

arrested and taken into custody the night of September 3rd to 4th without any judicial warrant having been issued to justify these arrests.

I have the honour to protest strongly against this illegal measure and to ask for the immediate release of the arrested German nationals. In case that the War Measures Act recently put into force should be invoked in order to justify the arrestments, I beg to point out that, there being no state of war between Germany and Canada, German nationals ought to be granted all the guarantees of personal freedom and liberty provided by the Canadian law and could not, in my opinion be treated as alien enemies.

Asking for a reply at your earliest convenience.

I have etc.

E. WINDELS

1068.

*Le consul général d'Allemagne au sous-secrétaire d'État  
aux Affaires extérieures*

*German Consul General to Under-Secretary of State  
for External Affairs*

Ottawa, September 5, 1939

Sir,

Considering that—as I stated yesterday to you—in a fateful moment such as this, no risk of any mistake or misunderstanding should be incurred, I have the honour to confirm the conversation we had last night by the following resumé:

You intimated to me at the time the wish of the Canadian Government that I prepare for my departure and leave at the earliest possible convenience.

To this I could only answer that I did not consider it compatible with my duty to leave my post as long as I was not aware of a state of war having been declared between Germany and Canada or of a rupture of diplomatic relations between the two countries having taken place. I added that I had received special instructions to this effect from my Government.

You replied that in your view it might be doubted that there had ever existed any diplomatic relations between our two countries, to which I had to reply that if the Canadian Government intended to take this stand, I would be compelled to ask for a notification in due form of a rupture of such relations as had without any possible doubt existed between my country and yours.

You promised to bring this question to the attention of the Prime Minister for decision.

I concluded discussion of this question with the reiterated statement that I felt obliged and intended to remain at my post as long as the recognition of my quality as Consul General for Germany to this country had not been officially revoked. I had to add that according again to express instructions