fraktsedel och att sådana passagerare innehava genomgående biljetter, utställda för en resa, vars såväl avgångs- som adresstation icke äro belägna å ställen, mellan vilka luftfart i behörig ordning förbehållits det egna landets luftfartyg. Luftfartyg, vilket, såsom förut sagts, framföres från en flygplats till en annan, skall åtnjuta alla de förmåner, som stadgas i detta avtal, oaktat flygplatserna äro belägna å orter, mellan vilka luftfart i behörig ordning förbehållits det egna landets luftfartyg.

ARTIKEL 6.

Envar av de fördragsslutande parterna förbehåller sig rätt att förbjuda luftfart över vissa områden av dess territorium, vilka äro eller hädanefter må bli betecknade som förbjudna områden.

Envar av de fördragsslutande parterna förbehåller sig rätt att, till följd av undantagsvis föreliggande omständigheter, i fredstid, med omedelbar verkan temporärt inskränka eller förbjuda luftfart över dess territorium under villkor att i förevarande hänseende ingen skillnad göres mellan luftfartyg tillhörande den andra parten och luftfartyg tillhörande annan främmande stat.

ARTIKEL 7.

Varje luftfartyg, som finner sig hava inkommit över ett förbjudet område, skall, så snart det blir varse detta, giva den nödsignal, som är föreskriven i de luftfartsbestämmelser, som äro gällande inom det territorium, som överflyges, och skall landa så snart som möjligt å en flygplats belägen inom detta territorium utanför, men så nära som möjligt, det förbjudna området.

ARTIKEL 8.

Alla luftfartyg skola föra tydliga och synliga nationalitets- och registreringsmärken, genom vilka de skola kunna igenkännas under luftfärden. Dessutom skola å desamma ägarens namn och adress vara anbragta.

Å alla luftfartyg skola medföras registrerings- och luftvärdighetsbevis samt alla de övriga handlingar, som äro föreskrivna för lufttrafik inom det område, varest luftfartygen äro registrerade.

ARTIKEL 17.

Då fråga angående nationalitet uppkommer vid tillämpningen av detta avtal, är det överenskommet, att varje luftfartyg skall anses hava det lands nationalitet, inom vars område det är i vederbörlig ordning registrerat.

ARTIKEL 18.

De fördragsslutande parterna skola ömsesidigt meddela varandra de bestämmelser beträffande lufttrafik, som äro gällande inom deras respektive områden.

ARTIKEL 19.

Detta avtal kan frånträdas av endera parten genom uppsägning sextio dagar i förväg hos den andra parten eller genom att endera parten antager en författning, som strider mot avtalet."

I shall be glad to have Your Excellency inform me whether the text of the arrangement herein set forth is as agreed to by your Government. If so, it is suggested that it should be understood that the arrangement will become effective on October 9, 1933.

With renewed assurances of my highest consideration, I have the honour to remain, Sir,

Your most obedient servant,

JOHAN BECK-FRIIS

THE HONOURABLE
CORDELL HULL,
Secretary of State,
etc. etc. etc.

The Swedish Chargé d'Affaires ad interim (Beck-Friis) to the Secretary of State (Hull)

LEGATION OF SWEDEN,
Washington, D.C., September 9, 1933.

SIR:

I have the honour to acknowledge receipt of Your Excellency's communication of September 8, 1933, and to state that the text given therein of the arrangement between Sweden and the United States of America, governing the operation of civil aircraft of the one country in the other country, meets with the approval of the Swedish Government. There is agreement to the effect that the arrangement shall become effective on October 9, 1933.

With renewed assurances of my highest consideration, I have the honour to remain, Sir,

Your most obedient servant,

JOHAN BECK-FRIIS

THE HONOURABLE
CORDELL HULL,
Secretary of State,
etc. etc. etc.

Acceptance by Sweden.

under kontroll av den part, inom vilkens område de tillhandahållas. Varje taxa å avgifter för landning, hangarplats eller annat bistånd, som tillhandahålls den ena partens luftfartyg inom den andra partens område, skall, i den mån sådana avgifter äro under kontroll av den part, inom vilkens område de tillhandahållas, vara lika för båda parternas luftfartyg.

ARTIKEL 13.

Luftfartyg, som ankommer till eller avgår från en av de fördragsslutande parternas område, skall landa å eller starta från en flygplats, upplåten för allmän lufttrafik och betecknad som tullflygplats och varest möjlighet finnes för fullgörande av bestämmelser för immigration och klarering av luftfartyg, och ingen mellanlandning må äga rum mellan gränsen och denna flygplats. I särskilda fall må vederbörande myndighet tillåta luftfartyg att landa å eller starta från annan flygplats, varest möjlighet till tullbehandling, immigration och klarering ordnats. Förbudet mot mellanlandning avser även sådana fall.

Har nödlandning ägt rum utanför flygplats, som omförmäles i första stycket av denna artikel, skola luftfartygets förare, dess besättning och passagerare ställa sig till efterrättelse de tull- och immigrationsbestämmelser, som gälla inom det område, varest landningen ägt rum.

Luftfartyg hemmahörande i en av de fördragsslutande staterna, skola hava rätt att inkomma å den andra partens område, under förutsättning att de ställa sig till efterrättelse därstädes gällande karantänsföreskrifter.

De fördragsslutande parterna skola till varandra överlämna förteckningar å de inom deras områden belägna flygplatser, vilka av dem utsetts till ankomst- och avgångsorter.

ARTIKEL 14.

Envar av de fördragsslutande parterna förbehåller sig rätt att fordra, att alla luftfartyg, som överskrida gränserna för dess område, skola göra det antingen mellan vissa punkter eller i närheten av en tullflygplats inom dess område, på sådan höjd att signalering kan uppfattas, även om luftfartyget icke där landar. De kontraherande parterna skola underrätta varandra om de punkter, varest, i enlighet med vad sålunda bestämts, deras respektive gränser må passeras.

Det förutsättes, att ingen av de föreskrifter rörande inflygningsleder, vilka omförmälas i föregående stycke, befriar luftfartyg, som passerar endera partens gränser, från skyldighet att landa å flygplats, som, enligt bestämmelserna i artikel 13, är fastställd såsom inflygningsort.

ARTIKEL 15.

Från luftfartyg i luften må ej utkastas annan ballast än fin sand eller vatten.

ARTIKEL 16.

Under luftfärd må intet föremål eller ämne annat än ballast lossas eller på annat sätt avlastas, utan att särskilt tillstånd härtill givits av myndighet inom det område, varest sådan lossning eller avlastning skall äga rum.

Arrangement between the United States of America and Sweden concerning pilot licenses to operate civil aircraft. Effected by exchange of notes, signed September 8 and 9, 1933; effective October 9, 1933. September 8 and 9, 1933.

The Secretary of State (Hull) to the Swedish Chargé d'Affaires ad interim (Beck-Friis)

DEPARTMENT OF STATE,
Washington, September 8, 1933.

SIR:

Reference is made to the negotiations which have taken place between the Government of the United States of America and the Government of Sweden for the conclusion of a reciprocal arrangement between the United States of America and Sweden providing for the issuance by the one country of licenses to nationals of the other country authorizing them to pilot civil aircraft.

Reciprocal arrangement with Sweden concerning pilot licenses to operate civil aircraft.

It is my understanding that it has been agreed in the course of the negotiations, now terminated, that this arrangement shall be as follows:

Arrangement between the United States of America and Sweden concerning the issuance by the one country of licenses to nationals of the other country authorizing them to pilot civil aircraft.

ARTICLE 1

The present arrangement between the United States of America and Sweden relates to the issuance by each country of licenses to nationals of the other country for the piloting of civil aircraft. The term "civil aircraft" shall be understood to mean aircraft used for private, industrial, commercial or transport purposes.

Scope of arrangement.

ARTICLE 2

(a) The Office of Civil Aviation (Luftfartsmyndigheten) of Sweden will issue pilots' licenses to American nationals upon a showing that they are qualified under the regulations of that Office covering the licensing of pilots.

Issue of licenses.

(b) The Department of Commerce of the United States of America will issue pilots' licenses to Swedish nationals upon a showing that they are qualified under the regulations of that Department covering the licensing of pilots.

ARTICLE 3

(a) Pilots' licenses issued by the Department of Commerce of the United States of America to Swedish nationals shall entitle them to the same privileges as are granted by pilots' licenses issued to American nationals.

Privileges accorded.

*The Secretary of State (Hull) to the Swedish Chargé d'Affaires ad interim
(Beck-Friis)*

DEPARTMENT OF STATE,
Washington, September 9, 1933.

SIR:

Acceptance by the
United States.

I have the honor to acknowledge receipt of your communication of September 8, 1933, and to state that the text given therein of the arrangement between the United States of America and Sweden, governing the operation of civil aircraft of the one country in the other country, meets with the approval of the Government of the United States. There is agreement to the effect that the arrangement shall become effective on October 9, 1933.

Accept, Sir, the renewed assurances of my high consideration.

CORDELL HULL

BARON JOHAN BECK-FRIIS,
Chargé d'Affaires ad interim of Sweden.

[No. 47]

for the issuance of pilot licenses; and the conditions under which pilots of the nationality of either country may operate aircraft of the other country, as provided for in this article, shall be in accordance with the requirements of such other country.

ARTICLE 7

The present arrangement shall be subject to termination by either party upon sixty days' notice given to the other party or by the enactment by either party of legislation inconsistent therewith. Duration.

I shall be glad to have you inform me whether the text of the arrangement herein set forth is as agreed to by your Government. If so, it is suggested that it should be understood that the arrangement will become effective on October 9, 1933.

Accept, Sir, the renewed assurances of my high consideration.

CORDELL HULL

BARON JOHAN BECK-FRIIS,
Chargé d'Affaires ad interim of Sweden.

The Swedish Chargé d'Affaires ad interim (Beck-Friis) to the Secretary of State (Hull)

LEGATION OF SWEDEN,
Washington, D.C., September 8, 1933.

SIR:

Reference is made to the negotiations which have taken place between the Government of Sweden and the Government of the United States of America for the conclusion of a reciprocal arrangement between Sweden and the United States of America providing for the issuance by the one country of licenses to nationals of the other country authorizing them to pilot civil aircraft. Confirmation by Sweden.

It is my understanding that it has been agreed in the course of the negotiations, now terminated, that this arrangement shall be as follows:

“Avtal mellan Sverige och Amerikas Förenta Stater angående föreskrifter rörande utfärdande av det ena landet av certifikat för det andra landets medborgare, berättigande dem att föra civila luftfartyg.

ARTIKEL 1.

Detta avtal mellan Sverige och Amerikas Förenta Stater hänför sig till utfärdande av ettdera landet av certifikat för det andra landets medborgare att föra civila luftfartyg. Med uttrycket ‘civilt luftfartyg’ förstås luftfartyg, som brukas för privat, industriellt, kommersiellt eller transport-ändamål.

ARTIKEL 2.

a) Svenska luftfartsmyndigheten skall utfärda förarcertifikat för amerikanska undersåtar, sedan det styrkts, att de uppfylla denna myndighets bestämmelser för erhållande av sådana certifikat.

(b) Pilots' licenses issued by the Office of Civil Aviation (Luftfartsmyndigheten) of Sweden to American nationals shall entitle them to the same privileges as are granted by pilots' licenses issued to Swedish nationals.

ARTICLE 4

Registration rights
denied.

Pilots' licenses issued to nationals of the one country by the competent authority of the other country shall not be construed to accord to the licensees the right to register aircraft in such other country.

ARTICLE 5

Operations reserved
to national aircraft.

Pilots' licenses issued to nationals of the one country by the competent authority of the other country shall not be construed to accord to the licensees the right to operate aircraft in air commerce wholly within territory of such other country reserved to national aircraft, unless the aircraft have been registered under the laws of the country issuing the pilots' licenses.

ARTICLE 6

Operations permit-
ted.

(a) Swedish nationals shall while holding valid pilot licenses issued by the Office of Civil Aviation (Luftfartsmyndigheten) of Sweden be permitted to operate in Continental United States of America, exclusive of Alaska, for non-industrial or non-commercial purposes for a period not exceeding six months from the time of entering that country, any civil aircraft registered by the Office of Civil Aviation (Luftfartsmyndigheten) of Sweden, and/or any civil aircraft registered by the United States Department of Commerce. The period of validity of the licenses first mentioned in this paragraph shall, for the purpose of this paragraph, include any renewal of the license by the pilot's own government made after the pilot has entered Continental United States of America. No person to whom this provision applies shall be allowed to operate civil aircraft in Continental United States of America, exclusive of Alaska, for non-industrial or non-commercial purposes for a period of more than six months from the time of entering that country unless he shall, prior to the expiration of such period, have obtained a pilot license from the United States Department of Commerce in the manner provided for in this arrangement.

(b) American nationals shall while holding valid pilot licenses issued by the United States Department of Commerce be permitted to operate in Sweden for non-industrial or non-commercial purposes for a period not exceeding six months from the time of entering that country, any civil aircraft registered by the United States Department of Commerce, and/or any civil aircraft registered by the Office of Civil Aviation (Luftfartsmyndigheten) of Sweden. The period of validity of the licenses first mentioned in this paragraph shall, for the purpose of this paragraph, include any renewal of the license by the pilot's own government made after the pilot has entered Sweden. No person to whom this provision applies shall be allowed to operate civil aircraft in Sweden for non-industrial or non-commercial purposes for a period of more than six months from the time of entering that country unless he shall, prior to the expiration of such period, have obtained a pilot's license from the Office of Civil Aviation (Luftfartsmyndigheten) of Sweden in the manner provided for in this arrangement.

Conditions.

(c) The conditions under which pilots of the nationality of either country may operate aircraft of their country in the other country, as provided for in this article, shall be as stipulated in the air navigation arrangement in force between the parties to this arrangement

registrerat av svenska luftfartsmyndigheten. Giltighetstiden för i detta stycke förut omnämnda certifikat skall, i vad angår det i samma stycke lämnade medgivandet, innefatta varje förnyelse av certifikat, som efter det föraren anlant till Sverige, verkställas av vederbörande myndighet i förarens hemland. Ingen, å vilken förevarande bestämmelse äger tillämpning, skall tillåtas föra civilt luftfartyg inom Sverige för icke industriellt eller icke kommersiellt ändamål under en period av mer än sex månader från det han anlant till Sverige, såvida han icke, före denna periods utgång, av svenska luftfartsmyndigheten erhållit förarcertifikat i den ordning, som är föreskriven i detta avtal.

c) De villkor, under vilka förare, som innehar ettdera landets nationalitet, må, i enlighet med bestämmelserna i denna artikel, inom det andra landet föra luftfartyg hemmahörande i sitt hemland, skola vara de, som beträffande utfärdande av förarcertifikat äro stadgade i det luftfartsavtal, som är gällande mellan de fördragsslutande parterna; och de villkor, under vilka förare, som innehar ettdera landets nationalitet, må, i enlighet med bestämmelserna i denna artikel, föra i det andra landet hemmahörande luftfartyg, skola vara i överensstämmelse med fordringarna i det andra landet.

ARTIKEL 7.

Detta avtal kan frånträdas av endera parten genom uppsägning sextio dagar i förväg hos den andra parten eller genom att endera parten genomför en lagstiftning, som strider mot avtalet.”

I shall be glad to have Your Excellency inform me whether the text of the arrangement herein set forth is as agreed to by your Government. If so, it is suggested that it should be understood that the arrangement will become effective on October 9, 1933.

With renewed assurances of my highest consideration, I have the honour to remain, Sir,

Your most obedient servant,

JOHAN BECK-FRIIS

THE HONOURABLE
CORDELL HULL,
Secretary of State,
etc. etc. etc.

The Swedish Chargé d'Affaires ad interim (Beck-Friis) to the Secretary of State (Hull)

LEGATION OF SWEDEN,
Washington, D.C., September 9, 1933.

SIR:

I have the honour to acknowledge receipt of Your Excellency's communication of September 8, 1933, and to state that the text given therein of the arrangement between Sweden and the United States of America, providing for the issuance by the one country of licenses to nationals of the other country authorizing them to pilot civil aircraft,

Acceptance by Sweden.

b) Amerikas Förenta Staters handelsdepartement skall utfärda förarcertifikat för svenska undersåtar, sedan det styrkts, att de uppfylla detta departements bestämmelser för erhållande av sådana certifikat.

ARTIKEL 3.

a) Förarcertifikat, som av Amerikas Förenta Staters handelsdepartement utfärdas för svenska undersåtar, skall giva dem samma rättigheter, som tillförsäkras genom förarcertifikat, utfärdade för amerikanska medborgare.

b) Förarcertifikat, som av svenska luftfartsmyndigheten utfärdas för amerikanska medborgare, skall giva dem samma rättigheter, som tillförsäkras genom förarcertifikat, utfärdade för svenska medborgare.

ARTIKEL 4.

Förarcertifikat, som för medborgare i det ena landet utfärdas av vederbörande myndighet i det andra landet, skola icke för certifikatets innehavare medföra rätt att få luftfartyg registrerade inom det andra landet.

ARTIKEL 5.

Förarcertifikat, som för medborgare i det ena landet utfärdas av vederbörande myndighet i det andra landet, skall icke anses medföra rätt för certifikatets innehavare att framföra luftfartyg i kommersiell luftfart, som helt och hållet äger rum inom sådant område i det andra landet, som reserverats för det egna landets luftfartyg, såvida icke luftfartyget registrerats enligt de lagar, som gälla i det land, som utfärdat förarcertifikatet.

ARTIKEL 6.

a) Svensk medborgare, som innehar giltigt förarcertifikat, utfärdat av svenska luftfartsmyndigheten, skall tillåtas att inom Amerikas Förenta Staters fastlandsområde med undantag av Alaska under en period icke överstigande sex månader från det han anlänt till Amerikas Förenta Stater, för icke industriellt eller icke kommersiellt ändamål, föra civilt luftfartyg, registrerat av svenska luftfartsmyndigheten eller civilt luftfartyg registrerat av Amerikas Förenta Staters handelsdepartement. Giltighetstiden för i detta stycke förut omnämnda certifikat skall, i vad angår det i samma stycke lämnade medgivandet, innefatta varje förnyelse av certifikat, som efter det föraren anlänt till Amerikas Förenta Staters fastlandsområde, verkställs av vederbörande myndighet i förarens hemland. Ingen, å vilken förevarande bestämmelse äger tillämpning, skall tillåtas föra civilt luftfartyg inom Amerikas Förenta Staters fastlandsområde, med undantag av Alaska, för icke industriellt eller icke kommersiellt ändamål under en period av mer än sex månader från det han anlänt till Amerikas Förenta Staters fastlandsområde, såvida han icke, före denna periods utgång, av Amerikas Förenta Staters handelsdepartement erhållit förarcertifikat i den ordning, som är föreskriven i detta avtal.

b) Amerikansk medborgare, som innehar giltigt förarcertifikat, utfärdat av Amerikas Förenta Staters handelsdepartement, skall tillåtas att, inom Sverige, under en period icke överstigande sex månader från det han anlänt till Sverige, för icke industriellt eller icke kommersiellt ändamål, föra civilt luftfartyg, registrerat av Amerikas Förenta Staters handelsdepartement eller civilt luftfartyg

Arrangement between the United States of America and Sweden for the reciprocal recognition of certificates of airworthiness for imported aircraft. Effected by exchange of notes, signed September 8 and 9, 1933; effective October 9, 1933.

September 8 and 9,
1933.

The Secretary of State (Hull) to the Swedish Chargé d'Affaires ad interim (Beck-Friis)

DEPARTMENT OF STATE,
Washington, September 8, 1933.

SIR:

Reference is made to the negotiations which have taken place between the Government of the United States of America and the Government of Sweden for the conclusion of a reciprocal arrangement between the United States of America and Sweden providing for the acceptance by the one country of certificates of airworthiness for aircraft exported from the other country as merchandise.

Arrangement with Sweden for the reciprocal recognition of certificates of airworthiness for imported aircraft.

It is my understanding that it has been agreed in the course of the negotiations, now terminated, that this arrangement shall be as follows:

Arrangement between the United States of America and Sweden concerning the acceptance by the one country of certificates of airworthiness for aircraft exported from the other country as merchandise.

ARTICLE 1

The present arrangement applies to civil aircraft constructed in continental United States of America, exclusive of Alaska, and exported to Sweden; and to civil aircraft constructed in Sweden and exported to continental United States of America, exclusive of Alaska.

Applicability.

ARTICLE 2

The same validity shall be conferred on certificates of airworthiness issued by the competent authorities of the Government of the United States in respect of aircraft subsequently registered in Sweden as if they had been issued under the regulations in force on the subject in Sweden provided that in each case a certificate of airworthiness for export has also been issued by the United States authorities in respect of the individual aircraft, and provided that certificates of airworthiness issued by the competent authorities of Sweden in respect of aircraft subsequently registered in the United States of America are similarly given the same validity as if they had been issued under the regulations in force on the subject in the United States.

Validity of certificates.

PILOT LICENSES—CIVIL AIRCRAFT—SWEDEN.

meets with the approval of the Swedish Government. There is agreement to the effect that the arrangement shall become effective on October 9, 1933.

With renewed assurances of my highest consideration, I have the honour to remain, Sir,

Your most obedient servant,

JOHAN BECK-FRIIS

THE HONOURABLE
CORDELL HULL,
Secretary of State,
etc. etc. etc.

*The Secretary of State (Hull) to the Swedish Chargé d'Affaires ad interim
(Beck-Friis)*

DEPARTMENT OF STATE,
Washington, September 9, 1933.

SIR:

Acceptance by the
United States.

I have the honor to acknowledge receipt of your communication of September 8, 1933, and to state that the text given therein of the arrangement between the United States of America and Sweden, providing for the issuance by the one country of licenses to nationals of the other country authorizing them to pilot civil aircraft, meets with the approval of the Government of the United States. There is agreement to the effect that the arrangement shall become effective on October 9, 1933.

Accept, Sir, the renewed assurances of my high consideration.

CORDELL HULL

BARON JOHAN BECK-FRIIS,
Chargé d'Affaires ad interim of Sweden.

[No. 48]

ARTIKEL 2.

Samma giltighet skall tillerkännas luftvärdighetsbevis, utfärdat av vederbörande statsmyndighet i Amerikas Förenta Stater med avseende å luftfartyg, vilket sedermera registreras i Sverige, som om det hade utfärdats i enlighet med i förevarande hänseende i kraft varande bestämmelser i Sverige, under förutsättning att i varje fall ett luftvärdighetsbevis för export utfärdats av amerikansk myndighet med avseende å det särskilda luftfartyget samt under förutsättning att luftvärdighetsbevis, utfärdat av vederbörande myndighet i Sverige med avseende å luftfartyg, som sedermera registreras i Amerikas Förenta Stater, tillerkännes samma giltighet som om det hade utfärdats i enlighet med i förevarande hänseende i kraft varande bestämmelser i Förenta Staterna.

ARTIKEL 3.

Förevarande avtal omfattar civila luftfartyg av alla slag, inbegripet sådana som användas för yrkesmässig trafik och sådana som användas för privata ändamål samt luftfartygsmotorer och reservdelar till luftfartyg och motorer.

ARTIKEL 4.

Detta avtal kan frånträdas av endera regeringen genom uppsägning sextio dagar i förväg hos den andra regeringen. Om emellertid endera regeringen skulle genom blivande lagstiftning förhindras att i full omfattning tillämpa bestämmelserna i detta avtal, skall det automatiskt upphöra att gälla."

I shall be glad to have Your Excellency inform me whether the text of the arrangement herein set forth is as agreed to by your Government. If so, it is suggested that it should be understood that the arrangement will become effective on October 9, 1933.

With renewed assurances of my highest consideration, I have the honour to remain, Sir,

Your most obedient servant,

JOHAN BECK-FRIIS

THE HONOURABLE

CORDELL HULL,

Secretary of State,

etc. etc. etc.

The Swedish Chargé d'Affaires ad interim (Beck-Friis) to the Secretary of State (Hull)

LEGATION OF SWEDEN,
Washington, D.C., September 9, 1933.

SIR:

I have the honour to acknowledge receipt of Your Excellency's communication of September 8, 1933, and to state that the text given therein of the arrangement between Sweden and the United States of America, providing for the acceptance by the one country of certificates

Acceptance by
Sweden.

ARTICLE 3

Extent of arrange-
ment.

This arrangement will extend to civil aircraft of all categories, including those used for public transport and those used for private purposes, and to aircraft engines and spare parts of aircraft and engines.

ARTICLE 4

Duration.

The present arrangement may be terminated by either Government on sixty days' notice given to the other Government. In the event, however, that either Government should be prevented by future action of its legislature from giving full effect to the provisions of this arrangement it shall automatically lapse.

I shall be glad to have you inform me whether the text of the arrangement herein set forth is as agreed to by your Government. If so, it is suggested that it should be understood that the arrangement will become effective on October 9, 1933.

Accept, Sir, the renewed assurances of my high consideration.

CORDELL HULL

BARON JOHAN BECK-FRIIS,

Chargé d'Affaires ad interim of Sweden.

The Swedish Chargé d'Affaires ad interim (Beck-Friis) to the Secretary of State (Hull)

LEGATION OF SWEDEN,

Washington, D.C., September 8, 1933.

SIR:

Reference is made to the negotiations which have taken place between the Government of Sweden and the Government of the United States of America for the conclusion of a reciprocal arrangement between Sweden and the United States of America providing for the acceptance by the one country of certificates of airworthiness for aircraft exported from the other country as merchandise.

It is my understanding that it has been agreed in the course of the negotiations, now terminated, that this arrangement shall be as follows:

“Avtal mellan Sverige och Amerikas Förenta Stater angående godkännande i det ena landet av luftvärdighetsbevis för luftfartyg, exporterade från det andra landet såsom gods.

ARTIKEL 1.

Detta avtal har avseende å civila luftfartyg, tillverkade inom Amerikas Förenta Staters fastlandsområde, med undantag av Alaska, och exporterade till Sverige, samt å civila luftfartyg, tillverkade i Sverige och exporterade till Amerikas Förenta Staters fastland, med undantag av Alaska.

Arrangement between the United States of America and Norway for air navigation. Effected by exchange of notes, signed October 16, 1933; effective November 15, 1933. October 16, 1933.

The Secretary of State (Hull) to the Norwegian Minister (Bachke)

DEPARTMENT OF STATE,
Washington, October 16, 1933.

SIR:

Reference is made to the negotiations which have taken place between the Government of the United States of America and the Government of Norway for the conclusion of a reciprocal air navigation arrangement between the United States of America and Norway, governing the operation of civil aircraft of the one country in the other country. Reciprocal arrangement with Norway for operating, etc., aircraft.

It is my understanding that it has been agreed in the course of the negotiations, now terminated, that this arrangement shall be as follows: Terms.

ARTICLE 1

Pending the conclusion of a convention between the United States of America and Norway on the subject of air navigation, the operation of civil aircraft of the one country in the other country shall be governed by the following provisions. Tentative provisions.

ARTICLE 2

The present arrangement shall apply to the United States of America and Norway and likewise territories and possessions over which they respectively exercise jurisdiction, including territorial waters, with the exception of the Philippine Islands, Hawaiian Islands and the Panama Canal Zone. Area affected.

ARTICLE 3

The term aircraft with reference to one or the other Party to this arrangement shall be understood to mean civil aircraft, including state aircraft used exclusively for commercial purposes, duly registered in the territory of such Party. Aircraft construed.

ARTICLE 4

Each of the parties undertakes to grant liberty of passage above its territory in time of peace to the aircraft of the other party, provided that the conditions set forth in the present arrangement are observed. Liberty of passage.

It is, however, agreed that the establishment and operation of regular air routes by an air transport company of one of the parties within the territory of the other party or across the said territory, with or without intermediary landing, shall be subject to the prior Regular air routes by transport company.

Consent required.

CERTIFICATES OF AIRWORTHINESS—SWEDEN.

of airworthiness for aircraft exported from the other country as merchandise, meets with the approval of the Swedish Government. There is agreement to the effect that the arrangement shall become effective on October 9, 1933.

With renewed assurances of my highest consideration, I have the honour to remain, Sir,

Your most obedient servant,

JOHAN BECK-FRIIS

THE HONOURABLE
CORDELL HULL,
Secretary of State,
etc. etc. etc.

*The Secretary of State (Hull) to the Swedish Chargé d'Affaires ad interim
(Beck-Friis)*

DEPARTMENT OF STATE,
Washington, September 9, 1933.

SIR:

Acceptance by the
United States. I have the honor to acknowledge receipt of your communication of September 8, 1933, and to state that the text given therein of the arrangement between the United States of America and Sweden, providing for the acceptance by the one country of certificates of airworthiness for aircraft exported from the other country as merchandise, meets with the approval of the Government of the United States. There is agreement to the effect that the arrangement shall become effective on October 9, 1933.

Accept, Sir, the renewed assurances of my high consideration.

CORDELL HULL

BARON JOHAN BECK-FRIIS,
Chargé d'Affaires ad interim of Sweden.

[No. 49]

Arrangement between the United States of America and Norway for air navigation. Effected by exchange of notes, signed October 16, 1933; effective November 15, 1933.

October 16, 1933.

The Secretary of State (Hull) to the Norwegian Minister (Bachke)

DEPARTMENT OF STATE,
Washington, October 16, 1933.

SIR:

Reference is made to the negotiations which have taken place between the Government of the United States of America and the Government of Norway for the conclusion of a reciprocal air navigation arrangement between the United States of America and Norway, governing the operation of civil aircraft of the one country in the other country. Reciprocal arrangement with Norway for operating, etc., aircraft.

It is my understanding that it has been agreed in the course of the negotiations, now terminated, that this arrangement shall be as follows: Terms.

ARTICLE 1

Pending the conclusion of a convention between the United States of America and Norway on the subject of air navigation, the operation of civil aircraft of the one country in the other country shall be governed by the following provisions. Tentative provisions.

ARTICLE 2

The present arrangement shall apply to the United States of America and Norway and likewise territories and possessions over which they respectively exercise jurisdiction, including territorial waters, with the exception of the Philippine Islands, Hawaiian Islands and the Panama Canal Zone. Area affected.

ARTICLE 3

The term aircraft with reference to one or the other Party to this arrangement shall be understood to mean civil aircraft, including state aircraft used exclusively for commercial purposes, duly registered in the territory of such Party. Aircraft construed.

ARTICLE 4

Each of the parties undertakes to grant liberty of passage above its territory in time of peace to the aircraft of the other party, provided that the conditions set forth in the present arrangement are observed. Liberty of passage.

It is, however, agreed that the establishment and operation of regular air routes by an air transport company of one of the parties within the territory of the other party or across the said territory, with or without intermediary landing, shall be subject to the prior Regular air routes by transport company.
Consent required.

consent of the other party given on the principle of reciprocity and at the request of the party whose nationality the air transport company possesses.

Each party to this arrangement agrees that its consent for operations over its territory by air transport companies of the other party may not be refused on unreasonable or arbitrary grounds. The consent may be made subject to special regulations relating to aerial safety and public order.

The parties to this arrangement agree that the period in which pilots may, while holding valid pilot licenses issued or rendered valid by either country, operate registered aircraft of that country in the other country for non-industrial or non-commercial purposes shall be limited to a period not exceeding six months from the time of entry for the purpose of operating aircraft, unless prior to the expiration of this period the pilots obtain from the Government of the country in which they are operating, pilot licenses authorizing them to operate aircraft for non-industrial or non-commercial purposes.

ARTICLE 5

Jurisdiction over aircraft.

The aircraft of each of the Parties to this arrangement, their crews and passengers, shall, while within the territory of the other Party, be subject to the general legislation in force in that territory as well as the regulations in force therein relating to air traffic in general, to the transport of passengers and goods and to public safety and order in so far as these regulations apply to all foreign aircraft, their crews and passengers.

Each of the Parties to this arrangement shall permit the import or export of all merchandise which may be legally imported or exported and also the carriage of passengers, subject to any customs, immigration and quarantine restrictions, into or from their respective territories in the aircraft of the other Party, and such aircraft, their passengers and cargoes, shall enjoy the same privileges as and shall not be subjected to any other or higher duties or charges than those which the aircraft of the country imposing such duties or charges, engaged in international commerce, and their cargoes and passengers, or the aircraft of any foreign country likewise engaged, and their cargoes and passengers, enjoy or are subjected to.

Each of the parties to this arrangement may reserve to its own aircraft air commerce as defined in the last paragraph of this article. Nevertheless the aircraft of each party may proceed from any aerodrome in the territory of the other party which they are entitled to use to any other such aerodrome either for the purpose of landing the whole or part of their cargoes or passengers or of taking on board the whole or part of their cargoes or passengers, provided that such cargoes are covered by through bills of lading, and such passengers hold through tickets, issued respectively for a journey whose starting place and destination are not both points between which air commerce has been duly so reserved, and such aircraft, while proceeding as aforesaid, from one aerodrome to another, shall, notwithstanding that both such aerodromes are points between which air commerce has been duly reserved, enjoy all the privileges of this arrangement.

The term "air commerce" as used in the preceding paragraph shall, with respect to the Parties to this arrangement, be understood to mean:—(a) navigation of aircraft in territory of either Party in furtherance of a business; (b) navigation of aircraft from one place in territory of either Party to another place in that territory in the conduct of a business; (c) the commercial transport of persons or goods between any two points in the territory of either Party.

ARTICLE 6

Each of the Parties to this arrangement reserves the right to forbid flights over certain areas of its territory which are or may hereafter be designated as prohibited areas.

Restricted areas.

Each of the Parties reserves the right under exceptional circumstances in time of peace and with immediate effect temporarily to limit or prohibit air traffic above its territory on condition that in this respect no distinction is made between the aircraft of the other Party and the aircraft of any foreign country.

ARTICLE 7

Any aircraft which finds itself over a prohibited area shall, as soon as it is aware of the fact, give the signal of distress prescribed in the Rules of the Air in force in the territory flown over and shall land as soon as possible at an aerodrome situated in such territory outside of but as near as possible to such prohibited area.

Aircraft over prohibited areas.

ARTICLE 8

All aircraft shall carry clear and visible nationality and registration marks whereby they may be recognized during flight. In addition, they must bear the name and address of the owner.

Identification.

All aircraft shall be provided with certificates of registration and of airworthiness and with all the other documents prescribed for air traffic in the territory in which they are registered.

The members of the crew who perform, in an aircraft, duties for which a special permit is required in the territory in which such aircraft is registered, shall be provided with all documents and in particular with the certificates and licenses prescribed by the regulations in force in such territory.

The other members of the crew shall carry documents showing their duties in the aircraft, their profession, identity and nationality.

The certificates of airworthiness, certificates of competency and licenses issued or rendered valid by one of the Parties to this arrangement in respect of an aircraft registered in its territory or of the crew of such aircraft shall have the same validity in the territory of the other Party as the corresponding documents issued or rendered valid by the latter.

Each of the Parties reserves the right for the purpose of flight within its own territory to refuse to recognize certificates of competency and licenses issued to nationals of that Party by the other Party.

ARTICLE 9

Aircraft of either of the Parties to this arrangement may carry wireless apparatus in the territory of the other Party only if a license to install and work such apparatus shall have been issued by the competent authorities of the Party in whose territory the aircraft is registered. The use of such apparatus shall be in accordance with the regulations on the subject issued by the competent authorities of the territory within whose air space the aircraft is navigating.

Radio regulations.

Such apparatus shall be used only by such members of the crew as are provided with a special license for the purpose issued by the Government of the territory in which the aircraft is registered.

The Parties to this arrangement reserve respectively the right, for reasons of safety, to issue regulations relative to the obligatory equipment of aircraft with wireless apparatus.

ARTICLE 10

Transportation of munitions prohibited.

No arms of war, explosives of war, or munitions of war shall be carried by aircraft of either Party above the territory of the other Party or by the crew or passengers, except by permission of the competent authorities of the territory within whose air space the aircraft is navigating.

ARTICLE 11

Inspection.

Upon the departure or landing of any aircraft each Party may within its own territory and through its competent authorities search the aircraft of the other Party and examine the certificates and other documents prescribed.

ARTICLE 12

Aerodromes, etc.

Aerodromes open to public air traffic in the territory of one of the Parties to this arrangement shall in so far as they are under the control of the Party in whose territory they are situated be open to all aircraft of the other Party, which shall also be entitled to the assistance of the meteorological services, the wireless services, the lighting services, and the day and night signalling services, in so far as the several classes of services are under the control of the Party in whose territory they respectively are rendered. Any scale of charges made, namely, landing, accommodation or other charge, with respect to the aircraft of each Party in the territory of the other Party, shall in so far as such charges are under the control of the Party in whose territory they are made be the same for the aircraft of both Parties.

ARTICLE 13

Landings, etc.

All aircraft entering or leaving the territory of either of the Parties to this arrangement shall land at or depart from an aerodrome open to public air traffic and classed as a customs aerodrome at which facilities exist for enforcement of immigration regulations and clearance of aircraft, and no intermediary landing shall be effected between the frontier and the aerodrome. In special cases the competent authorities may allow aircraft to land at or depart from other aerodromes, at which customs, immigration and clearance facilities have been arranged. The prohibition of any intermediary landing applies also in such cases.

In the event of a forced landing outside the aerodromes, referred to in the first paragraph of this article, the pilot of the aircraft, its crew and the passengers shall conform to the customs and immigration regulations in force in the territory in which the landing has been made.

Aircraft of each Party to this arrangement are accorded the right to enter the territory of the other Party subject to compliance with quarantine regulations in force therein.

The Parties to this arrangement shall exchange lists of the aerodromes in their territories designated by them as ports of entry and departure.

ARTICLE 14

Flight restrictions.

Each of the Parties to this arrangement reserves the right to require that all aircraft crossing the frontiers of its territory shall do so between certain points. Subject to the notification of any such requirements by one Party to the other Party, and to the right to prohibit air traffic over certain areas as stipulated in Article 6, the frontiers of the territories of the Parties to this arrangement may be crossed at any point.

ARTICLE 15

Ballast.

As ballast, only fine sand or water may be dropped from an aircraft.

ARTICLE 16

No article or substance, other than ballast, may be unloaded or otherwise discharged in the course of flight unless special permission for such purpose shall have been given by the authorities of the territory in which such unloading or discharge takes place.

Permit to unload.

ARTICLE 17

Whenever questions of nationality arise in carrying out the present arrangement, it is agreed that every aircraft shall be deemed to possess the nationality of the Party in whose territory it is duly registered.

Nationality of aircraft.

ARTICLE 18

The Parties to this arrangement shall communicate to each other the regulations relative to air traffic in force in their respective territories.

Exchange of regulations.

ARTICLE 19

The present arrangement shall be subject to termination by either Party upon sixty days' notice given to the other Party or by the enactment by either Party of legislation inconsistent therewith.

Duration.

I shall be glad to have you inform me whether it is the understanding of your Government that the arrangement agreed to in the negotiations is as herein set forth. If so, it is suggested that the arrangement become effective on November 15, 1933.

Effective date.

Accept, Sir, the renewed assurances of my highest consideration.

[SEAL]

CORDELL HULL

MR. HALVARD H. BACHKE,
Minister of Norway.

The Norwegian Minister (Bachke) to the Secretary of State (Hull)

ROYAL NORWEGIAN LEGATION,
Washington, D.C., October 16, 1933.

SIR:

I have the honor to acknowledge the receipt of the note of October 16, 1933 in which Your Excellency communicated to me the text of the reciprocal air navigation arrangement between Norway and the United States of America, governing the operation of civil aircraft of the one country in the other country, as understood by Your Excellency to have been agreed to during the negotiations, now terminated, between the two countries.

Acceptance by Norway.

The text communicated to me by Your Excellency is reproduced below:

ARTICLE 1

Pending the conclusion of a convention between Norway and the United States of America on the subject of air navigation, the operation of civil aircraft of the one country in the other country shall be governed by the following provisions.

ARTICLE 2

The present arrangement shall apply to Norway and the United States of America and likewise territories and possessions over which they respectively exercise jurisdiction, including territorial waters, with the exception of the Philippine Islands, Hawaiian Islands and the Panama Canal Zone.

ARTICLE 3

The term aircraft with reference to one or the other Party to this arrangement shall be understood to mean civil aircraft, including state aircraft used exclusively for commercial purposes, duly registered in the territory of such Party.

ARTICLE 4

Each of the parties undertakes to grant liberty of passage above its territory in time of peace to the aircraft of the other party, provided that the conditions set forth in the present arrangement are observed.

It is, however, agreed that the establishment and operation of regular air routes by an air transport company of one of the parties within the territory of the other party or across the said territory, with or without intermediary landing, shall be subject to the prior consent of the other party given on the principle of reciprocity and at the request of the party whose nationality the air transport company possesses.

Each party to this arrangement agrees that its consent for operations over its territory by air transport companies of the other party may not be refused on unreasonable or arbitrary grounds. The consent may be made subject to special regulations relating to aerial safety and public order.

The parties to this arrangement agree that the period in which pilots may, while holding valid pilot licenses issued or rendered valid by either country, operate registered aircraft of that country in the other country for non-industrial or non-commercial purposes shall be limited to a period not exceeding six months from the time of entry for the purpose of operating aircraft, unless prior to the expiration of this period the pilots obtain from the Government of the country in which they are operating, pilot licenses authorizing them to operate aircraft for non-industrial or non-commercial purposes.

ARTICLE 5

The aircraft of each of the parties to this arrangement, their crews and passengers, shall, while within the territory of the other party, be subject to the general legislation in force in that territory as well as the regulations in force therein relating to air traffic in general, to the transport of passengers and goods and to public safety and order in so far as these regulations apply to all foreign aircraft, their crews and passengers.

Each of the parties to this arrangement shall permit the import or export of all merchandise which may be legally imported or exported and also the carriage of passengers, subject to any customs, immigration and quarantine restrictions, into or from their respective territories in the aircraft of the other party, and such aircraft, their passengers and cargoes, shall enjoy the same privileges as and shall not be subjected to any other or higher duties or charges than those which the aircraft of the country imposing such duties or charges, engaged in international commerce, and their cargoes and passengers, or the aircraft of any foreign country likewise engaged, and their cargoes and passengers, enjoy or are subjected to.

Each of the parties to this arrangement may reserve to its own aircraft air commerce as defined in the last paragraph of this article. Nevertheless the aircraft of each party may proceed from any aerodrome in the territory of the other party which they are entitled to use to any other such aerodrome either for the purpose of landing the whole or part of their cargoes or passengers or of taking on board the whole or part of their cargoes or passengers, provided that such cargoes are covered by through bills of lading, and such passengers hold through tickets, issued respectively for a journey whose starting place and destination are not both points between which air commerce has been duly so reserved, and such aircraft, while proceeding as aforesaid, from one aerodrome to another, shall, notwithstanding that both such aerodromes are points between which air commerce has been duly reserved, enjoy all the privileges of this arrangement.

The term "air commerce" as used in the preceding paragraph shall, with respect to the parties to this arrangement, be understood to mean:—(a) navigation of aircraft in territory of either party in furtherance of a business; (b) navigation of aircraft from one place in territory of either party to another place in that territory in the conduct of a business; (c) the commercial transport of persons or goods between any two points in the territory of either party.

ARTICLE 6

Each of the Parties to this arrangement reserves the right to forbid flights over certain areas of its territory which are or may hereafter be designated as prohibited areas.

Each of the Parties reserves the right under exceptional circumstances in time of peace and with immediate effect temporarily to limit or prohibit air traffic above its territory on condition that in this respect no distinction is made between the aircraft of the other Party and the aircraft of any foreign country.

ARTICLE 7

Any aircraft which finds itself over a prohibited area shall, as soon as it is aware of the fact, give the signal of distress prescribed in the Rules of the Air in force in the territory flown over and shall land as soon as possible at an aerodrome situated in such territory outside of but as near as possible to such prohibited area.

ARTICLE 8

All aircraft shall carry clear and visible nationality and registration marks whereby they may be recognized during flight. In addition, they must bear the name and address of the owner.

All aircraft shall be provided with certificates of registration and of airworthiness and with all the other documents prescribed for air traffic in the territory in which they are registered.

The members of the crew who perform, in an aircraft, duties for which a special permit is required in the territory in which such aircraft is registered, shall be provided with all documents and in particular with the certificates and licenses prescribed by the regulations in force in such territory.

The other members of the crew shall carry documents showing their duties in the aircraft, their profession, identity and nationality.

The certificates of airworthiness, certificates of competency and licenses issued or rendered valid by one of the parties to this arrangement in respect of an aircraft registered in its territory or of the crew of such aircraft shall have the same validity in the territory of the other party as the corresponding documents issued or rendered valid by the latter.

Each of the parties reserves the right for the purpose of flight within its own territory to refuse to recognize certificates of competency and licenses issued to nationals of that party by the other party.

ARTICLE 9

Aircraft of either of the parties to this arrangement may carry wireless apparatus in the territory of the other party only if a license to install and work such apparatus shall have been issued by the competent authorities of the party in whose territory the aircraft is registered. The use of such apparatus shall be in accordance with the regulations on the subject issued by the competent authorities of the territory within whose air space the aircraft is navigating.

Such apparatus shall be used only by such members of the crew as are provided with a special license for the purpose issued by the Government of the territory in which the aircraft is registered.

The parties to this arrangement reserve respectively the right, for reasons of safety, to issue regulations relative to the obligatory equipment of aircraft with wireless apparatus.

ARTICLE 10

No arms of war, explosives of war, or munitions of war shall be carried by aircraft of either party above the territory of the other party or by the crew or passengers, except by permission of the competent authorities of the territory within whose air space the aircraft is navigating.

ARTICLE 11

Upon the departure or landing of any aircraft each party may within its own territory and through its competent authorities search the aircraft of the other party and examine the certificates and other documents prescribed.

ARTICLE 12

Aerodromes open to public air traffic in the territory of one of the parties to this arrangement shall in so far as they are under the control of the party in whose territory they are situated be open to all aircraft of the other party, which shall also be entitled to the assistance of the meteorological services, the wireless services, the lighting services, and the day and night signalling services, in so far as the several classes of services are under the control of the party in whose territory they respectively are rendered. Any scale of charges made, namely, landing, accommodation or other charge, with respect to the aircraft of each party in the territory of the other party, shall in so far as such charges are under the control of the party in whose territory they are made be the same for the aircraft of both parties.

ARTICLE 13

All aircraft entering or leaving the territory of either of the parties to this arrangement shall land at or depart from an aerodrome open to public air traffic and classed as a customs aerodrome at which facilities exist for enforcement of immigration regulations and clearance of aircraft, and no intermediary landing shall be effected between the frontier and the aerodrome. In special cases the competent authorities may allow aircraft to land at or depart from other aerodromes, at which customs, immigration and clearance facilities have been arranged. The prohibition of any intermediary landing applies also in such cases.

In the event of a forced landing outside the aerodromes, referred to in the first paragraph of this article, the pilot of the aircraft, its crew

and the passengers shall conform to the customs and immigration regulations in force in the territory in which the landing has been made.

Aircraft of each party to this arrangement are accorded the right to enter the territory of the other party subject to compliance with quarantine regulations in force therein.

The parties to this arrangement shall exchange lists of the aerodromes in their territories designated by them as ports of entry and departure.

ARTICLE 14

Each of the parties to this arrangement reserves the right to require that all aircraft crossing the frontiers of its territory shall do so between certain points. Subject to the notification of any such requirements by one party to the other party, and to the right to prohibit air traffic over certain areas as stipulated in Article 6, the frontiers of the territories of the parties to this arrangement may be crossed at any point.

ARTICLE 15

As ballast, only fine sand or water may be dropped from an aircraft.

ARTICLE 16

No article or substance, other than ballast, may be unloaded or otherwise discharged in the course of flight unless special permission for such purpose shall have been given by the authorities of the territory in which such unloading or discharge takes place.

ARTICLE 17

Whenever questions of nationality arise in carrying out the present arrangement, it is agreed that every aircraft shall be deemed to possess the nationality of the party in whose territory it is duly registered.

ARTICLE 18

The parties to this arrangement shall communicate to each other the regulations relative to air traffic in force in their respective territories.

ARTICLE 19

The present arrangement shall be subject to termination by either party upon sixty days notice given to the other party or by the enactment by either party of legislation inconsistent therewith.

I am glad to assure Your Excellency that the foregoing text is what has been accepted by my Government in the course of the negotiations and is approved by it.

In accordance with the suggestion of Your Excellency it is understood that the arrangement will come into force on November 15, 1933.

Accept, Sir, the renewed assurances of my highest consideration.

[SEAL]

H. H. BACHKE

HONORABLE CORDELL HULL,
Secretary of State,
Washington, D.C.

October 16, 1933.

Arrangement between the United States of America and Norway relating to issue of pilot licenses to operate civil aircraft. Effected by exchange of notes, signed October 16, 1933; effective November 15, 1933.

The Secretary of State (Hull) to the Norwegian Minister (Bachke)

DEPARTMENT OF STATE,
Washington, October 16, 1933.

SIR:

Reciprocal arrangement with Norway providing for issuance of pilot licenses to operate aircraft.

Reference is made to the negotiations which have taken place between the Government of the United States of America and the Government of Norway for the conclusion of a reciprocal arrangement between the United States of America and Norway providing for the issuance by the one country of licenses to nationals of the other country authorizing them to pilot civil aircraft.

It is my understanding that it has been agreed in the course of the negotiations, now terminated, that this arrangement shall be as follows:

ARTICLE 1

Scope of arrangement.

"Civil aircraft" construed.

The present arrangement between the United States of America and Norway relates to the issuance by each country of licenses to nationals of the other country for the piloting of civil aircraft. The term "civil aircraft" shall be understood to mean aircraft used for private, industrial, commercial or transport purposes.

ARTICLE 2

Issue of licenses.

(a) The Ministry of Defense of Norway will issue pilots' licenses to American nationals upon a showing that they are qualified under the regulations of that Ministry covering the licensing of pilots.

(b) The Department of Commerce of the United States of America will issue pilots' licenses to Norwegian nationals upon a showing that they are qualified under the regulations of that Department covering the licensing of pilots.

ARTICLE 3

Privileges accorded.

(a) Pilots' licenses issued by the Department of Commerce of the United States of America to Norwegian nationals shall entitle them to the same privileges as are granted by pilots' licenses issued to American nationals.

(b) Pilots' licenses issued by the Ministry of Defense of Norway to American nationals shall entitle them to the same privileges as are granted by pilots' licenses issued to Norwegian nationals.

ARTICLE 4

Pilots' licenses issued to nationals of the one country by the competent authority of the other country shall not be construed to accord to the licensees the right to register aircraft in such other country.

Registration rights
denied.

ARTICLE 5

Pilots' licenses issued to nationals of the one country by the competent authority of the other country shall not be construed to accord to the licensees the right to operate aircraft in air commerce wholly within territory of such other country reserved to national aircraft, unless the aircraft have been registered under the laws of the country issuing the pilots' licenses.

Operations reserved
to national aircraft.

ARTICLE 6

(a) Norwegian nationals shall while holding valid pilot licenses issued by the Ministry of Defense of Norway be permitted to operate in Continental United States of America, exclusive of Alaska, for non-industrial or non-commercial purposes for a period not exceeding six months from the time of entering that country, any civil aircraft registered by the Ministry of Defense of Norway, and/or any civil aircraft registered by the United States Department of Commerce. The period of validity of the licenses first mentioned in this paragraph shall, for the purpose of this paragraph, include any renewal of the license by the pilot's own Government made after the pilot has entered Continental United States of America. No person to whom this paragraph applies shall be allowed to operate civil aircraft in Continental United States of America, exclusive of Alaska, for non-industrial or non-commercial purposes for a period of more than six months from the time of entering that country, unless he shall, prior to the expiration of such period, have obtained a pilot license from the United States Department of Commerce in the manner provided for in this arrangement.

Operations per-
mitted.

(b) American nationals shall while holding valid pilot licenses issued by the United States Department of Commerce be permitted to operate in Norway for non-industrial or non-commercial purposes for a period not exceeding six months from the time of entering that country, any civil aircraft registered by the United States Department of Commerce, and/or any civil aircraft registered by the Ministry of Defense of Norway. The period of validity of the licenses first mentioned in this paragraph shall, for the purpose of this paragraph, include any renewal of the license by the pilot's own Government made after the pilot has entered Norway. No person to whom this paragraph applies shall be allowed to operate civil aircraft in Norway for non-industrial or non-commercial purposes for a period of more than six months from the time of entering that country, unless he shall, prior to the expiration of such period, have obtained a pilot's license from the Ministry of Defense of Norway in the manner provided for in this arrangement.

(c) The conditions under which pilots of the nationality of either country may operate aircraft of their country in the other country, as provided for in this article, shall be as stipulated in the air navigation arrangement in force between the parties to this arrangement for the issuance of pilot licenses; and the conditions under which pilots of the nationality of either country may operate aircraft of the other country, as provided for in this article, shall be in accordance with the requirements of such other country.

Conditions.

ARTICLE 7

Duration.

The present arrangement shall be subject to termination by either Party upon sixty days' notice given to the other Party or by the enactment by either Party of legislation inconsistent therewith.

I shall be glad to have you inform me whether it is the understanding of your Government that the arrangement agreed to in the negotiations is as herein set forth. If so, it is suggested that the arrangement become effective on November 15, 1933.

Accept, Sir, the renewed assurances of my highest consideration.

[SEAL]

CORDELL HULL

MR. HALVARD H. BACHKE,
Minister of Norway.

The Norwegian Minister (Bachke) to the Secretary of State (Hull)

ROYAL NORWEGIAN LEGATION,
Washington, D.C., October 16, 1933.

SIR:

Acceptance by Norway.

I have the honor to acknowledge the receipt of the note of October 16, 1933 in which Your Excellency communicated to me the text of the reciprocal arrangement between Norway and the United States of America providing for the issuance by the one country of licenses to nationals of the other country authorizing them to pilot civil aircraft, as understood by Your Excellency to have been agreed to during the negotiations, now terminated, between the two countries.

The text communicated to me by Your Excellency is reproduced below:

ARTICLE 1

The present arrangement between Norway and the United States of America relates to the issuance by each country of licenses to nationals of the other country for the piloting of civil aircraft. The term "civil aircraft" shall be understood to mean aircraft used for private, industrial, commercial or transport purposes.

ARTICLE 2

(a) The Ministry of Defense of Norway will issue pilots' licenses to American nationals upon a showing that they are qualified under the regulations of that Ministry covering the licensing of pilots.

(b) The Department of Commerce of the United States of America will issue pilots' licenses to Norwegian nationals upon a showing that they are qualified under the regulations of that Department covering the licensing of pilots.

ARTICLE 3

(a) Pilots' licenses issued by the Department of Commerce of the United States of America to Norwegian nationals shall entitle them to the same privileges as are granted by pilots' licenses issued to American nationals.

(b) Pilots' licenses issued by the Ministry of Defense of Norway to American nationals shall entitle them to the same privileges as are granted by pilots' licenses issued to Norwegian nationals.

ARTICLE 4

Pilots' licenses issued to nationals of the one country by the competent authority of the other country shall not be construed to accord to the licensees the right to register aircraft in such other country.

ARTICLE 5

Pilots' licenses issued to nationals of the one country by the competent authority of the other country shall not be construed to accord to the licensees the right to operate aircraft in air commerce wholly within territory of such other country reserved to national aircraft, unless the aircraft have been registered under the laws of the country issuing the pilots' licenses.

ARTICLE 6

(a) Norwegian nationals shall while holding valid pilot licenses issued by the Ministry of Defense of Norway be permitted to operate in Continental United States of America, exclusive of Alaska, for non-industrial or non-commercial purposes for a period not exceeding six months from the time of entering that country, any civil aircraft registered by the Ministry of Defense of Norway, and/or any civil aircraft registered by the United States Department of Commerce. The period of validity of the licenses first mentioned in this paragraph shall, for the purpose of this paragraph, include any renewal of the license by the pilot's own Government made after the pilot has entered Continental United States of America. No person to whom this paragraph applies shall be allowed to operate civil aircraft in Continental United States of America, exclusive of Alaska, for non-industrial or non-commercial purposes for a period of more than six months from the time of entering that country, unless he shall, prior to the expiration of such period, have obtained a pilot license from the United States Department of Commerce in the manner provided for in this arrangement.

(b) American nationals shall while holding valid pilot licenses issued by the United States Department of Commerce be permitted to operate in Norway for non-industrial or non-commercial purposes for a period not exceeding six months from the time of entering that country, any civil aircraft registered by the United States Department of Commerce, and/or any civil aircraft registered by the Ministry of Defense of Norway. The period of validity of the licenses first mentioned in this paragraph shall, for the purpose of this paragraph, include any renewal of the license by the pilot's own Government made after the pilot has entered Norway. No person to whom this paragraph applies shall be allowed to operate civil aircraft in Norway for non-industrial or non-commercial purposes for a period of more than six months from the time of entering that country, unless he shall, prior to the expiration of such period, have obtained a pilot's license from the Ministry of Defense of Norway in the manner provided for in this arrangement.

(c) The conditions under which pilots of the nationality of either country may operate aircraft of their country in the other country, as provided for in this article, shall be as stipulated in the air navigation arrangement in force between the parties to this arrangement for the issuance of pilot licenses; and the conditions under which pilots of the nationality of either country may operate aircraft of the other country, as provided for in this article, shall be in accordance with the requirements of such other country.

ARTICLE 7

The present arrangement shall be subject to termination by either Party upon sixty days' notice given to the other Party or by the enactment by either Party of legislation inconsistent therewith.

I am glad to assure Your Excellency that the foregoing text is what has been accepted by my Government in the course of the negotiations and is approved by it.

In accordance with the suggestion of Your Excellency it is understood that the arrangement will come into force on November 15, 1933.

Accept, Sir, the renewed assurances of my highest consideration.

[SEAL]

H. H. BACHKE

HONORABLE CORDELL HULL,
Secretary of State,
Washington, D.C.

[No. 51]

Arrangement between the United States of America and Norway for the reciprocal recognition of certificates of airworthiness for imported aircraft. Effected by exchange of notes, signed October 16, 1933; effective November 15, 1933. October 16, 1933.

The Secretary of State (Hull) to the Norwegian Minister (Bachke)

DEPARTMENT OF STATE,
Washington, October 16, 1933.

SIR:

Reference is made to the negotiations which have taken place between the Government of the United States of America and the Government of Norway for the conclusion of a reciprocal arrangement between the United States of America and Norway providing for the acceptance by the one country of certificates of airworthiness for aircraft exported from the other country as merchandise.

Arrangement with Norway for the reciprocal recognition of certificates of airworthiness for imported aircraft.

It is my understanding that it has been agreed in the course of the negotiations, now terminated, that this arrangement shall be as follows:

ARTICLE 1

The present arrangement applies to civil aircraft constructed in continental United States of America, exclusive of Alaska, and exported to Norway; and to civil aircraft constructed in Norway and exported to continental United States of America, exclusive of Alaska.

Applicability.

ARTICLE 2

The same validity shall be conferred on certificates of airworthiness issued by the competent authorities of the Government of the United States for aircraft subsequently to be registered in Norway as if they had been issued under the regulations in force on the subject in Norway, provided that in each case a certificate of airworthiness for export has also been issued by the United States authorities for the individual aircraft, and provided that certificates of airworthiness issued by the competent authorities of Norway for aircraft subsequently to be registered in the United States of America are similarly given the same validity as if they had been issued under the regulations in force on the subject in the United States.

Validity of certificates.

ARTICLE 3

The above arrangement will extend to civil aircraft of all categories, including those used for public transport and those used for private purposes.

Extent of arrangement.

CERTIFICATES OF AIRWORTHINESS—NORWAY.

ARTICLE 4

Duration.

The present arrangement may be terminated by either Government on sixty days' notice given to the other Government. In the event, however, that either Government should be prevented by future action of its legislature from giving full effect to the provisions of this arrangement it shall automatically lapse.

I shall be glad to have you inform me whether it is the understanding of your Government that the arrangement agreed to in the negotiations is as herein set forth. If so, it is suggested that the arrangement become effective on November 15, 1933.

Accept, Sir, the renewed assurances of my highest consideration.

[SEAL]

CORDELL HULL

MR. HALVARD H. BACHKE,
Minister of Norway.

The Norwegian Minister (Bachke) to the Secretary of State (Hull)

ROYAL NORWEGIAN LEGATION,
Washington, D.C., October 16, 1933.

SIR:

Agreement by Norway.

I have the honor to acknowledge the receipt of the note of October 16, 1933 in which Your Excellency communicated to me the text of the reciprocal arrangement between Norway and the United States of America providing for the acceptance by the one country of certificates of airworthiness for aircraft exported from the other country as merchandise, as understood by Your Excellency to have been agreed to during the negotiations, now terminated, between the two countries.

The text communicated to me by Your Excellency is reproduced below:

ARTICLE 1

The present arrangement applies to civil aircraft constructed in Norway and exported to continental United States of America, exclusive of Alaska; and to civil aircraft constructed in continental United States of America, exclusive of Alaska, and exported to Norway.

ARTICLE 2

The same validity shall be conferred on certificates of airworthiness issued by the competent authorities of the Government of the United States for aircraft subsequently to be registered in Norway as if they had been issued under the regulations in force on the subject in Norway, provided that in each case a certificate of airworthiness for export has also been issued by the United States authorities for the individual aircraft, and provided that certificates of airworthiness issued by the competent authorities of Norway for aircraft subsequently to be registered in the United States of America are similarly given the same validity as if they had been issued under the regulations in force on the subject in the United States.

ARTICLE 3

The above arrangement will extend to civil aircraft of all categories, including those used for public transport and those used for private purposes.

ARTICLE 4

The present arrangement may be terminated by either Government on sixty days' notice given to the other Government. In the event, however, that either Government should be prevented by future action of its legislature from giving full effect to the provisions of this arrangement it shall automatically lapse.

I am glad to assure Your Excellency that the foregoing text is what has been accepted by my Government in the course of the negotiations and is approved by it.

In accordance with the suggestion of Your Excellency it is understood that the arrangement will come into force on November 15, 1933.

Accept, Sir, the renewed assurances of my highest consideration.

[SEAL]

H. H. BACHKE

HONORABLE CORDELL HULL,
Secretary of State,
Washington, D.C.

[No. 52]

November 7, 1933.

Provisional agreement between the United States of America and the Kingdom of Saudi Arabia in regard to diplomatic and consular representation, juridical protection, commerce and navigation.¹ Signed November 7, 1933.

The Undersigned,

Agreement with Saudi Arabia in regard to diplomatic, etc., representation, juridical protection, commerce and navigation.

Mr. Robert Worth Bingham, Ambassador Extraordinary and Plenipotentiary of the United States of America at London, and Sheikh Hafiz Wahba, Minister of the Kingdom of Saudi Arabia at London, desiring to confirm and make a record of the understanding which they have reached in the course of recent conversations in the names of their respective Governments in regard to diplomatic and consular representation, juridical protection, commerce and navigation, have signed this Provisional Agreement:

ARTICLE I.

The diplomatic representatives of each country shall enjoy in the territories of the other the privileges and immunities derived from generally recognized international law. The consular representatives of each country, duly provided with exequatur, will be permitted to reside in the territories of the other in the places wherein consular representatives are by local laws permitted to reside; they shall enjoy the honorary privileges and the immunities accorded to such officers by general international usage; and they shall not be treated in a manner less favorable than similar officers of any other foreign country.

ARTICLE II.

Subjects of His Majesty the King of the Kingdom of Saudi Arabia in the United States of America, its territories and possessions, and nationals of the United States of America, its territories and possessions, in the Kingdom of Saudi Arabia shall be received and treated in accordance with the requirements and practices of generally recognized international law. In respect of their persons, possessions and rights, they shall enjoy the fullest protection of the laws and authorities of the country, and they shall not be treated in regard to their persons, property, rights and interests, in any manner less favorable than the nationals of any other foreign country.

ARTICLE III.

In respect of import, export and other duties and charges affecting commerce and navigation, as well as in respect of transit, warehousing and other facilities, the United States of America, its territories and possessions, will accord to the Kingdom of Saudi Arabia, and the Kingdom of Saudi Arabia will accord to the United States of America, its territories and possessions, unconditional most-favored nation treatment. Every concession with respect to any

¹ Arabic text not printed.

duty, charge or regulation affecting commerce or navigation now accorded or that may hereafter be accorded by the United States of America, its territories and possessions, or by the Kingdom of Saudi Arabia to any foreign country will become immediately applicable without request and without compensation to the commerce and navigation of the Kingdom of Saudi Arabia and of the United States of America, its territories and possessions, respectively.

ARTICLE IV.

The stipulations of this Agreement shall not extend to the treatment which is accorded by the United States of America to the commerce of Cuba under the provisions of the Commercial Convention concluded between the United States and Cuba on December 11, 1902, or the provisions of any other commercial convention which hereafter may be concluded between the United States of America and Cuba. Such stipulations, moreover, shall not extend to the treatment which is accorded to the commerce between the United States of America and the Panama Canal Zone or any of the dependencies of the United States of America or to the commerce of the dependencies of the United States of America with one another under existing or future laws.

Nothing in this Agreement shall be construed as a limitation of the right of either Government to impose, on such terms as it may see fit, prohibitions or restrictions of a sanitary character designed to protect human, animal, or plant life, or regulations for the enforcement of police or revenue laws.

Nothing in this Agreement shall be construed to affect existing statutes of either country in relation to the immigration of aliens or the right of either Government to enact such statutes.

ARTICLE V.

The present stipulations shall become operative on the day of signature hereof and shall remain respectively in effect until the entry in force of a definitive treaty of commerce and navigation, or until thirty days after notice of their termination shall have been given by the Government of either country, but should the Government of the United States of America be prevented by future action of its legislature from carrying out the terms of these stipulations, the obligations thereof shall thereupon lapse.

ARTICLE VI.

The English and Arabic texts of the present agreement shall be of equal validity.

Signed at London this seventh day of November, one thousand nine hundred and thirty-three.

ROBERT WORTH BINGHAM [SEAL]
[Signature and seal of SHEIKH HAFIZ WAHBA]

March 17, 1933.
September 20, 1933.

Arrangement between the United States of America and the Union of South Africa concerning air navigation. Effected by exchange of notes, signed March 17 and September 20, 1933; effective September 20, 1933.

The American Minister (Totten) to the Minister of External Affairs of the Union of South Africa (Hertzog)

No. 166. LEGATION OF THE UNITED STATES OF AMERICA,
Pretoria, March 17, 1933.

SIR:

Arrangement with the Union of South Africa concerning air navigation.

I have the honor to communicate the text of the arrangement between the United States of America and the Union of South Africa providing for navigation by aircraft of each country in the territory of the other, as understood by me to have been agreed to in the negotiations which have just been concluded between the Legation and your Ministry, as evidenced by your note of March 13, 1933¹ (File No. P.M. 66/1/1).

AIR NAVIGATION ARRANGEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE UNION OF SOUTH AFRICA.

ARTICLE 1

Tentative provisions.

Pending the conclusion of a convention between the United States of America and the Union of South Africa on the subject of air navigation, the operation of civil aircraft of the one country in the other country shall be governed by the following provisions.

ARTICLE 2

Area affected.

The present arrangement shall apply to Continental United States of America, exclusive of Alaska, and to the Union of South Africa, including the adjacent territorial waters of the two countries.

ARTICLE 3

Aircraft construed.

The term aircraft with reference to one or the other Party to this arrangement shall be understood to mean civil aircraft, including state aircraft used exclusively for commercial purposes, duly registered in the territory of such Party.

ARTICLE 4

Freedom of passage.

Each of the Parties undertakes to grant liberty of passage above its territory in time of peace to the aircraft of the other Party, provided that the conditions set forth in the present arrangement are observed.

Regular air routes by transport company.

It is, however, agreed that the establishment and operation of regular air routes by an air transport company of one of the Parties within the territory of the other Party or across the said

¹ Not printed.

territory, with or without intermediary landing, shall be subject to the prior consent of the other Party given on the principle of reciprocity and at the request of the party whose nationality the air transport company possesses.

Consent required.

The parties to this arrangement agree that the period in which pilots may, while holding valid pilot licenses issued or rendered valid by either country, operate registered aircraft of that country in the other country for non-industrial or non-commercial purposes shall be limited to a period not exceeding six months from the time of entry for the purpose of operating aircraft, unless prior to the expiration of this period the pilots obtain from the Government of the country in which they are operating, pilot licenses authorizing them to operate aircraft for non-industrial or non-commercial purposes.

Limit on pilot's licenses.

ARTICLE 5

The aircraft of each of the Parties to this arrangement, their crews and passengers, shall, while within the territory of the other Party, be subject to the general legislation in force in that territory, as well as the regulations in force therein relating to air traffic in general, to the transport of passengers and goods and to public safety and order in so far as these regulations apply to all foreign aircraft, their crews and passengers.

Jurisdiction over aircraft.

Each of the Parties to this arrangement shall permit the import or export of all merchandise which may be legally imported or exported and also the carriage of passengers, subject to any customs immigration and quarantine restrictions, into or from their respective territories in the aircraft of the other Party, and such aircraft, their passengers and cargoes, shall enjoy the same privileges as and shall not be subjected to any other or higher duties or charges than those which the aircraft of the country, imposing such duties or charges, engaged in international commerce, and their cargoes and passengers, or the aircraft of any foreign country likewise engaged, and their cargoes and passengers, enjoy or are subjected to.

Each of the Parties to this arrangement may reserve to its own aircraft air commerce between any two points neither of which is in a foreign country. Nevertheless the aircraft of either Party may proceed from any aerodrome in the territory of the other Party which they are entitled to use to any other such aerodrome either for the purpose of landing the whole or part of their cargoes or passengers or of taking on board the whole or part of their cargoes or passengers, provided that such cargoes are covered by through bills of lading, and such passengers hold through tickets, issued respectively for a journey whose starting place and destination both are not points between which air commerce has been duly so reserved, and such aircraft, while proceeding as aforesaid, from one aerodrome to another, shall, notwithstanding that such aerodromes are points between which air commerce has been duly reserved, enjoy all the privileges of this arrangement.

ARTICLE 6

Each of the Parties to this arrangement shall have the right to prohibit air traffic over certain areas of its territory, provided that no distinction in this matter is made between its aircraft engaged in international commerce and the aircraft of the other Party likewise engaged. The areas above which air traffic is thus prohibited by either Party must be notified to the other Party.

Restricted areas.

Each of the Parties reserves the right under exceptional circumstances in time of peace and with immediate effect temporarily to limit or prohibit air traffic above its territory on condition that in this respect no distinction is made between the aircraft of the other Party and the aircraft of any foreign country.

ARTICLE 7

Conduct if accidentally entering.

Any aircraft which finds itself over a prohibited area shall, as soon as it is aware of the fact, give the signal of distress prescribed in the Rules of the Air in force in the territory flown over and shall land as soon as possible at an aerodrome situated in such territory outside of but as near as possible to such prohibited area.

ARTICLE 8

Identification of aircraft.

All aircraft shall carry clear and visible nationality and registration marks whereby they may be recognized during flight. In addition, they must bear the name and address of the owner.

All aircraft shall be provided with certificates of registration and of airworthiness and with all the other documents prescribed for air traffic in the territory in which they are registered.

The members of the crew who perform, in an aircraft, duties for which a special permit is required in the territory in which such aircraft is registered, shall be provided with all documents and in particular with the certificates and licenses prescribed by the regulations in force in such territory.

The other members of the crew shall carry documents showing their duties in the aircraft, their profession, identity and nationality.

The certificate of airworthiness, certificates of competency and licenses issued or rendered valid by one of the Parties to this arrangement in respect of an aircraft registered in its territory or of the crew of such aircraft shall have the same validity in the territory of the other Party as the corresponding documents issued or rendered valid by the latter.

Each of the Parties reserves the right for the purpose of flight within its own territory to refuse to recognize certificates of competency and licenses issued to nationals of that Party by the other Party.

ARTICLE 9

Radio regulations.

Aircraft of either of the Parties to this arrangement may carry wireless apparatus in the territory of the other Party only if a license to install and work such apparatus shall have been issued by the competent authorities of the Party in whose territory the aircraft is registered. The use of such apparatus shall be in accordance with the regulations on the subject issued by the competent authorities of the territory within whose air space the aircraft is navigating.

Such apparatus shall be used only by such members of the crew as are provided with a special license for the purpose issued by the Government of the territory in which the aircraft is registered.

The Parties to this arrangement reserve respectively the right, for reasons of safety, to issue regulations relative to the obligatory equipment of aircraft with wireless apparatus.

ARTICLE 10

Transportation of munitions prohibited.

No arms of war, explosives of war, or munitions of war shall be carried by aircraft of either Party above the territory of the other Party or by the crew or passengers, except by permission of the competent authorities of the territory within whose air space the aircraft is navigating.

ARTICLE 11

Upon the departure or landing of any aircraft each Party may within its own territory and through its competent authorities search the aircraft of the other Party and examine the certificates and other documents prescribed.

Inspection, etc.

ARTICLE 12

Aerodromes open to public air traffic in the territory of one of the Parties to this arrangement shall in so far as they are under the control of the Party in whose territory they are situated be open to all aircraft of the other Party, which shall also be entitled to the assistance of the meteorological services, the wireless services, the lighting services and the day and night signalling services, in so far as the several classes of services are under the control of the Party in whose territory they respectively are rendered. Any scale of charges made, namely, landing, accommodation or other charge, with respect to the aircraft of each Party in the territory of the other Party, shall in so far as such charges are under the control of the Party in whose territory they are made be the same for the aircraft of both Parties.

Aerodromes, etc.

ARTICLE 13

All aircraft entering or leaving the territory of either of the Parties to this arrangement shall land at or depart from an aerodrome open to public air traffic and classed as a customs aerodrome at which facilities exist for enforcement of immigration regulations and clearance of aircraft, and no intermediary landing shall be effected between the frontier and the aerodrome. In special cases the competent authorities may allow aircraft to land at or depart from other aerodromes, at which customs, immigration and clearance facilities have been arranged. The prohibition of any intermediary landing applies also in such cases.

Landings, etc.

In the event of a forced landing outside the aerodromes, referred to in the first paragraph of this article, the pilot of the aircraft, its crew and the passengers shall conform to the customs and immigration regulations in force in the territory in which the landing has been made.

Aircraft of each Party to this arrangement are accorded the right to enter the territory of the other Party subject to compliance with quarantine regulations in force therein.

The Parties to this arrangement shall exchange lists of the aerodromes in their territories designated by them as ports of entry and departure.

ARTICLE 14

Each of the Parties to this arrangement reserves the right to require that all aircraft crossing the frontiers of its territory shall do so between certain points. Subject to the notification of any such requirements by one Party to the other Party, and to the right to prohibit air traffic over certain areas as stipulated in Article 6, the frontiers of the territories of the Parties to this arrangement may be crossed at any point.

Flight restrictions.

ARTICLE 15

As ballast, only fine sand or water may be dropped from an aircraft.

Ballast.

ARTICLE 16

No article or substance, other than ballast, may be unloaded or otherwise discharged in the course of flight unless special permission for such purpose shall have been given by the authorities of the territory in which such unloading or discharge takes place.

Unloading permits.

ARTICLE 17

Registry.

Whenever questions of nationality arise in carrying out the present arrangement, it is agreed that every aircraft shall be deemed to possess the nationality of the Party in whose territory it is duly registered.

ARTICLE 18

Regulations to be exchanged.

The Parties to this arrangement shall communicate to each other the regulations relative to air traffic in force in their respective territories.

ARTICLE 19

Duration of arrangement.

The present arrangement shall be subject to termination by either Party upon sixty days notice given to the other Party or by the enactment by either Party of legislation inconsistent therewith.

Ratification.

If you inform me that it is the understanding of your Government that the arrangement agreed upon is as herein set forth, the arrangement will be considered to be operative from the date of the receipt of your note so advising me.

Effective date.

I have the honor to be, Sir,
Your obedient servant,

RALPH J. TOTTEN,
Envoy Extraordinary and Minister Plenipotentiary of the United States of America.

THE HONORABLE

J. B. M. HERTZOG,

*Minister for External Affairs,
Pretoria.*

*The Minister of External Affairs of the Union of South Africa
(Hertzog) to the American Minister (Totten)*

P.M. 66/1/1

DEPARTMENT OF EXTERNAL AFFAIRS,

Pretoria, 20th September, 1933.

SIR,

Acceptance by the
Union of South Africa.

I have the honour to refer to your letter No. 166 of the 17th March last regarding the arrangement between the Union of South Africa and the United States of America providing for navigation by aircraft of each country in the territory of the other and to inform you that His Majesty's Government in the Union of South Africa are in accord with the terms of the arrangement which is, word for word, as follows:—

“AIR NAVIGATION ARRANGEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE UNION OF SOUTH AFRICA.

ARTICLE 1.

Pending the conclusion of a convention between the United States of America and the Union of South Africa on the subject of air navigation, the operation of civil aircraft of the one country in the other country shall be governed by the following provisions.

ARTICLE 2.

The present arrangement shall apply to Continental United States of America, exclusive of Alaska, and to the Union of South Africa, including the adjacent territorial waters of the two countries.

ARTICLE 3.

The term aircraft with reference to one or the other Party to this arrangement shall be understood to mean civil aircraft, including state aircraft used exclusively for commercial purposes, duly registered in the territory of such Party.

ARTICLE 4.

Each of the Parties undertakes to grant liberty of passage above its territory in time of peace to the aircraft of the other Party, provided that the conditions set forth in the present arrangement are observed.

It is, however, agreed that the establishment and operation of regular air routes by an air transport company of one of the Parties within the territory of the other Party or across the said territory, with or without intermediary landing, shall be subject to the prior consent of the other Party given on the principle of reciprocity and at the request of the party whose nationality the air transport company possesses.

The parties to this arrangement agree that the period in which pilots may, while holding valid pilot licenses issued or rendered valid by either country, operate registered aircraft of that country in the other country for non-industrial or non-commercial purposes shall be limited to a period not exceeding six months from the time of entry for the purpose of operating aircraft, unless prior to the expiration of this period the pilots obtain from the Government of the country in which they are operating, pilot licenses authorizing them to operate aircraft for non-industrial or non-commercial purposes.

ARTICLE 5.

The aircraft of each of the Parties to this arrangement, their crews and passengers, shall, while within the territory of the other Party, be subject to the general legislation in force in that territory, as well as the regulations in force therein relating to air traffic in general, to the transport of passengers and goods and to public safety and order in so far as these regulations apply to all foreign aircraft, their crews and passengers.

Each of the Parties to this arrangement shall permit the import or export of all merchandise which may be legally imported or exported and also the carriage of passengers, subject to any customs immigration and quarantine restrictions, into or from their respective territories in the aircraft of the other Party, and such aircraft, their passengers and cargoes, shall enjoy the same privileges as and shall not be subjected to any other or higher duties or charges than those which the aircraft of the country, imposing such duties or charges, engaged in international commerce, and their cargoes and passengers, or the aircraft of any foreign country likewise engaged, and their cargoes and passengers enjoy or are subjected to.

Each of the Parties to this arrangement may reserve to its own aircraft air commerce between any two points neither of which is in a foreign country. Nevertheless the aircraft of either Party may

proceed from any aerodrome in the territory of the other Party which they are entitled to use to any other such aerodrome either for the purpose of landing the whole or part of their cargoes or passengers, or of taking on board the whole or part of their cargoes or passengers, provided that such cargoes are covered by through bills of lading, and such passengers hold through tickets, issued respectively for a journey whose starting place and destination both are not points between which air commerce has been duly so reserved, and such aircraft, while proceeding as aforesaid, from one aerodrome to another, shall, notwithstanding that such aerodromes are points between which air commerce has been duly reserved, enjoy all the privileges of this arrangement.

ARTICLE 6.

Each of the Parties to this arrangement shall have the right to prohibit air traffic over certain areas of its territory, provided that no distinction in this matter is made between its aircraft engaged in international commerce and the aircraft of the other Party likewise engaged. The areas above which air traffic is thus prohibited by either Party must be notified to the other Party.

Each of the Parties reserves the right under exceptional circumstances in time of peace and with immediate effect temporarily to limit or prohibit air traffic above its territory on condition that in this respect no distinction is made between the aircraft of the other Party and the aircraft of any foreign country.

ARTICLE 7.

Any aircraft which finds itself over a prohibited area shall, as soon as it is aware of the fact, give the signal of distress prescribed in the Rules of the Air in force in the territory flown over and shall land as soon as possible at an aerodrome situated in such territory outside of but as near as possible to such prohibited area.

ARTICLE 8.

All aircraft shall carry clear and visible nationality and registration marks whereby they may be recognized during flight. In addition, they must bear the name and address of the owner.

All aircraft shall be provided with certificates of registration and of airworthiness and with all the other documents prescribed for air traffic in the territory in which they are registered.

The members of the crew who perform, in an aircraft, duties for which a special permit is required in the territory in which such aircraft is registered, shall be provided with all documents and in particular with the certificates and licenses prescribed by the regulations in force in such territory.

The other members of the crew shall carry documents showing their duties in the aircraft, their profession, identity and nationality.

The certificate of airworthiness, certificates of competency and licenses issued or rendered valid by one of the Parties to this arrangement in respect of an aircraft registered in its territory or of the crew of such aircraft shall have the same validity in the territory of the other Party as the corresponding documents issued or rendered valid by the latter.

Each of the Parties reserves the right for the purpose of flight within its own territory to refuse to recognize certificates of competency and licenses issued to nationals of that Party by the other Party.

ARTICLE 9.

Aircraft of either of the Parties to this arrangement may carry wireless apparatus in the territory of the other Party only if a license to install and work such apparatus shall have been issued by the competent authorities of the Party in whose territory the aircraft is registered. The use of such apparatus shall be in accordance with the regulations on the subject issued by the competent authorities of the territory within whose air space the aircraft is navigating.

Such apparatus shall be used only by such members of the crew as are provided with a special license for the purpose issued by the Government of the territory in which the aircraft is registered.

The Parties to this arrangement reserve respectively the right, for reasons of safety, to issue regulations relative to the obligatory equipment of aircraft with wireless apparatus.

ARTICLE 10.

No arms of war, explosives of war, or munitions of war shall be carried by aircraft of either Party above the territory of the other Party or by the crew or passengers, except by permission of the competent authorities of the territory within whose air space the aircraft is navigating.

ARTICLE 11.

Upon the departure or landing of any aircraft each Party may within its own territory and through its competent authorities search the aircraft of the other Party and examine the certificates and other documents prescribed.

ARTICLE 12.

Aerodromes open to public air traffic in the territory of one of the Parties to this arrangement shall in so far as they are under the control of the Party in whose territory they are situated be open to all aircraft of the other Party, which shall also be entitled to the assistance of the meteorological services, the wireless services, the lighting services and the day and night signalling services, in so far as the several classes of services are under the control of the Party in whose territory they respectively are rendered. Any scale of charges made, namely, landing, accommodation, or other charge, with respect to the aircraft of each Party in the territory of the other Party, shall in so far as such charges are under the control of the Party in whose territory they are made be the same for the aircraft of both Parties.

ARTICLE 13.

All aircraft entering or leaving the territory of either of the Parties to this arrangement shall land at or depart from an aerodrome open to public air traffic and classed as a customs aerodrome at which facilities exist for enforcement of immigration regulations and clearance of aircraft, and no intermediary landing shall be effected between the frontier and the aerodrome. In special cases the competent authorities may allow aircraft to land at or depart from other aerodromes, at which customs, immigration and clearance facilities have been arranged. The prohibition of any intermediary landing applies also in such cases.

In the event of a forced landing outside the aerodromes, referred to in the first paragraph of this article, the pilot of the aircraft, its crew and the passengers shall conform to the customs and immigration regulations in force in the territory in which the landing has been made.

Aircraft of each Party to this arrangement are accorded the right to enter the territory of the other Party subject to compliance with quarantine regulations in force therein.

The Parties to this arrangement shall exchange lists of the aerodromes in their territories designated by them as ports of entry and departure.

ARTICLE 14.

Each of the Parties to this arrangement reserves the right to require that all aircraft crossing the frontiers of its territory shall do so between certain points. Subject to the notification of any such requirements by one Party to the other Party, and to the right to prohibit air traffic over certain areas as stipulated in Article 6, the frontiers of the territories of the Parties to this arrangement may be crossed at any point.

ARTICLE 15.

As ballast, only fine sand or water may be dropped from an aircraft.

ARTICLE 16.

No article or substance, other than ballast, may be unloaded or otherwise discharged in the course of flight unless special permission for such purpose shall have been given by the authorities of the territory in which such unloading or discharge takes place.

ARTICLE 17.

Whenever questions of nationality arise in carrying out the present arrangement, it is agreed that every aircraft shall be deemed to possess the nationality of the Party in whose territory it is duly registered.

ARTICLE 18.

The Parties to this arrangement shall communicate to each other the regulations relative to air traffic in force in their respective territories.

ARTICLE 19.

The present arrangement shall be subject to termination by either Party upon sixty days notice given to the other Party or by the enactment by either Party of legislation inconsistent therewith."

It is further agreed that the arrangement will be operative as from the date of this note.

I have the honour to be, Sir,
Your obedient servant,

J. B. M. HERTZOG.
Minister of External Affairs.

The ENVOY EXTRAORDINARY AND
MINISTER PLENIPOTENTIARY
OF THE UNITED STATES OF AMERICA,
Pretoria.

Arrangement between the United States of America and the Union of South Africa governing pilot licenses to operate civil aircraft. Effected by exchange of notes, signed March 17 and September 20, 1933. Effective September 20, 1933.

March 17, 1933.
September 20, 1933.

*The American Minister (Totten) to the Minister of External Affairs
of the Union of South Africa (Hertzog)*

No. 167. LEGATION OF THE UNITED STATES OF AMERICA,
Pretoria, March 17, 1933.

SIR:

I have the honor to communicate the text of the arrangement between the United States of America and the Union of South Africa providing for the issuance by each country of licenses to nationals of the other country authorizing them to pilot civil aircraft, as understood by me to have been agreed to in the negotiations which have just been concluded between the Legation and your Ministry, as evidenced by your note of March 13, 1933¹ (File No. P.M. 66/1/1).

Arrangement with
Union of South Africa
governing pilot licenses
to operate civil aircraft.

ARRANGEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE
UNION OF SOUTH AFRICA PROVIDING FOR THE ISSUANCE BY EACH
COUNTRY OF LICENSES TO NATIONALS OF THE OTHER COUNTRY
AUTHORIZING THEM TO PILOT CIVIL AIRCRAFT

ARTICLE 1

The present arrangement between the United States of America and the Union of South Africa relates to the issuance by each country of licenses to nationals of the other country for the piloting of civil aircraft. The term "civil aircraft" shall be understood to mean aircraft used for private, industrial, commercial or transport purposes.

ARTICLE 2

(a) The Department of Defence of the Union of South Africa will issue pilots' licenses to American nationals upon a showing that they are qualified under the regulations of that Department covering the licensing of pilots.

(b) The Department of Commerce of the United States of America will issue pilots' licenses to nationals of the Union of South Africa upon a showing that they are qualified under the regulations of that Department covering the licensing of pilots.

ARTICLE 3

(a) Pilots' licenses issued by the Department of Commerce of the United States of America to nationals of the Union of South Africa shall entitle them to the same privileges as are granted by pilots' licenses issued to American nationals.

¹ Not printed.

(b) Pilots' licenses issued by the Department of Defence of the Union of South Africa to American nationals shall entitle them to the same privileges as are granted by pilots' licenses issued to nationals of the Union of South Africa.

ARTICLE 4

Pilots' licenses issued to nationals of the one country by the competent authority of the other country shall not be construed to accord to the licensees the right to register aircraft in such other country.

ARTICLE 5

Pilots' licenses issued to nationals of the one country by the competent authority of the other country shall not be construed to accord to the licensees the right to operate aircraft in air commerce wholly within territory of such other country reserved to national aircraft, unless the aircraft have been registered under the laws of the country issuing the pilots' licenses.

ARTICLE 6

(a) Nationals of the Union of South Africa shall while holding valid pilot licenses issued by the Department of Defence of the Union of South Africa be permitted to operate in Continental United States of America, exclusive of Alaska, for non-industrial or non-commercial purposes for a period not exceeding six months from the time of entering that country, any civil aircraft registered by the Department of Defence of the Union of South Africa, and/or any civil aircraft registered by the United States Department of Commerce. The period of validity of the licenses first mentioned in this paragraph shall, for the purpose of this paragraph, include any renewal of the license by the pilot's own Government made after the pilot has entered Continental United States of America. No person to whom this paragraph applies shall be allowed to operate civil aircraft in Continental United States of America, exclusive of Alaska, for non-industrial or non-commercial purposes for a period of more than six months from the time of entering that country, unless he shall, prior to the expiration of such period, have obtained a pilot license from the United States Department of Commerce in the manner provided for in this arrangement.

(b) American nationals shall while holding valid pilot licenses issued by the United States Department of Commerce be permitted to operate in the Union of South Africa for non-industrial or non-commercial purposes for a period not exceeding six months from the time of entering that country, any civil aircraft registered by the United States Department of Commerce, and/or any civil aircraft registered by the Department of Defence of the Union of South Africa. The period of validity of the licenses first mentioned in this paragraph shall, for the purpose of this paragraph, include any renewal of the license by the pilot's own Government made after the pilot has entered the Union of South Africa. No person to whom this paragraph applies shall be allowed to operate civil aircraft in the Union of South Africa for non-industrial or non-commercial purposes for a period of more than six months from the time of entering that country, unless he shall, prior to the expiration of such period, have obtained a pilot's license from the Department of Defence of the Union of South Africa in the manner provided for in this arrangement.

(c) The conditions under which pilots of the nationality of either country may operate aircraft of their country in the other country,

as provided for in this article, shall be as stipulated in the air navigation arrangement in force between the parties to this arrangement for the issuance of pilot licenses; and the conditions under which pilots of the nationality of either country may operate aircraft of the other country, as provided for in this article, shall be in accordance with the requirements of such other country.

ARTICLE 7

The present arrangement shall be subject to termination by either Party upon sixty days' notice given to the other Party or by the enactment by either Party of legislation inconsistent therewith.

If you inform me that it is the understanding of your Government that the arrangement agreed upon is as herein set forth, the arrangement will be considered to be operative from the date of the receipt of your note so advising me.

I have the honor to be, Sir,
Your obedient servant,

RALPH J. TOTTEN,
Envoy Extraordinary and Minister Plenipotentiary of the United States of America.

THE HONORABLE

J. B. M. HERTZOG,
Minister for External Affairs,
Pretoria

*The Minister of External Affairs of the Union of South Africa
(Hertzog) to the American Minister (Totten)*

P.M. 66/1/1

DEPARTMENT OF EXTERNAL AFFAIRS,
Pretoria, 20th September, 1933.

SIR,

I have the honour to refer to your letter No. 167 of the 17th March last regarding the proposed arrangement between the Union of South Africa and the United States of America providing for the issuance by each country of licences to Nationals of the other country authorizing them to pilot civil aircraft, and to inform you that His Majesty's Government in the Union of South Africa are in accord with the terms of the arrangement which is, word for word, as follows:—

Concurrence by
Union of South Africa.

“ARRANGEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE UNION OF SOUTH AFRICA PROVIDING FOR THE ISSUANCE BY EACH COUNTRY OF LICENSES TO NATIONALS OF THE OTHER COUNTRY AUTHORIZING THEM TO PILOT CIVIL AIRCRAFT.”

ARTICLE 1.

The present arrangement between the United States of America and the Union of South Africa relates to the issuance by each country of licenses to nationals of the other country for the piloting of

civil aircraft. The term "civil aircraft" shall be understood to mean aircraft used for private, industrial, commercial or transport purposes.

ARTICLE 2.

(a) The Department of Defence of the Union of South Africa will issue pilots' licenses to American nationals upon a showing that they are qualified under the regulations of that Department covering the licensing of pilots.

(b) The Department of Commerce of the United States of America will issue pilots' licenses to nationals of the Union of South Africa upon a showing that they are qualified under the regulations of that Department covering the licensing of pilots.

ARTICLE 3.

(a) Pilots' licenses issued by the Department of Commerce of the United States of America to nationals of the Union of South Africa shall entitle them to the same privileges as are granted by pilots' licenses issued to American nationals.

(b) Pilots' licenses issued by the Department of Defence of the Union of South Africa to American nationals shall entitle them to the same privileges as are granted by pilots' licenses issued to nationals of the Union of South Africa.

ARTICLE 4.

Pilots' licenses issued to nationals of the one country by the competent authority of the other country shall not be construed to accord to the licensees the right to register aircraft in such other country.

ARTICLE 5.

Pilots' licenses issued to nationals of the one country by the competent authority of the other country shall not be construed to accord to the licensees the right to operate aircraft in air commerce wholly within territory of such other country reserved to national aircraft, unless the aircraft have been registered under the laws of the country issuing the pilots' licenses.

ARTICLE 6.

(a) Nationals of the Union of South Africa shall while holding valid pilot licenses issued by the Department of Defence of the Union of South Africa be permitted to operate in Continental United States of America, exclusive of Alaska, for non-industrial or non-commercial purposes for a period not exceeding six months from the time of entering that country, any civil aircraft registered by the Department of Defence of the Union of South Africa, and/or any civil aircraft registered by the United States Department of Commerce. The period of validity of the licenses first mentioned in this paragraph shall, for the purpose of this paragraph, include any renewal of the license by the pilot's own Government made after the pilot has entered Continental United States of America. No person to whom this paragraph applies shall be allowed to operate civil aircraft in Continental United States of America, exclusive of Alaska, for non-industrial or non-commercial purposes for a period of more than six months from the time of entering that country, unless he shall, prior to the expiration of such period, have obtained a pilot license from the United States Department of Commerce in the manner provided for in this arrangement.

(b) American nationals shall while holding valid pilot licenses issued by the United States Department of Commerce be permitted to operate in the Union of South Africa for non-industrial or non-commercial purposes for a period not exceeding six months from the time of entering that country, any civil aircraft registered by the United States Department of Commerce, and/or any civil aircraft registered by the Department of Defence of the Union of South Africa. The period of validity of the licenses first mentioned in this paragraph shall, for the purpose of this paragraph, include any renewal of the license by the pilot's own Government made after the pilot has entered the Union of South Africa. No person to whom this paragraph applies shall be allowed to operate civil aircraft in the Union of South Africa for non-industrial or non-commercial purposes for a period of more than six months from the time of entering that country, unless he shall, prior to the expiration of such period, have obtained a pilot's license from the Department of Defence of the Union of South Africa in the manner provided for in this arrangement.

(c) The conditions under which pilots of the nationality of either country may operate aircraft of their country in the other country, as provided for in this article, shall be as stipulated in the air navigation arrangement in force between the parties to this arrangement for the issuance of pilot licenses; and the conditions under which pilots of the nationality of either country may operate aircraft of the other country, as provided for in this article, shall be in accordance with the requirements of such other country.

ARTICLE 7.

The present arrangement shall be subject to termination by either Party upon sixty days' notice given to the other Party or by the enactment by either Party of legislation inconsistent therewith."

It is further agreed that the arrangement will be operative as from the date of this note.

I have the honour to be, Sir,

Your obedient Servant,

J. B. M. HERTZOG.

Minister of External Affairs.

THE ENVOY EXTRAORDINARY AND
MINISTER PLENIPOTENTIARY
OF THE UNITED STATES OF AMERICA,

Pretoria.

August 24, 1933.
January 9, 1934.

Arrangement between the United States of America and the Irish Free State, providing relief from double income tax on shipping profits. Effected by exchange of notes, signed August 24, 1933, and January 9, 1934.

*The Chargé d'Affaires ad interim of the Irish Free State (Macaulay)
to the Secretary of State*

IRISH FREE STATE LEGATION,
Washington, D.C., 24th August, 1933.

SIR:

Double income tax
on shipping profits.
Reciprocal exemp-
tions, United States
and Irish Free State.

I am requested by my Government to bring to the notice of the Government of the United States the provisions of Section 10 of the Finance Act, 1932 (No. 20 of 1932) which section reads as follows:

“10.—Subject to the provisions of this section, exemption shall be granted from income tax (including super-tax, or sur-tax, as the case may be) in respect of so much of the income of a citizen of the United States of America not resident in the Irish Free State or of a corporation organised in the United States of America as is derived from the operation of a ship or ships documented under the laws of the United States of America.”

I have the honour to be, Sir,
Your obedient servant,

W J B MACAULAY
Chargé d'Affaires ad interim

HONOURABLE CORDELL HULL
*The Secretary of State of the United States
Washington, D.C.*

*The Acting Secretary of State to the Minister of the Irish Free State
(MacWhite)*

DEPARTMENT OF STATE,
Washington, January 9, 1934.

SIR:

Agreement by
United States.

In a note dated August 24, 1933, Mr. Macaulay, as Chargé d'Affaires *ad interim*, brought to the notice of the Government of the United States the provisions of Section 10 of the Irish Free State Finance Act of 1932, which provides for the relief of American steamship owners from double income tax on shipping profits.

The text of Section 10 of the above law was brought to the attention of the Secretary of the Treasury, with the request that he inform the Department of State whether the Irish Free State satisfied the equivalent exemption requirements of Sections 212(b) and 231(b)

of the United States Revenue Act of 1932. I have pleasure in informing you that I am now in receipt of a letter from the Acting Secretary of the Treasury dated December 14, 1933, which reads in part as follows:

“In view of the fact that the Irish Free State, under the provision of law quoted above, exempts from income tax so much of the income of a citizen of the United States not resident in the Irish Free State or of a corporation organized in the United States as is derived from the operation of a ship or ships documented under the laws of the United States, it is the opinion of this Department that the Irish Free State meets the reciprocal exemption provisions of sections 212(b) and 231(b) of the Revenue Act of 1932. The income of a non-resident alien individual and of a foreign corporation which consists exclusively of earnings derived from the operation of a ship or ships documented under the laws of the Irish Free State is, therefore, not required to be included in gross income and is exempt from income tax under the provisions of the Revenue Act of 1932. The exemption accorded herein is effective April 6, 1932, the beginning of the first income-tax taxable year to which Section 10 of the Finance Act of 1932 is applicable.”

It will be observed that the Acting Secretary of the Treasury holds that in view of the fact that the Irish Free State, under the provisions of Section 10 of the Irish Free State Finance Act of 1932, exempts from income tax so much of the income of a citizen of the United States not resident in the Irish Free State or of a corporation organized in the United States as is derived from the operation of a ship or ships documented under the laws of the United States, the Irish Free State has satisfied the equivalent exemption provisions of Sections 212(b) and 231(b) of the United States Revenue Act of 1932. The exemption accorded to steamship owners of the Irish Free State under the above ruling of the Acting Secretary of the Treasury is effective as of April 6, 1932, the beginning of the first income-tax taxable year to which Section 10 of the Irish Free State Finance Act of 1932 is applicable.

Accept, Sir, the renewed assurances of my highest consideration.

For the Acting Secretary of State:

R. WALTON MOORE

MR. MICHAEL MACWHITE,
Minister of the Irish Free State.

April 24, 1934.

Protocol between the United States of America and Mexico relative to general claims. Signed April 24, 1934; effective April 24, 1934.

Protocol with Mexico relative to General Claims Commission.

PROTOCOL RELATIVE TO CLAIMS PRESENTED TO THE GENERAL CLAIMS COMMISSION, ESTABLISHED BY THE CONVENTION OF SEPTEMBER 8, 1923.

PROTOCOLO RELATIVO A LAS RECLAMACIONES PRESENTADAS ANTE LA COMISION GENERAL DE RECLAMACIONES CREADA POR LA CONVENCIÓN DE 8 DE SEPTIEMBRE DE 1923.

Plenipotentiaries.

Josephus Daniels, Ambassador Extraordinary and Plenipotentiary of the United States of America to the Government of Mexico, and José Manuel Puig Casauranc, Secretary for Foreign Affairs of the United Mexican States, duly authorized, have agreed on behalf of their two Governments to conclude the following Protocol:

Whereas, It is the desire of the two Governments to settle and liquidate as promptly as possible those claims of each Government against the other which are comprehended by, and which have been filed in pursuance of, the General Claims Convention between the two Governments, concluded on September 8, 1923;

Whereas, It is not considered expedient to proceed, at the present time, to the formal arbitration of the said claims in the manner provided in that Convention;

Whereas, It is considered to be conducive to the best interests of the two Governments, to preserve the *status quo* of the General Claims Convention above men-

Josephus Daniels, Embajador Extraordinario y Plenipotenciario de los Estados Unidos de América ante el Gobierno de México, y José Manuel Puig Casauranc, Secretario de Relaciones Exteriores de los Estados Unidos Mexicanos, debidamente autorizados, convienen en firmar, en nombre de sus respectivos Gobiernos, el siguiente Protocolo:

Considerando que es el deseo de ambos Gobiernos arreglar y liquidar, tan pronto como sea posible, las reclamaciones de cada uno de los dos Gobiernos en contra del otro, comprendidas en la Convención General de Reclamaciones celebrada el 8 de septiembre de 1923 entre los dos Gobiernos y registradas de acuerdo con la misma;

Considerando que no se juzga viable, en los momentos actuales, proceder al arbitraje formal de dichas reclamaciones mediante el procedimiento que establece la Convención mencionada;

Considerando que se juzga conducente para los mejores intereses de ambos Gobiernos conservar el "*status quo*" de la Convención General de Reclamaciones

tioned and the Convention extending the duration thereof, which latter was concluded on June 18, 1932, as well as the agreement relating to agrarian claims under Article I of the additional Protocol of June 18, 1932;

Whereas, It is advisable to endeavor to effect a more expeditious and more economical disposition of the claims, either by means of an *en bloc* settlement or a more simplified method of adjudication, and

Whereas, In the present state of development of the numerous claims the available information is not such as to permit the two Governments to appraise their true value with sufficient accuracy to permit of the successful negotiation of an *en bloc* settlement thereof at the present time;

Therefore, It is agreed that:

First.—The two Governments will proceed to an informal discussion of the agrarian claims now pending before the General Claims Commission, with a view to making an adjustment thereof that shall be consistent with the rights and equities of the claimants and the rights and obligations of the Mexican Government, as provided by the General Claims Protocol of June 18, 1932. Pending such discussion no agrarian claims will be presented to the Commissioners referred to in Clause Third nor, in turn, to the Umpire referred to in Clause Fifth of this Protocol; but memorials of cases not yet memorial-

arriba mencionada y de la Convención de Prórroga celebrada el 18 de junio de 1932, así como de lo convenido para las reclamaciones agrarias en el Artículo I del Protocolo adicional de 18 de junio de 1932;

Considerando que conviene intentar la resolución más rápida y más económica de las reclamaciones, ya sea por medio de un arreglo global o de un método más simplificado para fallarlas, y

Considerando que en el presente estado de tramitación de las numerosas reclamaciones, los datos de que se dispone son de tal naturaleza que no permiten a los dos Gobiernos estimar el verdadero valor de ellas con exactitud suficiente para permitir la negociación con éxito de un arreglo global de las mismas en los momentos actuales;

Por tanto, queda convenido que:

Primero.—Los dos Gobiernos procederán a discutir, de manera informal, las reclamaciones agrarias pendientes en la actualidad ante la Comisión General de Reclamaciones, con el propósito de llegar a un arreglo con respecto a ellas, en consonancia con la equidad y con los derechos de los reclamantes y con los derechos y obligaciones del Gobierno Mexicano, según lo establecido por el Protocolo de la Comisión General de 18 de junio de 1932. Mientras esté pendiente esta discusión, no se presentarán reclamaciones agrarias a los Comisionados a que se refiere la Cláusula Tercera, ni, en su caso, al Arbitro a que alude

Proceedings.

ized may be filed in order to regularize the awards made upon the agreed adjustments.

Protocol to apply to agrarian claims only.

Consequently, the subsequent provisions of this Protocol shall apply to agrarian claims only insofar as they do not conflict with the status thereof, as exclusively fixed by the terms of the agreed Article I of the additional protocol to the extension of the General Claims Convention, signed June 18, 1932.

Procedure to be followed.

Second.—The two Governments shall proceed, in accordance with the provisions of clause Sixth below, promptly to complete the written pleadings and briefs in the remaining unpleaded and incompletely pleaded cases.

Each party to appoint a Commissioner.

Third.—Each Government shall promptly designate, from among its own nationals, a Commissioner, who shall be an outstanding jurist and whose function it shall be to appraise, on their merits, as rapidly as possible, the claims of both Governments which have already been fully pleaded and briefed and those in which the pleadings and briefs shall be completed in accordance herewith.

Qualifications of.

Reconciling appraisals.

Fourth.—Six months before the termination of the period herein agreed upon for the completion of the pleadings and briefs referred to in Clause Sixth or at an earlier time should they

la Cláusula Quinta de este Protocolo; pero podrán presentarse Memoriales de los casos en que aun no se hayan presentado, con objeto de formalizar los fallos que se dicten sobre los arreglos propalados.

Por consiguiente, las disposiciones subsecuentes de este Protocolo serán aplicables a las reclamaciones agrarias únicamente en lo que no se opongan a la situación de dichas reclamaciones, como está fijada exclusivamente por los términos del Artículo I pactado en el Protocolo adicional a la Convención de Prórroga de la Convención General de Reclamaciones, firmada en 18 de junio de 1932.

Segundo.—Los dos Gobiernos, de acuerdo con las disposiciones de la Cláusula Sexta de este Protocolo, procederán desde luego a completar los escritos y alegatos en los casos en que éstos no se hayan presentado o estén incompletos.

Tercero.—Cada uno de los dos Gobiernos designará en breve plazo a un Comisionado de su propia nacionalidad, quien deberá ser un destacado juriscónsulto y cuyas funciones serán las de estimar en cuanto a sus fundamentos y tan rápidamente como sea posible, las reclamaciones de ambos Gobiernos, en las cuales hayan sido completados todos los escritos y alegatos, así como aquellas en que hayan de completarse tales escritos y alegatos según lo dispuesto por este Protocolo.

Cuarto.—Seis meses antes de vencer el plazo para completar los escritos y alegatos a que se refiere la Cláusula Sexta, o en alguna fecha anterior, en caso de que así lo convengan, los referidos

so agree, the said Commissioners shall meet, at a place to be agreed upon by them, for the purpose of reconciling their appraisals. They shall, as soon as possible, and not later than six months from the date of the completion of the pleadings and briefs, submit to the two Governments a joint report of the results of their conferences, indicating those cases in which agreement has been reached by them with respect to the merits and the amount of liability, if any, in the individual cases and also those cases in which they shall have been unable to agree with respect to the merits or the amount of liability, or both.

Fifth.—The two Governments shall, upon the basis of such joint report, and with the least possible delay, conclude a convention for the final disposition of the claims, which convention shall take one or the other of the two following forms, namely, first, an agreement for an *en bloc* settlement of the claims wherein there shall be stipulated the net amount to be paid by either Government and the terms upon which payment shall be made; or, second, an agreement for the disposition of the claims upon their individual merits. In this latter event, the two above-mentioned Commissioners shall be required to record their agreements with respect to individual claims and the bases upon which their conclusions shall have been reached, in the respective cases.

Comisionados se reunirán en el lugar que designen de común acuerdo con el objeto de armonizar sus estimaciones. Tan pronto como sea posible y dentro de los seis meses contados desde la fecha en que se completen los escritos y alegatos, presentarán a los dos Gobiernos un dictamen conjunto sobre el resultado de sus conferencias, en el que indicarán los casos en que hayan llegado a un acuerdo en cuanto a los fundamentos y al monto de la responsabilidad, si alguna resultare, en cada caso, indicando asimismo los casos en que no hayan podido ponerse de acuerdo, ya sea respecto a los fundamentos o al monto de la responsabilidad, o a ambas cosas.

Joint report to be submitted.

Quinto.—Los dos Gobiernos, sobre la base del referido dictamen conjunto, y con el menor retardo posible, celebrarán una Convención para la resolución definitiva de las reclamaciones, debiendo en dicha Convención adoptarse una u otra de las dos formas siguientes, a saber: primero, la de un convenio para un arreglo global de las reclamaciones, en el que se estipulará la cantidad líquida que habrá de pagar alguno de los dos Gobiernos y las condiciones en que se habrá de efectuar tal pago; o, segundo, la de un convenio para la resolución de las reclamaciones sobre los fundamentos de cada una. En este último caso, se exigirá a los dos Comisionados arriba mencionados, que hagan constar los acuerdos celebrados por ellos con respecto a cada una de las reclamaciones y los fundamentos en que se basen sus conclusiones, en el caso respectivo.

Claims convention to follow.

Forms to be taken.

Report a final disposition of cases.

The report shall be accepted, by the convention to be concluded by the two Governments, as final and conclusive dispositions of those cases. With respect to those cases in which the Commissioners shall not have been able to reach agreements, the two Governments shall, by the said convention, agree that the pleadings and briefs in such cases, together with the written views of the two Commissioners concerning the merits of the respective claims, be referred to an Umpire, whose written decisions shall also be accepted by both Governments as final and binding. All matters relating to the designation of an Umpire, time within which his decisions should be rendered and general provisions relating to his work shall be fixed in a Convention to be negotiated under provisions of this Clause.

Cases in disagreement.

Reference to Umpire; effect of decisions.

Pleadings and briefs.

Sixth.—The procedure to be followed in the development of the pleadings and briefs, which procedure shall be scrupulously observed by the Agents of the two Governments, shall be the following:

(a) The time allowed for the completion of the pleadings and briefs shall be two years counting from a date hereafter to be agreed upon by the two Governments by an exchange of notes, which shall not be later than November 1, 1934.

(b) The pleadings and briefs of each Government shall be filed at the Embassy of the other Government.

(c) The pleadings and briefs to be filed shall be limited in number to four, namely, Memorial, Answer, Brief and Reply Brief. Only three copies of each need be

El dictamen que rindan será aceptado, por medio de la Convención que celebren los dos Gobiernos, como la resolución definitiva y final de dichos casos. Con respecto a los casos en que los Comisionados no hayan podido ponerse de acuerdo, los dos Gobiernos, en esa misma Convención, estipularán que los escritos y alegatos presentados en ellos, juntamente con las opiniones escritas de los dos Comisionados sobre los fundamentos de las reclamaciones respectivas, se someterán a un Arbitro cuyos fallos escritos serán aceptados también por ambos Gobiernos como definitivos y obligatorios. Todo lo que se refiere a designación de Arbitro, período de tiempo de que dispondrá para fallar y modalidades de su trabajo, serán fijados en la Convención de que habla esta Claúsula.

Sexto.—El procedimiento que se seguirá en el desarrollo de los escritos y alegatos, procedimiento que observarán escrupulosamente los Agentes de los dos Gobiernos, será el siguiente:

(a) El plazo concedido para completar los escritos y alegatos será de dos años contados desde la fecha en que posteriormente convengan los dos Gobiernos por medio de un cambio de notas, que no se efectuará más tarde del 1º de noviembre de 1934.

(b) Los escritos y alegatos de cada uno de los dos Gobiernos serán presentados en la Embajada del otro Gobierno.

(c) Los escritos y alegatos que se presenten quedan limitados a cuatro, a saber: el Memorial, la Contestación, el Alegato y el Alegato de Réplica. Sólo será ne-

presented to the other Agent, but four additional copies shall be retained by the filing Agency for possible use in future adjudication. Each copy of Memorial, Answer and Brief shall be accompanied by a copy of all evidence filed with the original thereof. The pleadings and briefs, which may be in either English or Spanish at the option of the filing Government, shall be signed by the respective Agents or properly designated substitutes.

(d) With the Memorial the claimant Government shall file all the evidence on which it intends to rely. With the Answer the respondent Government shall file all the evidence upon which it intends to rely. No further evidence shall be filed by either side except such evidence, with the Brief, as rebuts evidence filed with the Answer. Such evidence shall be strictly limited to evidence in rebuttal and there shall be explained at the beginning of the Brief the alleged justification for the filing thereof. If the other side desires to object to such filing, its views may be set forth in the beginning of the Reply Brief, and the Commissioners, or the Umpire, as the case may require, shall decide the point, and if it is decided that the evidence is not in rebuttal to evidence filed with the Answer, the additional evidence shall be entirely disregarded in considering the merits of the claim.

The Commissioners may at any time order the production of further evidence.

cesario presentar tres copias de cada uno al otro Agente, pero la Agencia que los presente conservará cuatro ejemplares adicionales para que se puedan usar al resolverse los casos en el futuro. Cada una de las copias de tales Memoriales, Contestaciones y Alegatos irá acompañada de una copia de todas las pruebas presentadas con el escrito original. Los escritos y alegatos, que podrán presentarse en inglés o en español, a voluntad del Gobierno que los presente, estarán firmados por los Agentes respectivos o por substitutes de éstos designados en debida forma.

(d) Con el Memorial, el Gobierno demandante presentará todas las pruebas en que se funde. Con su Contestación, el Gobierno demandado presentará todas las pruebas en que piense apoyarse. No se presentará prueba adicional alguna por ninguna de las dos partes exceptuando las pruebas que se presenten con el Alegato para refutar las pruebas presentadas con la Contestación. Tales constancias se limitarán a pruebas de refutación y se expresará al principio del Alegato las justificaciones que se tengan para presentar dichas pruebas. Si la otra parte desee objetar su presentación, sus objeciones pueden manifestarse al principio del Alegato de Réplica, y los Comisionados o el Arbitro, según sea el caso, decidirán el punto. Si se resolviera que las pruebas no refutan las presentadas con la Contestación, las adicionales no se tomarán en cuenta al considerarse los fundamentos de la reclamación.

Los Comisionados podrán en cualquier tiempo pedir que se presenten pruebas adicionales.

Commissioners may order further evidence.

(e) In view of the desire to reduce the number of pleadings and briefs to a minimum in the interest of economy of time and expense, it shall be the obligation of both Agents fully and clearly to state in their Memorials the contention of the claimant Government with respect to both the factual bases of the claims in question and the legal principles upon which the claims are predicated and, in the Answer, the contentions of the respondent Government with regard to the facts and legal principles upon which the defense of the case rests. In cases in which Answers already filed do not sufficiently meet this provision so as to afford the claimant Government an adequate basis for preparing its legal Brief with full general knowledge of the factual and legal defenses of the respondent Government, it shall have the right to file a Counter Brief within thirty days following the date of filing the Reply Brief.

(f) For the purposes of the above pleadings and briefs, as well as the appraisals and decisions of the two Commissioners and the decisions of the Umpire, above mentioned, the provisions of the General Claims Convention of September 8, 1923, shall be considered as fully effective and binding upon the two Governments, except insofar as concerns the matter of procedure, which shall be that provided for herein.

(g) Whenever practicable, cases of a particular class shall be grouped for memorializing and/or for briefing.

(e) En vista del deseo que hay de reducir el número de los escritos y alegatos al mínimo, en provecho de la economía de tiempo y gastos, será obligación de ambos Agentes exponer amplia y claramente en sus Memoriales los argumentos del Gobierno demandante con respecto tanto a los hechos en que se base alguna reclamación como a los principios jurídicos en que se funde, y, en la Contestación, los argumentos del Gobierno demandado relativos a los hechos y principios jurídicos en que se apoye la defensa del caso. En los casos en que las Contestaciones ya presentadas no se ajusten exactamente a esta disposición para dar al Gobierno reclamante una base adecuada para la preparación de su Alegato con perfecto conocimiento de los hechos y excepciones legales del Gobierno demandado, tendrá el derecho de presentar un Contraalegato dentro de los treinta días siguientes a la fecha de la presentación del Alegato de Réplica.

(f) Por lo que respecta a los escritos y alegatos arriba mencionados, así como a las estimaciones y fallos de los dos Comisionados y los fallos del Arbitro, se considerarán como plenamente efectivas y obligatorias para ambos Gobiernos las disposiciones de la Convención General de Reclamaciones de 8 de septiembre de 1923, salvo en lo que respecta a la materia de procedimientos, la cual se regirá por el presente Protocolo.

(g) Siempre que sea factible, se agruparán los casos de una clase determinada, para la presentación de los Memoriales y de los Alegatos, o de cualquiera de los dos.

(h) In order that the two Agents may organize their work in the most advantageous manner possible and in order that the two-year period allowed for pleadings and briefs may be utilized in a manner which shall be most equitable to both sides, each Agent shall, within thirty days from the beginning of the two-year pleading period, submit to the other Agent a tentative statement showing the total number of Memorials and Briefs such Agent intends to file. Six months after the beginning of the two-year pleading period, the two Agents shall respectively submit in the same manner statements setting out definitely by name and docket number the claims in which it is proposed to complete the pleadings and briefs, indicating those in which they intend to combine cases in the manner indicated in paragraph (g) above. The number of pleadings and briefs so indicated shall not, except by later agreement between the two Governments, be exceeded by more than ten percent.

(i) In order to enable the Agencies to distribute their work equally over the two-year pleading period, each Agency shall be under the obligation to file its Memorials at approximately equal intervals during the first seventeen months of the two-year period, thus allowing the remaining seven months of the period for the completion of the pleadings and briefs in the last case memorialized. The same obligation shall attach with re-

(h) Para que los dos Agentes puedan organizar sus trabajos en la forma más eficiente que sea posible, y para que el período de dos años concedidos para la presentación de escritos y alegatos se pueda aprovechar del modo más equitativo para ambas partes, cada uno de los dos Agentes, dentro de los treinta días siguientes al comienzo de dicho período de dos años para la presentación de tales escritos, deberá presentar al otro Agente un estado previo que demuestre el número total de Memoriales y Alegatos que piense presentar. A los seis meses contados desde el comienzo del referido período de dos años para la presentación de escritos, los dos Agentes presentarán respectivamente, en la misma forma, estados que expongan definitivamente, especificando los nombres y números de registro, las reclamaciones en las que se propongan completar los escritos y alegatos con la indicación de los casos en que piensen agruparlos del modo indicado en el inciso (g) anterior. El número de escritos y alegatos mencionados no deberá, salvo acuerdo posterior entre los dos Gobiernos, excederse en más de un diez por ciento.

(i) Para que las Agencias puedan distribuir sus trabajos uniformemente en todo el período de dos años para presentación de escritos, cada una de ellas estará obligada a presentar sus Memoriales a intervalos más o menos iguales durante los primeros diecisiete meses del referido período, a efecto de que durante los siete meses restantes se completen los escritos y alegatos en el último caso en que se hubiere presentado Memorial.

spect to the filing of the pleadings and briefs referred to in paragraph (k) below.

(j) The time to be allowed for filing Answers shall be seventy days from the date of filing Memorials. The time to be allowed for filing Briefs shall be seventy days from the date of filing the Answers. The time to be allowed for filing Reply Briefs shall be seventy days from the date of filing the Briefs.

(k) In those cases in which some pleadings or briefs were filed with the General Claims Commission before the date of signature hereof, the Agency which has the right to file the next pleading or brief shall be allowed to determine when that document shall be filed, taking into consideration the necessity of complying with the provisions of paragraph (i) above.

(l) In counting the seventy-day periods mentioned in paragraph (j) above, no deductions shall be made for either Sundays or holidays. The date of filing the above described pleadings and briefs shall be considered to be the date upon which they shall be delivered at the Embassy of the other Government. If the due date shall fall on Sunday or a legal holiday, the pleading or brief shall be filed upon the next succeeding business day. The two Governments shall, for this purpose, instruct their respective Embassies to receive and give receipts for such pleadings and

Esta misma obligación existirá con respecto a la presentación de los escritos y alegatos a que se refiere el inciso (k) más adelante.

(j) El plazo que se concede para la presentación de Contestaciones será de setenta días contados desde la fecha de la presentación de los Memoriales. El plazo para la presentación de Alegatos será de setenta días contados desde la fecha de la presentación de las Contestaciones. El plazo para la presentación del Alegato de Réplica será de setenta días, contados desde la fecha de la presentación de los Alegatos.

(k) En aquellos casos en que se hayan presentado algunos escritos o alegatos ante la Comisión General de Reclamaciones con anterioridad a la fecha de la firma del presente Protocolo, la Agencia que tenga derecho a presentar el escrito o alegato siguiente estará autorizada para determinar la fecha en que se haya de presentar tal documento, tomando en consideración la necesidad que hay de cumplir las disposiciones del inciso (i) anterior.

(l) Al contar los períodos de setenta días de que habla el inciso (j) anterior, no se harán deducciones por concepto de domingos ni días de fiesta. La fecha de la presentación de los escritos y alegatos antes mencionados se considerará que es la fecha en que sean entregados en la Embajada del otro Gobierno. Si la fecha de vencimiento cayere en algún domingo o día de fiesta oficial, el escrito o alegato se presentará en el día hábil siguiente. Los dos Gobiernos, con este objeto, darán instrucciones a sus Embajadas respectivas de recibir y dar recibos por tales escritos y

briefs any weekday between the hours of 10 and 16 (4 p.m.) except on the following legal holidays of both countries:

<i>Of the United States</i>	<i>Of Mexico</i>	<i>De los Estados Unidos</i>	<i>De México</i>
January 1	January 1	1° de enero	1° de enero
February 22	February 5	22 de febrero	5 de febrero
May 30	May 1	30 de mayo	1° de mayo
July 4	May 5	4 de julio	5 de mayo
First Monday in September	September 14	Primer lunes de septiembre	14 de septiembre
Last Thursday in November	September 15	Ultimo jueves de noviembre	15 de septiembre
December 25	September 16		16 de septiembre
	October 12		12 de octubre
	November 20	25 de diciembre	20 de noviembre
	December 25		25 de diciembre
	December 31.		31 de diciembre.

(m) In view of the herein prescribed limitations upon the time allowed for the completion of the work of the Agencies and the Commissioners, it is recognized that the success of this simplified plan of procedure depends fundamentally upon the prompt and regular filing of the pleadings and briefs in accordance with the provisions of this Protocol. It is agreed, therefore, that any pleading or brief which shall be filed more than thirty days after the due date for the filing thereof, shall be disregarded by the Commissioners and the Umpire, and that the respective case shall be considered by them upon the pleadings and briefs preceding the tardy pleadings and briefs, unless, by agreement of the two Governments, the continued pleading of the respective case shall be resumed.

(n) It shall not be necessary to present original evidence but all documents hereafter submitted as evidence shall be certified as true and complete copies of the

alegatos en todos los días hábiles, entre las 10 y las 16 horas, exceptuando los siguientes días de fiesta oficiales de ambos países:

(m) En vista de las limitaciones prescritas en este protocolo respecto al período de tiempo fijado para la terminación de las labores de las Agencias y de los Comisionados, se reconoce que el éxito de este plan simplificado de procedimiento depende, fundamentalmente, de la presentación puntual y regular de los escritos y alegatos en los términos establecidos por las disposiciones de este Protocolo. Se conviene, por consiguiente, que cualquier escrito o alegato que se entregue más de treinta días después de la fecha fijada para su presentación, no será tomado en cuenta por los Comisionados y el Arbitro, y que el caso de que se trate será considerado por ellos únicamente sobre la base de los escritos y alegatos que precedan al que se hubiere presentado extemporáneamente, a menos de que, por acuerdo entre ambos Gobiernos, se autorice la continuación de las alegaciones en el caso respectivo.

(n) No será necesario presentar las pruebas originales, pero todos los documentos que de hoy en adelante se presenten en calidad de pruebas, serán certificados

original if they be such. In the event that any particular document filed is not a true and complete copy of the original, that fact shall be so stated in the certificate.

(o) The complete original of any document filed, either in whole or in part, shall be retained in the Agency filing the document and shall be made available for inspection by any authorized representative of the Agent of the other side.

(p) Where the original of any document or other proof is filed at any Government office on either side, and cannot be conveniently withdrawn, and no copy of such document is in the possession of the Agent of the Government desiring to present the same to the Commissioners in support of the allegations set out in his pleadings or briefs, he shall notify the Agent of the other Government in writing of his desire to inspect such document. Should such inspection be refused, then the action taken in response to the request to inspect, together with such reasons as may be assigned for the action taken, shall be reported to the Commissioners and, in turn, to the Umpire mentioned in Clause Fifth of this Protocol, so that due notice thereof may be taken.

Done in duplicate in Mexico, D.F. in the English and Spanish languages this twenty fourth day of the month of April one thousand nine hundred and thirty four.

como copias fieles y completas de sus originales si así lo fueren. En el caso de que algún documento determinado que se presente no sea copia fiel y completa del original, ese hecho se hará constar en la certificación.

(o) El original completo de cualquier documento presentado, ya sea total o parcialmente, será conservado en la Agencia que lo presente y estará disponible para su inspección por cualquier representante autorizado del Agente de la otra parte.

(p) Cuando el original u otra prueba esté archivado en las oficinas de cualquiera de los dos Gobiernos, y no pueda ser retirado facilmente, ni exista copia de tal documento en poder del Agente del Gobierno que desee presentarlo a los Comisionados, en apoyo de los puntos contenidos en sus escritos o alegatos, entonces notificará por escrito al Agente de la parte contraria acerca de su deseo de examinar el referido documento. Si a una solicitud de examen se rehusa la exhibición del documento de que se trata, tal actitud, junto con las razones que se dieran para excusarla, serán puestas en conocimiento de los Comisionados y, en su caso, del Arbitro a que se refiere la Cláusula Quinta de este Protocolo, y ésto será tomado en cuenta por ellos.

Hecho por duplicado, en inglés y en español, en la Ciudad de México, el día veinticuatro del mes de abril del año de mil novecientos treinta y cuatro.

JOSEPHUS DANIELS
PUIG

[SEAL]
[SEAL]

Arrangement between the United States of America and Denmark for air navigation. Effected by exchange of notes, signed March 12 and 24, 1934. Effective April 16, 1934. March 14, 24, 1934.

The American Minister (Owen) to the Danish Minister for Foreign Affairs (Munch)

No. 46. LEGATION OF THE UNITED STATES OF AMERICA,
Copenhagen, March 12, 1934.

EXCELLENCY:

Reference is made to the negotiations which have taken place between the Government of the United States of America and the Government of Denmark for the conclusion of a reciprocal air navigation arrangement between the United States of America and Denmark, governing the operation of civil aircraft of the one country in the other country. Arrangement with Denmark governing air navigation.

It is my understanding that it has been agreed in the course of the negotiations, now terminated, that this arrangement shall be as follows:

ARTICLE 1

Pending the conclusion of a convention between the United States of America and Denmark on the subject of air navigation, the operation of civil aircraft of the one country in the other country shall be governed by the following provisions: Tentative provisions.

ARTICLE 2

The present arrangement shall apply to the United States of America and Denmark, and likewise, subject to the provisions of the second paragraph of Article 6, the following possessions, territories or colonies over which they respectively exercise jurisdiction, including territorial waters: Area affected.

- (a) Alaska, Puerto Rico, Virgin Islands of the United States, and American Samoa.
- (b) Greenland.

ARTICLE 3

The term aircraft with reference to one or the other Party to this arrangement shall be understood to mean civil aircraft, including state aircraft used exclusively for commercial purposes, duly registered in the territory of such Party. Aircraft defined.

ARTICLE 4

Each of the parties undertakes to grant liberty of passage above its territory in time of peace to the aircraft of the other party, provided that the conditions set forth in the present arrangement are observed. Freedom of passage.

Regular air routes by transport companies.

It is, however, agreed that the establishment and operation of regular air routes by an air transport company of one of the parties within the territory of the other party or across the said territory, with or without intermediary landing, shall be subject to the prior consent of the other party given on the principle of reciprocity and at the request of the party whose nationality the air transport company possesses.

Refusal only on reasonable grounds.

Each party to the arrangement agrees that its consent for operation over its territory by air transport companies of the other party may not be refused on unreasonable or arbitrary grounds. The consent may be made subject to special regulations relating to aerial safety and public order.

Pilot licenses.

The parties to this arrangement agree that the period in which pilots may, while holding valid pilot licenses issued or rendered valid by either country, operate registered aircraft of that country in the other country for non-industrial or non-commercial purposes shall be limited to a period not exceeding six months from the time of entry for the purpose of operating aircraft, unless prior to the expiration of this period the pilots obtain from the government of the country in which they are operating, pilot licenses authorizing them to operate aircraft for non-industrial or non-commercial purposes.

ARTICLE 5

Internal legislation to govern.

The aircraft of each of the Parties to this arrangement, their crews and passengers, shall while within the territory of the other Party, be subject to the general legislation in force in that territory as well as the regulations in force therein relating to air traffic in general, to the transport of passengers and goods and to public safety and order insofar as these regulations apply to all foreign aircraft, their crews and passengers.

Each of the Parties to this arrangement shall permit the import or export of all merchandise which may be legally imported or exported and also the carriage of passengers, subject to any customs, immigration and quarantine restrictions, into or from their respective territories in the aircraft of the other Party, and such aircraft, their passengers and cargoes, shall enjoy the same privileges as and shall not be subjected to any other or higher duties or charges than those which the aircraft of the country, imposing such duties or charges, engaged in international commerce, and their cargoes and passengers, or the aircraft of any foreign country likewise engaged, and their cargoes and passengers, enjoy or are subjected to.

Each of the Parties to this arrangement may reserve to its own aircraft air commerce between any two points neither of which is in a foreign country. Nevertheless the aircraft of either Party may proceed from any aerodrome in the territory of the other Party which they are entitled to use to any other such aerodrome either for the purpose of landing the whole or part of their cargoes or passengers or of taking on board the whole or part of their cargoes or passengers provided that such cargoes are covered by through bills of lading and such passengers hold through tickets, issued respectively for a journey whose starting place and destination both are not points between which air commerce has been duly so reserved, and such aircraft, while proceeding as aforesaid, from one aerodrome to another shall, notwithstanding that such aerodromes are points between which air commerce has been duly reserved, enjoy all the privileges of this arrangement.

ARTICLE 6

Each of the Parties to this arrangement shall have the right to prohibit air-traffic over certain areas of its territory, provided that no distinction in this matter is made between its aircraft engaged in international commerce and the aircraft of the other Party likewise engaged. The areas above which air traffic is thus prohibited by either Party must be notified to the other Party.

Restricted areas.

Each of the Parties may make the right to engage in air traffic over any of its possessions, territories or colonies, specified in subparagraphs (a) or (b) of Article 2, dependent upon the granting of a special permit and upon the fulfillment of special conditions and rules, provided that, subject to the right to reserve to national aircraft air commerce as described in the third paragraph of Article 5, no distinction in this matter is made between aircraft registered in its territory and aircraft registered in territory of the other Party. Each Party shall notify the other Party of its possession, territory or colony over which air traffic will not be permitted without a special permit.

Each of the Parties reserves the right under exceptional circumstances in time of peace and with immediate effect temporarily to limit or prohibit air traffic above its territory on condition that in this respect no distinction is made between the aircraft of the other Party and the aircraft of any foreign country.

ARTICLE 7

Any aircraft which finds itself over a prohibited area referred to in the first paragraph of Article 6 shall, as soon as it is aware of the fact, give the signal of distress prescribed in the Rules of the Air in force in the territory flown over and shall land as soon as possible at an aerodrome situated in such territory outside of but as near as possible to such prohibited area.

Aircraft entering restricted area accidentally.

ARTICLE 8

All aircraft shall carry clear and visible nationality and registration marks whereby they may be recognized during flight. In addition, they must bear the name and address of the owner.

Distinctive, etc., marks.

All aircraft shall be provided with certificates of registration and of airworthiness and with all the other documents prescribed for air traffic in the territory in which they are registered.

Certificates required.

The members of the crew who perform, in an aircraft, duties for which a special permit is required in the territory in which such aircraft is registered, shall be provided with all documents and in particular with the certificates and licenses prescribed by the regulations in force in such territory.

The other members of the crew shall carry documents showing their duties in the aircraft, their profession, identity and nationality.

Validity of certificates.

The certificates of airworthiness, certificates of competency and licenses issued or rendered valid by one of the Parties to this arrangement in respect of an aircraft registered in its territory or of the crew of such aircraft shall have the same validity in the territory of the other Party as the corresponding documents issued or rendered valid by the latter.

Each of the Parties reserves the right for the purpose of flight within its own territory to refuse to recognize certificates of competency and licenses issued to nationals of that Party by the other Party.

Rights reserved.

ARTICLE 9

Radio regulations.

Aircraft of either of the Parties to this arrangement may carry wireless apparatus in the territory of the other Party only if a license to install and work such apparatus shall have been issued by the competent authorities of the Party in whose territory the aircraft is registered. The use of such apparatus shall be in accordance with the regulations on the subject issued by the competent authorities of the territory within whose air space the aircraft is navigating.

Such apparatus shall be used only by such members of the crew as are provided with a special license for the purpose issued by the Government of the territory in which the aircraft is registered.

The Parties to this arrangement reserve respectively the right, for reasons of safety, to issue regulations relative to the obligatory equipment of aircraft with wireless apparatus.

ARTICLE 10

War materials restrictions.

No arms of war, explosives of war, or munitions of war shall be carried by aircraft of either Party above the territory of the other Party or by the crew or passengers, except by permission of the competent authorities of the territory within whose air space the aircraft is navigating.

ARTICLE 11

Inspection, etc.

Upon the departure or landing of any aircraft each Party may within its own territory and through its competent authorities search the aircraft of the other Party and examine the certificates and other documents prescribed.

ARTICLE 12 .

Aerodromes.

Aerodromes open to public air traffic in the territory of one of the Parties to this arrangement shall in so far as they are under the control of the Party in whose territory they are situated be open to all aircraft of the other Party, which shall also be entitled to the assistance of the meteorological services, the wireless services, the lighting services, and the day and night signalling services, in so far as the several classes of services are under control of the Party in whose territory they respectively are rendered. Any scale of charges made, namely, landing, accommodation or other charge, with respect to the aircraft of each Party in the territory of the other Party, shall in so far as such charges are under the control of the Party in whose territory they are made be the same for the aircraft of both Parties.

ARTICLE 13

Landings, etc.

All aircraft entering or leaving the territory of either of the Parties to this arrangement shall land at or depart from an aerodrome open to public air traffic and classed as a customs aerodrome at which facilities exist for enforcement of immigration regulations and clearance of aircraft, and no intermediary landing shall be effected between the frontier and the aerodrome. In special cases the competent authorities may allow aircraft to land at or depart from other aerodromes, at which customs, immigration and clearance facilities have been arranged. The prohibition of any intermediary landing applies also in such cases.

In the event of a forced landing outside the aerodromes, referred to in the first paragraph of this article, the pilot of the aircraft, its

crew and the passengers shall conform to the customs and immigration regulations in force in the territory in which the landing has been made.

Aircraft of each Party to this arrangement are accorded the right to enter the territory of the other Party subject to compliance with quarantine regulations in force therein.

The Parties to this arrangement shall exchange lists of the aerodromes in their territories designated by them as ports of entry and departure.

ARTICLE 14

Each of the Parties to this arrangement reserves the right to require that all aircraft crossing the frontiers of its territory shall do so between certain points. Subject to the notification of any such requirements by one Party to the other Party, and to the right to prohibit air traffic over certain areas as stipulated in Article 6 the frontiers of the territories of the Parties to this arrangement may be crossed at any point.

Flight restrictions.

ARTICLE 15

As ballast, only fine sand or water may be dropped from an aircraft.

Ballast.

ARTICLE 16

No article or substance, other than ballast, may be unloaded or otherwise discharged in the course of flight unless special permission for such purpose shall have been given by the authorities of the territory in which such unloading or discharge takes place.

Permission required to discharge, etc.

ARTICLE 17

Whenever questions of nationality arise in carrying out the present arrangement, it is agreed that every aircraft shall be deemed to possess the nationality of the Party in whose territory it is duly registered.

Registry.

ARTICLE 18

The Parties to this arrangement shall communicate to each other the regulations relative to air traffic in force in their respective territories.

Exchange of ratifications.

ARTICLE 19

The present arrangement shall be subject to termination by either Party upon sixty days' notice given to the other Party or by the enactment by either Party of legislation inconsistent therewith.

Duration.

I shall be glad to have you inform me whether it is the understanding of your Government that the arrangement agreed to in the negotiations is as herein set forth. If so, it is suggested that the arrangement become effective on April 16, 1934.

Ratification and effective date.

Accept, Excellency, the renewed assurances of my highest consideration.

RUTH BRYAN OWEN.

His Excellency

Dr. P. MUNCH,

Royal Minister for Foreign Affairs,

Copenhagen.

The Danish Minister for Foreign Affairs (Munch) to the American Minister (Owen)

UDENRIGSMINISTERIET.

Ø.P.I. Journal Nr. 93.D.32.

COPENHAGEN, *March 24, 1934.*

MADAM :—

Acceptance by Denmark.

I have the honour to acknowledge the receipt of the note of the 12th instant in which you communicated to me the text of the reciprocal air navigation arrangement between Denmark and the United States of America, governing the operation of civil aircraft of the one country in the other country, as understood by you to have been agreed to during the negotiations, now terminated, between the two countries.

The text which you have communicated to me is reproduced below :

ARTICLE 1.

Pending the conclusion of a convention between the United States of America and Denmark on the subject of air navigation, the operation of civil aircraft of the one country in the other country shall be governed by the following provisions :

ARTICLE 2.

The present arrangement shall apply to the United States of America and Denmark, and likewise, subject to the provisions of the second paragraph of Article 6, the following possessions, territories or colonies over which they respectively exercise jurisdiction, including territorial waters :

(a) Alaska, Puerto Rico, Virgin Islands of the United States, and American Samoa.

(b) Greenland.

ARTICLE 3.

The term aircraft with reference to one or the other Party to this arrangement shall be understood to mean civil aircraft, including state aircraft used exclusively for commercial purposes, duly registered in the territory of such Party.

ARTICLE 4.

Each of the parties undertakes to grant liberty of passage above its territory in time of peace to the aircraft of the other party, provided that the conditions set forth in the present arrangement are observed.

It is, however, agreed that the establishment and operation of regular air routes by an air transport company of one of the parties within the territory of the other party or across the said territory, with or without intermediary landing, shall be subject to the prior consent of the other party given on the principle of reciprocity and at the request of the party whose nationality the air transport company possesses.

Each party to the arrangement agrees that its consent for operations over its territory by air transport companies of the other party may not be refused on unreasonable or arbitrary grounds. The consent may be made subject to special regulations relating to aerial safety and public order.

The parties to this arrangement agree that the period in which pilots may, while holding valid pilot licences issued or rendered valid by either country, operate registered aircraft of that country in the other country for non-industrial or non-commercial purposes shall be limited to a period not exceeding six months from the time of entry for the purpose of operating aircraft, unless prior to the expiration of this period the pilots obtain from the Government of the country in which they are operating, pilot licenses authorizing them to operate aircraft for non industrial or non-commercial purposes.

ARTICLE 5.

The aircraft of each of the Parties to this arrangement, their crews and passengers, shall, while within the territory of the other Party, be subject to the general legislation in force in that territory as well as the regulations in force therein relating to air traffic in general, to the transport of passengers and goods and to public safety and order in so far as these regulations apply to all foreign aircraft, their crews and passengers.

Each of the Parties to this arrangement shall permit the import or export of all merchandise which may be legally imported or exported and also the carriage of passengers, subject to any customs, immigration and quarantine restrictions, into or from their respective territories in the aircraft of the other Party, and such aircraft, their passengers and cargoes, shall enjoy the same privileges as and shall not be subjected to any other or higher duties or charges than those which the aircraft of the country, imposing such duties or charges, engaged in international commerce, and their cargoes and passengers, or the aircraft of any foreign country likewise engaged, and their cargoes and passengers, enjoy or are subjected to.

Each of the Parties to this arrangement may reserve to its own aircraft air commerce between any two points neither of which is in a foreign country. Nevertheless the aircraft of either Party may proceed from any aerodrome in the territory of the other Party which they are entitled to use to any other such aerodrome either for the purpose of landing the whole or part of their cargoes or passengers or of taking on board the whole or part of their cargoes or passengers provided that such cargoes are covered by through bills of lading, and such passengers hold through tickets, issued respectively for a journey whose starting place and destination both are not points between which air commerce has been duly so reserved, and such aircraft, while proceeding as aforesaid, from one aerodrome to another, shall, notwithstanding that such aerodromes are points between which air commerce has been duly reserved, enjoy all the privileges of this arrangement.

ARTICLE 6.

Each of the Parties to this arrangement shall have the right to prohibit air traffic over certain areas of its territory, provided that no distinction in this matter is made between its aircraft engaged in international commerce and the aircraft of the other Party likewise engaged. The areas above which air traffic is thus prohibited by either Party must be notified to the other Party.

Each of the Parties may make the right to engage in air traffic over any of its possessions, territories or colonies, specified in subparagraphs (a) or (b) of Article 2, dependent upon the granting of a special permit and upon the fulfillment of special conditions and rules, provided that, subject to the right to reserve to national aircraft air commerce as described in the third paragraph of Article

5, no distinction in this matter is made between aircraft registered in its territory and aircraft registered in territory of the other Party. Each Party shall notify the other Party of its possession, territory or colony over which air traffic will not be permitted without a special permit.

Each of the Parties reserves the right under exceptional circumstances in time of peace and with immediate effect temporarily to limit or prohibit air traffic above its territory on condition that in this respect no distinction is made between the aircraft of the other Party and the aircraft of any foreign country,

ARTICLE 7.

Any aircraft which finds itself over a prohibited area referred to in the first paragraph of Article 6 shall, as soon as it is aware of the fact, give the signal of distress prescribed in the Rules of the Air in force in the territory flown over and shall land as soon as possible at an aerodrome situated in such territory outside of but as near as possible to such prohibited area.

ARTICLE 8.

All aircraft shall carry clear and visible nationality and registration marks whereby they may be recognized during flight. In addition, they must bear the name and address of the owner.

All aircraft shall be provided with certificates of registration and of airworthiness and with all the other documents prescribed for air traffic in the territory in which they are registered.

The members of the crew who perform, in an aircraft, duties for which a special permit is required in the territory in which such aircraft is registered, shall be provided with all documents and in particular with the certificates and licences prescribed by the regulations in force in such territory.

The other members of the crew shall carry documents showing their duties in the aircraft, their profession, identity and nationality.

The certificates of airworthiness, certificates of competency and licenses issued or rendered valid by one of the Parties to this arrangement in respect of an aircraft registered in its territory or of the crew of such aircraft shall have the same validity in the territory of the other Party as the corresponding documents issued or rendered valid by the latter.

Each of the Parties reserves the right for the purpose of flight within its own territory to refuse to recognize certificates of competency and licenses issued to nationals of that Party by the other Party.

ARTICLE 9.

Aircraft of either of the Parties to this arrangement may carry wireless apparatus in the territory of the other Party only if a license to install and work such apparatus shall have been issued by the competent authorities of the Party in whose territory the aircraft is registered. The use of such apparatus shall be in accordance with the regulations on the subject issued by the competent authorities of the territory within whose air space the aircraft is navigating.

Such apparatus shall be used only by such members of the crew as are provided with a special license for the purpose issued by the Government of the territory in which the aircraft is registered.

The Parties to this arrangement reserve respectively the right, for reasons of safety, to issue regulations relative to the obligatory equipment of aircraft with wireless apparatus.

ARTICLE 10.

No arms of war, explosives of war, or munitions of war shall be carried by aircraft of either Party above the territory of the other Party or by the crew or passengers, except by permission of the competent authorities of the territories within whose air space the aircraft is navigating.

ARTICLE 11.

Upon the departure or landing of any aircraft each Party may within its own territory and through its competent authorities search the aircraft of the other Party and examine the certificates and other documents prescribed.

ARTICLE 12.

Aerodromes open to public air traffic in the territory of one of the Parties to this arrangement shall in so far as they are under the control of the Party in whose territory they are situated be open to all aircraft of the other Party, which shall also be entitled to the assistance of the meteorological services, the wireless services, the lighting services and the day and night signalling services, in so far as the several classes of services are under control of the Party in whose territory they respectively are rendered. Any scale of charges made, namely, landing, accommodation or other charge, with respect to the aircraft of each Party in the territory of the other Party, shall in so far as such charges are under the control of the Party in whose territory they are made be the same for the aircraft of both Parties.

ARTICLE 13.

All aircraft entering or leaving the territory of either of the Parties to this arrangement shall land at or depart from an aerodrome open to public air traffic and classed as a customs aerodrome at which facilities exist for enforcement of immigration regulations and clearance of aircraft, and no intermediary landing shall be effected between the frontier and the aerodrome. In special cases the competent authorities may allow aircraft to land at or depart from other aerodromes, at which customs, immigration and clearance facilities have been arranged. The prohibition of any intermediary landing applies also in such cases.

In the event of a forced landing outside the aerodromes, referred to in the first paragraph of this article, the pilot of the aircraft, its crew and the passengers shall conform to the customs and immigration regulations in force in the territory in which the landing has been made.

Aircraft of each Party to this arrangement are accorded the right to enter the territory of the other Party subject to compliance with quarantine regulations in force therein.

The Parties to this arrangement shall exchange lists of the aerodromes in their territories designated by them as ports of entry and departure.

ARTICLE 14.

Each of the Parties to this arrangement reserves the right to require that all aircraft crossing the frontiers of its territory shall do so between certain points. Subject to the notification of any such requirements by one Party to the other Party, and to the right to prohibit air traffic over certain areas as stipulated in Article 6 the frontiers of the territories of the Parties to this arrangement may be crossed at any point.

ARTICLE 15.

As ballast, only fine sand or water may be dropped from an aircraft.

ARTICLE 16.

No article or substance, other than ballast, may be unloaded or otherwise discharged in the course of flight unless special permission for such purpose shall have been given by the authorities of the territory in which such unloading or discharge takes place.

ARTICLE 17.

Whenever questions of nationality arise in carrying out the present arrangement, it is agreed that every aircraft shall be deemed to possess the nationality of the Party in whose territory it is duly registered.

ARTICLE 18.

The Parties to this arrangement shall communicate to each other the regulations relative to air traffic in force in their respective territories.

ARTICLE 19.

The present arrangement shall be subject to termination by either Party upon sixty days' notice given to the other Party or by the enactment by either Party of legislation inconsistent therewith."

I am glad to assure you that the foregoing text is what has been accepted by my Government in the course of the negotiations and is approved by it.

In accordance with your suggestion it is understood that the arrangement will come into force on April 16, 1934.

I avail myself of this opportunity to renew to you, Madame, the assurance of my high consideration.

P. MUNCH

Mrs. RUTH BRYAN OWEN,

Minister of the United States of America.

Arrangement between the United States of America and Denmark governing pilot licenses to operate civil aircraft. Effected by exchange of notes, signed March 14 and 24, 1934. Effective April 16, 1934.

March 12, 24, 1934.

The American Minister (Owen) to the Danish Minister for Foreign Affairs (Munch)

No. 48 LEGATION OF THE UNITED STATES OF AMERICA,
Copenhagen, March 14, 1934.

EXCELLENCY:—

Reference is made to the negotiations which have taken place between the Government of the United States of America and the Government of Denmark for the conclusion of a reciprocal arrangement between the United States of America and Denmark providing for the issuance by the one country of licenses to nationals of the other country authorizing them to pilot civil aircraft.

Arrangement with Denmark governing pilot licenses to operate civil aircraft.

It is my understanding that it has been agreed in the course of the negotiations, now terminated, that this arrangement shall be as follows:

ARTICLE 1

The present arrangement between the United States of America and Denmark relates to the issuance by each country of licenses to nationals of the other country for the piloting of civil aircraft. The term "civil aircraft" shall be understood to mean aircraft used for private, industrial, commercial or transport purposes.

ARTICLE 2

(a) The Department of Public Works of Denmark will issue pilots' licenses to American nationals upon a showing that they are qualified under the regulations of that Department covering the licensing of pilots.

(b) The Department of Commerce of the United States of America will issue pilots' licenses to Danish nationals upon a showing that they are qualified under the regulations of that Department covering the licensing of pilots.

ARTICLE 3

(a) Pilots' licenses issued by the Department of Commerce of the United States of America to Danish nationals shall entitle them to the same privileges as are granted by pilots' licenses issued to American nationals.

(b) Pilots' licenses issued by the Department of Public Works of Denmark to American nationals shall entitle them to the same privileges as are granted by pilots' licenses issued to Danish nationals.

ARTICLE 4

Pilots' licenses issued to nationals of the one country by the competent authority of the other country shall not be construed to accord to the licensees the right to register aircraft in such other country.

ARTICLE 5

Pilots' licenses issued to nationals of the one country by the competent authority of the other country shall not be construed to accord to the licensees the right to operate aircraft in air commerce wholly within territory of such other country reserved to national aircraft, unless the aircraft have been registered under the laws of the country issuing the pilots' licenses and the license is valid for the operations in which the pilot is to engage.

ARTICLE 6

The present arrangement shall be subject to termination by either Party upon sixty days' notice given to the other Party or by enactment by either Party of legislation inconsistent therewith.

I shall be glad to have you inform me whether it is the understanding of your Government that the arrangement agreed to in the negotiations is as herein set forth. If so, it is suggested that the arrangement become effective on April 16, 1934.

Accept, Excellency, the renewed assurances of my highest consideration.

RUTH BRYAN OWEN.

His Excellency

Dr. P. MUNCH,

*Royal Minister for Foreign Affairs,
Copenhagen.*

The Danish Minister for Foreign Affairs (Munch) to the American Minister (Owen)

UDENRIGSMINISTERIET.

Ø.P.I.—Journal Nr. 93.D.32.

COPENHAGEN, *March 24, 1934.*

MADAM :—

Concurrence by Denmark.

I have the honor to acknowledge the receipt of the note of the 14th instant in which you communicated to me the text of the reciprocal arrangement between Denmark and the United States of America providing for the issuance by the one country of licenses to nationals of the other country authorizing them to pilot civil aircraft, as understood by you to have been agreed to during the negotiations, now terminated, between the two countries.

The text which you have communicated to me is reproduced below:

ARTICLE 1.

The present arrangement between the United States of America and Denmark relates to the issuance by each country of licenses to nationals of the other country for the piloting of civil aircraft. The term "civil aircraft" shall be understood to mean aircraft used for private, industrial, commercial or transport purposes.

ARTICLE 2.

(a) The Department of Public Works of Denmark will issue pilots' licenses to American nationals upon a showing that they are qualified under the regulations of that Department covering the licensing of pilots.

(b) The Department of Commerce of the United States of America will issue pilots' licenses to Danish nationals upon a showing that they are qualified under the regulations of that Department covering the licensing of pilots.

ARTICLE 3.

(a) Pilots' licenses issued by the Department of Commerce of the United States of America to Danish nationals shall entitle them to the same privileges as are granted by pilots' licenses issued to American nationals.

(b) Pilots' licenses issued by the Department of Public Works of Denmark to American nationals shall entitle them to the same privileges as are granted by pilots' licenses issued to Danish nationals.

ARTICLE 4.

Pilots' licenses issued to nationals of the one country by the competent authority of the other country shall not be construed to accord to the licensees the right to register aircraft in such other country.

ARTICLE 5.

Pilots' licenses issued to nationals of the one country by the competent authority of the other country shall not be construed to accord to the licensees the right to operate aircraft in air commerce wholly within territory of such other country reserved to national aircraft, unless the aircraft have been registered under the laws of the country issuing the pilots' licenses and the license is valid for the operations in which the pilot is to engage.

ARTICLE 6.

The present arrangement shall be subject to termination by either Party upon sixty days' notice given to the other Party or by enactment by either Party of legislation inconsistent therewith."

I am glad to assure you that the foregoing text is what has been accepted by my Government in the course of the negotiations and is approved by it.

In accordance with your suggestion it is understood that the arrangement will come into force on April 16, 1934.

I avail myself of this opportunity to renew to you, Madame, the assurance of my high consideration.

P. MUNCH

Mrs. RUTH BRYAN OWEN,
Minister of the United States of America.

March 12, 24, 1934.

Arrangement between the United States of America and Denmark for the reciprocal recognition of certificates of airworthiness for imported aircraft. Effected by exchange of notes, signed March 12 and 24, 1934; effective April 16, 1934.

The American Minister (Owen) to the Danish Minister for Foreign Affairs (Munch)

No. 47 LEGATION OF THE UNITED STATES OF AMERICA,
Copenhagen, March 12, 1934.

EXCELLENCY:—

Arrangement with Denmark for the reciprocal recognition of certificates of airworthiness of imported aircraft.

Reference is made to the negotiations which have taken place between the Government of the United States of America and the Government of Denmark for the conclusion of a reciprocal arrangement between the United States of America and Denmark providing for the acceptance by the one country of certificates of airworthiness for aircraft exported from the other country as merchandise.

It is my understanding that it has been agreed in the course of the negotiations, now terminated, that this arrangement shall be as follows:

ARTICLE 1

The present arrangement applies to civil aircraft constructed in continental United States of America, exclusive of Alaska, and exported to Denmark; and to civil aircraft constructed in Denmark and exported to continental United States of America, exclusive of Alaska.

ARTICLE 2

The same validity shall be conferred on certificates of airworthiness issued by the competent authorities of the Government of the United States in respect of aircraft subsequently registered in Denmark as if they had been issued under the regulations in force on the subject in Denmark provided that in each case a certificate of airworthiness for export has also been issued by the United States authorities in respect of the individual aircraft, and provided that certificates of airworthiness issued by the competent authorities of Denmark in respect of aircraft subsequently registered in the United States of America are similarly given the same validity as if they had been issued under the regulations in force on the subject in the United States.

ARTICLE 3

The above arrangement will extend to civil aircraft of all categories, including those used for public transport and those used for private purposes.

ARTICLE 4

The present arrangement shall be subject to termination by either Party upon sixty days' notice given to the other Party or by the enactment of either Party of legislation inconsistent therewith.

I shall be glad to have you inform me whether it is the understanding of your Government that the arrangement agreed to in the negotiations is as herein set forth. If so, it is suggested that the arrangement become effective on April 16, 1934.

Accept, Excellency, the renewed assurances of my highest consideration.

RUTH BRYAN OWEN.

His Excellency

Dr. P. MUNCH,

*Royal Minister for Foreign Affairs,
Copenhagen.*

The Danish Minister for Foreign Affairs (Munch) to the American Minister (Owen) Agreement by Denmark.

UDENRIGSMINISTERIET.

Ø.P.I. Journal Nr. 93.D.32.

COPENHAGEN, *March 24, 1934.*

MADAM :—

I have the honor to acknowledge the receipt of the note of the 12th instant, in which you communicated to me the text of the reciprocal arrangement between Denmark and the United States of America providing for the acceptance by the one country of certificates of airworthiness for aircraft exported from the other country as merchandise, as understood by you to have been agreed to during the negotiations, now terminated, between the two countries.

The text which you have communicated to me is reproduced below :

ARTICLE 1.

The present arrangement applies to civil aircraft constructed in continental United States of America, exclusive of Alaska, and exported to Denmark ; and to civil aircraft constructed in Denmark and exported to continental United States of America, exclusive of Alaska.

ARTICLE 2.

The same validity shall be conferred on certificates of airworthiness issued by the competent authorities of the Government of the United States in respect of aircraft subsequently registered in Denmark as if they had been issued under the regulations in force on the subject in Denmark provided that in each case a certificate of airworthiness for export has also been issued by the United States authorities in respect of the individual aircraft, and provided that certificates of airworthiness issued by the competent authorities of Denmark in respect of aircraft subsequently registered in the United States of America are similarly given the same validity as if they had been issued under the regulations in force on the subject in the United States.

ARTICLE 3.

The above arrangement will extend to civil aircraft of all categories, including those used for public transport and those used for private purposes.

ARTICLE 4.

The present arrangement shall be subject to termination by either Party upon sixty days' notice given to the other Party or by the enactment of either Party of legislation inconsistent therewith."

I am glad to assure you that the foregoing text is what has been accepted by my Government in the course of the negotiations and is approved by it.

In accordance with your suggestion it is understood that the arrangement will come into force on April 16, 1934.

I avail myself of this opportunity to renew to you, Madame, the assurance of my high consideration.

P. MUNCH

Mrs. RUTH BRYAN OWEN,
Minister of the United States of America.

[No. 60]

Arrangement between the United States of America and Denmark concerning reciprocal treatment of passenger motor vehicles. Effected by exchange of notes, signed September 4, 1928, October 27, 1928, and February 2, 1929; effective February 1, 1929.

September 4, October
27, 1928.
February 2, 1929.

The Danish Minister (Brun) to the Acting Secretary of State

J. No. 30. J. a/5.

ROYAL DANISH LEGATION
WASHINGTON, D.C.

No. 125. *p.t. BAR HARBOR, MAINE, September 4, 1928.*
SIR,

I am directed to inform you, that the Danish Government, on condition of reciprocity, is prepared to grant freedom from taxation for a period of 3 months to foreign automobiles built for the transportation of passengers not to exceed 7 in number including the driver, and belonging in the country in question and registered as the property of persons residing there.

Arrangement with
Denmark for the recip-
rocal treatment of auto-
mobiles.

In these circumstances I would be greatly obliged to you for being so good as to let me know, what formalities and conditions must be complied with in order that motor vehicles registered in Denmark may be exempted from taxation in the United States, therein included duties and taxes of all kinds.

I have the honor to be, Sir,

With the highest consideration,

Your most obedient and humble servant,

C. BRUN.

The Honorable

J. REUBEN CLARK, Jr.,

Acting Secretary of State,

Department of State, Washington, D.C.

The Secretary of State to the Danish Minister (Brun)

DEPARTMENT OF STATE,
Washington, October 27, 1928.

SIR:

I have the honor to acknowledge the receipt of your note of September 4, 1928, in which you were good enough to inform me that your Government, on the basis of reciprocity, is prepared to grant freedom from taxation for a period of three months to foreign automobiles built for transportation of passengers not to exceed seven in number, including the driver, and belonging in the country in question and registered as the property of persons residing there.

Response by United
States.

In reply I have the honor to inform you that the Federal Government imposes no taxes on automobiles in the United States. The taxation of owners of automobiles and the exaction of fees for the registration of automobiles is a matter for determination by the several States. The Department has been informally advised that an investigation of the motor vehicle laws of the forty-eight States of the United States discloses the fact that all of them grant reciprocity to foreign visitors.

This reciprocity is granted in respect both to the license plate and the driving license, provided, of course, that the same reciprocity is extended by foreign countries to residents of States that are now granting this courtesy. With regard to the taxation of owners of automobiles which is usually distinct from the payment of a registration fee, it may be stated that it is the Department's understanding that as a general rule such taxes are only imposed upon persons who are found to be legal residents of a certain State. Such taxes, it is believed, would not be exacted from persons who are merely touring through the several States of the Union, the class of persons to whom, presumably, reference is made in your note under acknowledgment.

In this connection the following information regarding the freedom from customs duties granted on a reciprocal basis to motorcycles and automobiles brought into the United States by nonresidents for a period of not more than six months, quoted from a letter from the Treasury Department, would appear pertinent to your inquiry:

"The regulations governing such importations are contained in Chapter VIII, Customs Regulations of 1923, Articles 406-413. Article 407 provides that entry shall be made on Customs Form 7501, and that bond shall be given on Customs Form 7563 (with surety) in a penal sum equal to double the estimated duties. In lieu of such bond, the importer may deposit a cash amount equal to the estimated duties, which is treated as a cash bond. The entry will be liquidated free of duty, and the bond canceled or the amount deposited returned, if the vehicle in question is exported within the six months period prescribed by Section 308 and provided that exportation is made in the manner required by Article 412 of the regulations. When not so exported, the vehicles are treated in the same manner as similar articles imported for sale and consumption, and assessed for duty on their value at the time of importation. The six months period prescribed for exportation cannot be extended."

I have the honor to express the hope that in the light of the foregoing information the competent Danish authorities will be prepared to grant reciprocal treatment to American citizens desiring to drive automobiles in Denmark.

Accept, Sir, the renewed assurances of my highest consideration.

For the Secretary of State:

W. R. CASTLE, JR.

MR. CONSTANTIN BRUN,
Minister of Denmark.

The Danish Minister (Brun) to the Secretary of State

J. No. 30. J. a/5

ROYAL DANISH LEGATION

WASHINGTON, D.C.

No. 14.

FEBRUARY 2, 1929.

SIR,

Referring again to your reply-letter of October 27, 1928 in regard to taxation in this country of automobiles and exemption from such taxation of the automobiles of foreign visitors, I have the honor to state as follows:

Concurrence by Denmark.

In the last paragraph of your aforesaid letter you expressed the hope, that the competent Danish authorities, in the light of the information placed at their disposal, would be prepared to grant reciprocal treatment to American citizens desiring to drive automobiles in Denmark.

In this connection I am directed by the Danish Minister of Foreign Affairs to transmit to you the four copies here enclosed of a Regulation issued on this subject on January 18, 1929 by the Danish Ministry of Public Works. It will be seen that this Regulation, in view of the authorization contained in § 7 No. 1 of the Act No. 143 of July 1, 1927 on taxation of automobiles, etc., exempts from the tax prescribed in the said paragraph, for a period not exceeding 3 months, (visiting) automobiles for transportation of persons, built to seat not more than seven persons including the chauffeur, which belong in the United States and are registered in the United States as the property of persons residing in the United States.

A copy of § 7 No. 1 of the said Act is herewith enclosed.

I have the honor to be, Sir,

with the highest consideration,

Your most obedient and humble servant,

C. BRUN.

The Honorable

FRANK B. KELLOGG,

*Secretary of State,**Department of State, Washington, D.C.*

[Enclosure 1]

JOURNAL NR. 371 c.

BREV NR. B.

I Henhold til den Ministeren for offentlige Arbejder i § 7, Stk. 1, i Lov Nr. 143 af 1. Juli 1927 om Afgift af Motorkøretøjer m. v. givne Bemyndigelse frafalder Ministeriet herved efter Forhandling med Finansministeriet Afgiften i Henhold til nævnte Paragraf af saadanne i de amerikanske Forenede Stater hjemmehørende Personautomobiler, der ikke er indrettede til Befordring af mere end 7 Personer, Føreren iberegnet, og som i det paagældende Land er indregistrerede som tilhørende Personer, bosatte i dette Land.

Afgiftsfriheden gælder kun for et Tidsrum af 3 Maaneder, saaledes at den ifornævnte Lovs §§ 1-6 omhandlede Afgiftspligt indtræder, saafremt Køretøjet forbliver her i Landet i over 3 Maaneder.

Denne Bekendtgørelse træder i Kraft den 1. Februar 1929.

Hvilket under Henviſning til Bekendtgørelſe herfra af 28. Januar 1928 herved bringes til almindelig Kundskab.

MINISTERIET FOR OFFENTLIGE ARBEJDER, DEN 18. JANUAR 1929.

J. P. STENSALLE.

CH. BUCHWALD.

Bekendtgørelſe

om

Afgiftsfrihed her i Landet for Motorvogne og Paahængsvogne til ſaadanne, der er hjemmehørende i de amerikanske Forenede Stater, og ſom Personer, der ankommer fra Udlandet til Danmark, benytter ved Indpassagen.

[Enclosure 1—Translation]

JOURNAL N. 371 c.

CIRCULAR No. B.

Pursuant to the authority given to the Minister of Public Works in section 7, paragraph 1, in act no. 143 of July 1, 1927, relative to tax on motor vehicles, etc., the Ministry, after consultation with the Ministry of Finance, hereby waives the tax, in accordance with the said paragraph, on such passenger automobiles belonging in the United States as are designed to carry not more than 7 persons including the chauffeur, and are registered in the country in question as belonging to persons domiciled in that country.

Exemption from taxation is valid only for a period of 3 months, and therefore the liability to taxation mentioned by sections 1-6 of the above-named law arises in case the vehicle remains in this country for more than 3 months.

This proclamation shall go into effect February 1, 1929.

Which is hereby made public, reference being made to the proclamation of January 28, 1928, on this subject.

MINISTRY OF PUBLIC WORKS, JANUARY 18, 1929.

J. P. STENSALLE.

CH. BUCHWALD.

Proclamation

relative to

Exemption from taxation in this country of motor cars and trailers to same, which belong in the United States, and which are used in entering this country by persons coming to Denmark from abroad.

[Enclosure 2]

COPY OF ACT NO. 143 OF JULY 1, 1927, ON TAXATION OF AUTOMOBILES, ETC.

§ 7, No. 1.

Af ikke her i Landet hjemmehørende Motorvogne ſamt Paahængsvogne til ſaadanne, ſom Personer, der ankommer fra Udlandet til Danmark, benytter ved Indpassagen, betales, bortſet fra de i § 1, Stk. 2, nævnte Undtagelſeſtilfælde, følgende Afgifter:

Af Personautomobiler, der ikke er indrettede til at befordre flere end 7 Personer, Føreren iberegnet, samt af Paahængsvogne til Personautomobiler 5 Kr. for indtil 2 Dages Kørsel, 15 Kr. for indtil 8 Dages Kørsel og 50 Kr. for indtil 1 Maanedes Kørsel. Saafrømt Vognen ikke forbliver her i Landet i hele det Tidsrum, for hvilket der er betalt Afgift, kan den senere køre her i Landet i den øvrige Tid uden at betale en ny Afgift.

Af Personautomobiler, der er indrettede til at befordre flere end 7 Personer, Føreren iberegnet, af Traktorer, Vare- og Lastautomobiler samt af Paahængsvogne til saadanne 8 Kr. for indtil 2 Dages Kørsel, 25 Kr. for indtil 8 Dages Kørsel og 80 Kr. for indtil en Maanedes Kørsel.

Afgiften erlægges forud efter Regler, der nærmere fastsættes af Ministeren for offentlige Arbejder efter Forhandling med Finansministeren.

Ministeren for offentlige Arbejder kan dog efter Forhandling med Finansministeren frafalde Afgiften efter nærværende Bestemmelse for Personautomobiler, hjemmehørende i Lande, der indrømmer tilsvarende Afgiftsfrihed for her hjemmehørende Personautomobiler.

[Enclosure 2—Translation]

COPY OF ACT No. 143 OF JULY 1, 1927, ON TAXATION OF AUTOMOBILES, ETC.

Section 7, No. 1.

The following taxes shall be paid on motor cars and trailers to same not belonging in this country, which are used in entering this country by persons coming to Denmark from abroad, except in the exceptional cases mentioned in section 1, paragraph 2.

On passenger automobiles, which are designed to carry not more than 7 persons including the chauffeur, and on trailers to passenger automobiles, 5 kroner for up to 2 days' driving, 15 kroner for up to 8 days' driving, and 50 kroner for up to 1 month's driving. If the car does not remain in this country during the whole period for which the tax is paid, it may be driven in this country later during the remaining time without payment of a new tax.

On passenger automobiles which are designed to carry more than 7 persons including the chauffeur, on tractors, commercial automobiles and motor trucks and on trailers to the same, 8 kroner for up to 2 days' driving, 25 kroner for up to 8 days' driving, and 80 kroner for up to 1 month's driving.

The tax is paid in advance in accordance with rules which shall be definitely fixed by the Minister of Public Works, after consultation with the Minister of Finance.

The Minister of Public Works may, however, after consultation with the Minister of Finance, waive payment of taxes under the present provision for passenger automobiles belonging in countries which grant the corresponding exemption from taxes for passenger automobiles belonging in this country.

April 23, 1934.
May 2, 4, 1934.

Arrangement between the United States of America and the Dominion of Canada governing radio communications between private experimental stations and between amateur stations. Effected by exchange of notes, signed April 23 and May 2 and 4, 1934; effective May 4, 1934.

The American Minister (Robbins) to the Canadian Secretary of State for External Affairs (Bennett)

No. 219. LEGATION OF THE UNITED STATES OF AMERICA,
Ottawa, Canada, April 23, 1934.

SIR:

Arrangement with Canada governing radio communications between private experimental and amateur stations.

Vol. 45, p. 2853.

Pursuant to the provisions in Article 6 of the General Regulations annexed to the International Radiotelegraph Convention signed at Washington on November 25, 1927, there was effected by an exchange of notes between the United States of America and the Dominion of Canada, dated October 2, 1928, December 29, 1928, and January 12, 1929, an arrangement governing radio communications between private experimental stations in the two countries.

The International Telecommunication Convention and the General Radio Regulations annexed thereto, signed at Madrid on December 9, 1932, will, when effective, abrogate and replace in the relations between the contracting governments the International Radiotelegraph Convention and the General Regulations of Washington, 1927.

I have the honor, therefore, for and in the name of my Government and by its direction, to propose that the above-mentioned arrangement governing radio communications between private experimental stations, effected by an exchange of notes, shall be deemed and understood by the two Governments to continue to apply to private experimental stations and to amateur radio stations, without change, under Sections 1 and 2 of Article 8 of the General Radio Regulations annexed to the International Telecommunication Convention of Madrid, 1932, when the said Convention and Regulations shall have been ratified by both Governments.

The Government of the United States will be pleased to consider the above-stated understanding to be effective on the date of the receipt of a note from the Government of the Dominion of Canada stating its acceptance of such understanding.

I avail myself of the occasion to renew to you, Sir, the assurances of my highest consideration.

WARREN D. ROBBINS

The Right Honorable

THE SECRETARY OF STATE FOR EXTERNAL AFFAIRS,
Ottawa, Canada.

Continuance of application.

*The Canadian Secretary of State for External Affairs (Bennett) to
the American Minister (Robbins)*

No. 40

DEPARTMENT OF EXTERNAL AFFAIRS,
Ottawa, 2nd May, 1934.

SIR,

I have the honour to acknowledge your note No. 219 of the 23rd April, 1934, relating to an arrangement effected by an exchange of notes between Canada and the United States of America, dated October 2, 1928, December 29, 1928, and January 12, 1929, governing radio communications between private experimental stations in the two countries. Acceptance by Canada.

It is noted that the International Telecommunication Convention and the General Radio Regulations annexed thereto, signed at Madrid on December 9, 1932, will, when effective, abrogate and replace in the relations between the contracting governments the International Radiotelegraph Convention and the General Regulations of Washington, 1927.

It is noted that it is proposed, for and in the name of the United States Government and by its direction, that the above-mentioned arrangement governing radio communications between private experimental stations, effected by an exchange of notes, shall be deemed and understood by the two Governments to continue to apply to private experimental stations and to amateur radio stations, without change, under Sections 1 and 2 of Article 8 of the General Radio Regulations annexed to the International Telecommunication Convention of Madrid, 1932, when the said Convention and Regulations shall have been ratified by both Governments.

It is also noted that the United States Government will consider the above-stated understanding to be effective on the date of the receipt of a note from the Canadian Government, stating its acceptance of such understanding.

I have the honour to state that the Canadian Government accept such understanding and will consider it effective on the date of the receipt of this note as stated in the preceding paragraph.

I avail myself of the occasion to renew to you, Sir, the assurances of my highest consideration.

O. D. SKELTON

for

SECRETARY OF STATE
FOR EXTERNAL AFFAIRS.

The Honourable WARREN D. ROBBINS,
*United States Minister to Canada,
Legation of the United States of America,
Ottawa.*

RADIO COMMUNICATIONS—CANADA.

The American Minister (Robbins) to the Canadian Secretary of State for External Affairs (Bennett)

No. 226. LEGATION OF THE UNITED STATES OF AMERICA,
Ottawa, Canada, May 4, 1934.

SIR:

Acknowledgment by
United States.

I have the honor to acknowledge the receipt this morning of your note No. 40 of May 2, 1934, in which you convey your approval of an arrangement governing radio communications between private experimental stations in Canada and the United States. In accordance with the understanding reached in your note under acknowledgment and the Legation's note of April 23, 1934, the arrangement is considered to be effective as of today's date.

I avail myself of the occasion to renew to you, Sir, the assurances of my highest consideration.

WARREN D. ROBBINS.

The Right Honorable

THE SECRETARY OF STATE FOR EXTERNAL AFFAIRS,
Ottawa.

[No. 62]

Memorandum of Agreement between the United States, Australia, Canada, China, India, Mexico, Peru, and Spain concerning Silver, with supplementary undertakings. Signed at London July 22, 24, and 26, 1933; effective April 24, 1934.

July 22, 24, 26, 1933.
April 24, 1934.

SILVER AGREEMENT

MEMORANDUM OF HEADS OF AGREEMENT entered into by the Delegates of India, China and Spain as holders of large stocks or users of silver, and of Australia, Canada, the United States, Mexico and Peru as principal producers of silver, at the Monetary and Economic Conference held in London, July, 1933.

WHEREAS, at a meeting of the Sub-Commission II (Permanent Measures) of the Monetary and Financial Commission of the Monetary and Economic Conference held on Thursday, July 20th, 1933, the following Resolution was unanimously adopted.

Silver agreement.

“Be it resolved to recommend to all the Governments parties to this Conference:

“(a) That an agreement be sought between the chief silver producing countries and those countries which are the largest holders or users of silver with a view to mitigating fluctuations in the price of silver; and that the other nations not parties to this agreement should refrain from measures which could appreciably affect the silver market;

“(b) That the Governments parties to this Conference shall refrain from new legislative measures which would involve further debasement of their silver coinage below a fineness of 800/1000;

“(c) That they shall substitute silver coins for low value paper currency insofar as the budgetary and local conditions of each country will permit;

“(d) That all of the provisions of this Resolution are subject to the following exceptions and limitations:

“The requirements of such provisions shall lapse on April 1st, 1934, if the agreement recommended in paragraph (a) does not come into force by that date, and in no case shall extend beyond January 1st, 1938;

“Governments may take any action relative to their silver coinage that they may deem necessary to prevent the flight or destruction of their silver coinage by reason of a rise in the bullion price of the silver content of their coin above the nominal or parity value of such silver coin,” and,

WHEREAS, the Governments of India and Spain may desire to sell certain portions of their silver holdings, and it will be to their advantage that the countries which are large producers of silver should absorb silver as herein provided, to offset such sales, and,

WHEREAS, it is to the advantage of the large producing countries named in Article 2 that the sales of silver from monetary stocks be limited as herein provided, and

WHEREAS, it is to the advantage of China that sales from monetary stocks of silver be offset by purchases as herein provided, with a view to its effective stabilisation;

Now, THEREFORE, it is agreed between the parties hereto:

1. (a) That the Government of India shall not dispose by sale of more than one hundred and forty million fine ounces of silver during a period of four years, commencing with January 1st, 1934. The disposals during each calendar year of the said four year period shall be based on an average of thirty five million fine ounces per year, it being understood, however, that, if in any year, the Government of India shall not dispose of thirty five million fine ounces, the difference between the amount actually disposed of and thirty five million fine ounces may be added as additional disposals in subsequent years. Provided further that the maximum amount disposed of in any year shall be limited to fifty million fine ounces.

(b) Notwithstanding anything previously stated in this Article, it is understood that if the Government of India should after the date of this agreement sell silver to any Government for the purpose of transfer to the United States Government in payment of war debts such silver shall be excluded from the scope of this agreement;

(c) Provided, however, that when the total of the disposals referred to in paragraph (a) above plus the sales referred to in paragraph (b) above by the Government of India under this agreement shall amount to one hundred and seventy five million fine ounces, the obligation of the parties hereto shall cease.

2. That the Governments of Australia, Canada, the United States, Mexico and Peru, during the existence of this agreement, shall not sell any silver, and shall also in the aggregate purchase, or otherwise arrange for withdrawing from the market, thirty five million fine ounces of silver from the mine production of such countries in each calendar year for a period of four years commencing with the calendar year 1934. The said Governments undertake to settle by agreement the share in the said thirty five million fine ounces which each of them shall purchase or cause to be withdrawn.

3. That the silver purchased or withdrawn in accordance with Article 2 above shall be used for currency purposes (either for coinage or for currency reserves), or be otherwise retained from sale during said period of four years.

4. That the Government of China shall not sell silver resulting from demonetised coins for a period of four calendar years commencing January 1st, 1934.

5. That the Government of Spain shall not dispose by sale of more than twenty million fine ounces of silver during a period of four years commencing January 1st, 1934. The disposals during each calendar year of the said four year period shall be based on an average of five million fine ounces per year; it being understood, however, that if in any year the Government of Spain shall not dispose of five million fine ounces, the difference between the amount actually disposed of and five million fine ounces may be added as additional disposals in subsequent years; provided further that the

maximum amount disposed of in any year shall be limited to seven million fine ounces.

6. That the Governments concerned will exchange all such information as may be necessary with regard to the measures to fulfil the provisions of this memorandum of agreement.

7. That it is understood, that subject to the provisions of Article 8, the undertakings of each party to the present memorandum of agreement are conditional upon the fulfilment of the undertakings of every other party thereto.

8. That this memorandum of agreement is subject to ratification by the Governments concerned. The instruments of ratification shall be deposited not later than the 1st April, 1934,¹ with the Government of the United States. It shall come into force as soon as the ratifications of all the Governments concerned are received provided that all the ratifications are received before the 1st April, 1934. A notice by any Government that the affirmative action necessary to carry out the purposes of this agreement has been taken will be accepted as an instrument of ratification. Nevertheless, if one or more of the Governments enumerated in Article 2 fail to ratify by the 1st April, 1934, the agreement shall come into force at that date if the other Governments mentioned in Article 2 which have ratified notify the other Governments which ratify that they are prepared to purchase, or cause to be withdrawn, in the aggregate the amount of silver mentioned in Article 2. The Government of the United States is requested to take such steps as may be necessary for the purpose of the conclusion of this agreement.

IN WITNESS WHEREOF the undersigned have signed the present memorandum of agreement.

DONE at London this 22nd day of July, 1933, in a single copy which shall be deposited in the archives of the Government of the United States.

S. M. BRUCE

Delegate of Australia.

EDGAR N. RHODES

Delegate of Canada.

W. W. YEN

Delegate of China.

KEY PITTMAN

*Delegate of United States
of America.*

GEORGE SCHUSTER

Delegate of India.

EDUARDO SUÁREZ

Delegate of Mexico.

F. TUDELA

Delegate of Peru.

L. NICOLAU D'OLWER

Delegate of Spain.

¹ Extended to May 1, 1934, by agreement of all of the signatories.

Supplementary un-
dertakings.

SUPPLEMENTARY UNDERTAKINGS

United States of
America.

United States of America

In connection with the attached memorandum of heads of agreement entered into by the Delegates of India, China and Spain as holders of large stocks or users of silver, and of Australia, Canada, the United States, Mexico and Peru, as principal purchasers of silver, it is understood that the Government of the United States shall purchase or otherwise arrange for withdrawing from the market, as in the attached memorandum of agreement provided, twenty-four million, four hundred and twenty-one thousand, four hundred and ten, fine ounces of silver in each calendar year beginning with the calendar year 1934.

This understanding is conditioned upon similar undertakings being entered into by the Governments of Australia, Canada, Mexico and Peru whereby those Governments agree to purchase or otherwise arrange for withdrawing from the market of amounts of fine ounces of silver which, with the obligation hereby entered into, will make in the aggregate thirty-five million fine ounces of silver annually.

It is understood that this agreement and the similar agreements to be entered into by the Delegates of the Governments of Australia, Canada, Mexico, and Peru, are subject to the following general provisions:

1. That every provision of this agreement shall terminate on January 1, 1938.

2. That the absorption of silver referred to in this agreement means current mine production.

3. That when the Government of India shall have sold, transferred or otherwise disposed of Government stocks of silver to the net amount of one hundred and seventy-five million fine ounces, as provided in paragraph (c) of Article 1 of the attached memorandum of heads of agreement, the obligations of governments to purchase under this contract shall cease.

4. That this memorandum is subject to ratification by the proper governmental authorities of the United States whose delegate has executed this agreement, and the undersigned delegate undertakes to use his good offices to secure such action at the earliest possible date.

5. That this understanding shall come into force as soon as the ratifications of all the governments concerned are received, provided that all the ratifications are received before the 1st of April, 1934. A notice by any government, party to this understanding, that the affirmative action necessary to carry out the purposes of this understanding has been taken will be accepted as an instrument of ratification. Nevertheless, if one or more of the governments parties to

this understanding have failed to ratify by the first of April, 1934, the understanding shall go into force and effect at that date if the other governments parties to this understanding have ratified the understanding and have given notice that they are prepared to purchase or cause to be withdrawn in the aggregate these thirty-five million fine ounces of silver. The Government of the United States is requested to take such steps as may be necessary for the purpose of the conclusion of this agreement.

IN WITNESS WHEREOF, the undersigned have signed this memorandum of agreement.

DONE at London this 26th day of July, 1933, in a single copy which shall be deposited in the archives of the Government of the United States.

KEY PITTMAN

Delegate of the United States.

Australia

Australia.

In connection with the attached memorandum of heads of agreement entered into by the Delegates of India, China and Spain as holders of large stocks or users of silver, and of Australia, Canada, the United States, Mexico and Peru, as principal purchasers of silver, it is understood that the Government of Australia shall purchase or otherwise arrange for withdrawing from the market, as in the attached memorandum of agreement provided, six hundred and fifty-two thousand, three hundred and fifty-five fine ounces of silver in each calendar year beginning with the calendar year 1934.

This understanding is conditioned upon similar undertakings being entered into by the Governments of Canada, the United States, Mexico and Peru whereby those Governments agree to purchase or otherwise arrange for withdrawing from the market of amounts of fine ounces of silver which, with the obligation hereby entered into, will make in the aggregate thirty-five million fine ounces of silver annually.

It is understood that this agreement and the similar agreements to be entered into by the Delegates of the Governments of Canada, the United States, Mexico and Peru, are subject to the following general provisions:

1. That every provision of this agreement shall terminate on January 1, 1938.
2. That the absorption of silver referred to in this agreement means current mine production.
3. That when the Government of India shall have sold, transferred or otherwise disposed of Government stocks of silver to the net amount of one hundred and seventy-five million fine ounces, as provided in paragraph (c) of Article 1 of the attached memorandum of heads of agreement, the obligations of governments to purchase under this contract shall cease.

4. That this memorandum is subject to ratification by the proper governmental authorities of Australia whose delegate has executed this agreement, and the undersigned delegate undertakes to use his good offices to secure such action at the earliest possible date.

5. That this understanding shall come into force as soon as the ratifications of all the governments concerned are received, provided that all the ratifications are received before the 1st of April, 1934. A notice by any government, party to this understanding, that the affirmative action necessary to carry out the purposes of this understanding has been taken will be accepted as an instrument of ratification. Nevertheless, if one or more of the governments parties to this understanding have failed to ratify by the first of April, 1934, the understanding shall go into force and effect at that date if the other governments parties to this understanding have ratified the understanding and have given notice that they are prepared to purchase or cause to be withdrawn in the aggregate these thirty-five million fine ounces of silver. The Government of the United States is requested to take such steps as may be necessary for the purpose of the conclusion of this agreement.

IN WITNESS WHEREOF, the undersigned have signed this memorandum of agreement.

DONE at London this 26th day of July, 1933, in a single copy which shall be deposited in the archives of the Government of the United States.

S. M. BRUCE,
Delegate of Australia.

Canada.

Canada

In connection with the attached memorandum of heads of agreement entered into by the Delegates of India, China and Spain as holders of large stocks or users of silver, and of Australia, Canada, the United States, Mexico and Peru, as principal purchasers of silver, it is understood that the Government of Canada shall purchase or otherwise arrange for withdrawing from the market, as in the attached memorandum of agreement provided, one million, six hundred and seventy-one thousand, eight hundred and two fine ounces of silver in each calendar year beginning with the calendar year 1934.

This understanding is conditioned upon similar undertakings being entered into by the Governments of Australia, United States, Mexico, and Peru, whereby those Governments agree to purchase or otherwise arrange for withdrawing from the market of amounts of fine ounces of silver which, with the obligation hereby entered into, will make in the aggregate thirty-five million fine ounces of silver annually.

It is understood that this agreement and the similar agreements to be entered into by the Delegates of the Governments of Australia, the United States, Mexico, and Peru are subject to the following general provisions:

1. That every provision of this agreement shall terminate on January 1, 1938.

2. That the absorption of silver referred to in this agreement means current mine production.

3. That when the Government of India shall have sold, transferred or otherwise disposed of Government stocks of silver to the net amount of one hundred and seventy-five million fine ounces, as provided in paragraph (c) of Article 1 of the attached memorandum of heads of agreement, the obligations of governments to purchase under this contract shall cease.

4. That this memorandum is subject to ratification by the proper governmental authorities of Canada whose delegate has executed this agreement, and the undersigned delegate undertakes to use his good offices to secure such action at the earliest possible date.

5. That this understanding shall come into force as soon as the ratifications of all the governments concerned are received, provided that all the ratifications are received before the 1st of April, 1934. A notice by any government, party to this understanding, that the affirmative action necessary to carry out the purposes of this understanding has been taken will be accepted as an instrument of ratification. Nevertheless, if one or more of the governments parties to this understanding have failed to ratify by the first of April, 1934, the understanding shall go into force and effect at that date if the other governments parties to this understanding have ratified the understanding and have given notice that they are prepared to purchase or cause to be withdrawn in the aggregate these thirty-five million fine ounces of silver. The Government of the United States is requested to take such steps as may be necessary for the purpose of the conclusion of this agreement.

IN WITNESS WHEREOF, the undersigned have signed this memorandum of agreement.

DONE at London this twenty fourth day of July, 1933, in a single copy which shall be deposited in the archives of the Government of the United States.

EDGAR N. RHODES
Delegate of Canada

Mexico

Mexico.

In connection with the attached memorandum of heads of agreement entered into by the Delegates of India, China and Spain as holders of large stocks or users of silver, and of Australia, Canada,

the United States, Mexico and Peru, as principal purchasers of silver, it is understood that the Government of Mexico shall purchase or otherwise arrange for withdrawing from the market, as in the attached memorandum of agreement provided, seven million, one hundred and fifty-nine thousand, one hundred and eight fine ounces of silver in each calendar year beginning with the calendar year 1934.

This understanding is conditioned upon similar undertakings being entered into by the Governments of Australia, Canada, United States and Peru whereby those Governments agree to purchase or otherwise arrange for withdrawing from the market of amounts of fine ounces of silver which, with the obligation hereby entered into, will make in the aggregate thirty-five million fine ounces of silver annually.

It is understood that this agreement and the similar agreements to be entered into by the Delegates of the Governments of Australia, Canada, the United States, and Peru, are subject to the following general provisions:

1. That every provision of this agreement shall terminate on January 1, 1938.

2. That the absorption of silver referred to in this agreement means current mine production.

3. That when the Government of India shall have sold, transferred or otherwise disposed of Government stocks of silver to the net amount of one hundred and seventy-five million fine ounces, as provided in paragraph (c) of Article 1 of the attached memorandum of heads of agreement, the obligations of governments to purchase under this contract shall cease.

4. That this memorandum is subject to ratification by the proper governmental authorities of Mexico whose delegate has executed this agreement, and the undersigned delegate undertakes to use his good offices to secure such action at the earliest possible date.

5. That this understanding shall come into force as soon as the ratifications of all the governments concerned are received, provided that all the ratifications are received before the 1st of April, 1934. A notice by any government, party to this understanding, that the affirmative action necessary to carry out the purposes of this understanding has been taken will be accepted as an instrument of ratification. Nevertheless, if one or more of the governments parties to this understanding have failed to ratify by the first of April, 1934, the understanding shall go into force and effect at that date if the other governments parties to this understanding have ratified the understanding and have given notice that they are prepared to purchase or cause to be withdrawn in the aggregate these thirty-five million fine ounces of silver. The Government of the United

States is requested to take such steps as may be necessary for the purpose of the conclusion of this agreement.

IN WITNESS WHEREOF, the undersigned have signed this memorandum of agreement.

DONE at London this 24 day of July, 1933, in a single copy which shall be deposited in the archives of the Government of the United States.

EDUARDO SUÁREZ
Delegate of Mexico.

Peru

Peru.

In connection with the attached memorandum of heads of agreement entered into by the Delegates of India, China and Spain as holders of large stocks or users of silver, and of Australia, Canada, the United States, Mexico and Peru, as principal purchasers of silver, it is understood that the Government of Peru shall purchase or otherwise arrange for withdrawing from the market, as in the attached memorandum of agreement provided, one million, ninety-five thousand, three hundred and twenty-five fine ounces of silver in each calendar year beginning with the calendar year 1934.

2. This understanding is conditioned upon similar undertakings being entered into by the Governments of Australia, Canada, United States and Mexico whereby those Governments agree to purchase or otherwise arrange for withdrawing from the market of amounts of fine ounces of silver which, with the obligation hereby entered into, will make in the aggregate thirty-five million fine ounces of silver annually.

It is understood that this agreement and the similar agreements to be entered into by the Delegates of the Governments of Australia, Canada, the United States, and Mexico, are subject to the following general provisions:

1. That every provision of this agreement shall terminate on January 1, 1938.

2. That the absorption of silver referred to in this agreement means current mine production.

3. That when the Government of India shall have sold, transferred or otherwise disposed of Government stocks of silver to the net amount of one hundred and seventy-five million fine ounces, as provided in paragraph (c) of Article 1 of the attached memorandum of heads of agreement, the obligations of governments to purchase under this contract shall cease.

4. That this memorandum is subject to ratification by the proper governmental authorities of Peru whose delegate has executed this agreement, and the undersigned delegate undertakes to use his good offices to secure such action at the earliest possible date.

5. That this understanding shall come into force as soon as the ratifications of all the governments concerned are received, provided

SILVER AGREEMENT.

that all the ratifications are received before the 1st of April, 1934. A notice by any government, party to this understanding, that the affirmative action necessary to carry out the purposes of this understanding has been taken will be accepted as an instrument of ratification. Nevertheless, if one or more of the governments parties to this understanding have failed to ratify by the first of April, 1934, the understanding shall go into force and effect at that date if the other governments parties to this understanding have ratified the understanding and have given notice that they are prepared to purchase or cause to be withdrawn in the aggregate these thirty-five million fine ounces of silver. The Government of the United States is requested to take such steps as may be necessary for the purpose of the conclusion of this agreement.

IN WITNESS WHEREOF, the undersigned have signed this memorandum of agreement.

DONE at London this 24 day of July, 1933, in a single copy which shall be deposited in the archives of the Government of the United States.

F. TUDELA
Delegate of Peru.

Silver Agreement: Reservation by China

“In ratifying this Agreement, the National Government of China declares that as silver is the basic monetary standard of China, the National Government will consider itself at liberty to take whatever action it may deem appropriate, if, in its opinion, changes in the relative values of gold and silver adversely affect the economic condition of the Chinese people, contrary to the spirit of stabilizing the price of silver as embodied in this Agreement.”

Reservation by
China.

APPENDIX

RATIFICATIONS ¹

<i>State</i>	<i>Date of deposit</i>
Australia.....	Feb. 16, 1934 ²
Canada.....	Mar. 28, 1934
China.....	Mar. 27, 1934 ³
India.....	Mar. 21, 1934
Mexico.....	Mar. 26, 1934
Peru.....	Apr. 24, 1934 ²
Spain.....	Apr. 24, 1934 ³
United States.....	Dec. 21, 1933 ²

¹ Deposited with the Department of State, Washington.

² Notice of affirmative action accepted as an instrument of ratification (sec. 8).

³ Notice of ratification (sec. 8). China and Spain deposited formal instruments of ratification on May 14 and May 8, 1934, respectively.