the terms of reference of the Commission. It was always open to the Commission to take into consideration, without entering upon any discussion on the matter, the conviction that was held by the local authorities on either side as to the sovereignty over the place of the incident. The Commission would, however, prejudge the solution of questions which did not fall within its province if it founded its decision on the opinion that Walwal was under the sovereignty either of Italy or Ethiopia. The Commission had to concern itself solely with the other elements of the dispute. Moreover, the Council took note of the declaration of the two parties to the effect that the four members of the Commission of Conciliation and Arbitration would proceed without delay to designate the fifth arbitrator whose appointment might be necessary for the carrying through of their work. Confident that the procedure would have brought about the settlement of the dispute before September 1st, the Council invited the two Governments to inform it of the results not later than September 4th.

Unanimous Award of the Arbitrators regarding the Walwal incident and the subsequent incidents up to May 25th, 1935.

25. The Council's interpretation of the mission entrusted to the Commission of Conciliation and Arbitration enabled the four arbitrators to resume their work. Having met once more on August 20th, they appointed M. Nicolas Politis as fifth arbitrator.

26. On August 29th, the intervention of the fifth arbitrator became necessary, the four others having been unable to reach an agreement.

27. The arbitral award was pronounced unanimously on September 3rd.

After a relation of the facts and a summary of the versions of the two parties, the Commission, " taking into account the limits of its powers under the resolution adopted by the Council on August 3rd," found:

"(1) That neither the Italian Government nor its agents on the spot can be held responsible in any way for the actual Walwal incident; the allegations brought against them by the Ethiopian Government are disproved in particular by the many precautions taken by them to prevent any incident on the occasion of the assembling at Walwal of Ethiopian regular and irregular troops, and also by the absence of any interest on their part in provoking the engagement of December 5th; and

"(2) That, although the Ethiopian Government also had no reasonable interest in provoking that engagement, its local authorities, by their attitude and particularly by the concentration and maintenance, after the departure of the Anglo-Ethiopian Commission, of numerous troops in the proximity of the Italian line at Walwal, may have given the impression that they had aggressive intentions—which would seem to render the Italian version plausible—but that nevertheless it had not been shown that they can be held responsible for the actual incident of December 5th."