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Le Gouverneur général au chargé d'affaires aux États-Unis
Governor General to Chargé d'Affaires in United States

TELEGRAM 26A

Ottawa, February 19, 1924

With reference to your telegram 16th February – liquor – suggesting that there should be a substituted provision whereby a treaty should be negotiated providing “that no penalties or forfeitures should apply to liquor carried across Alaska under seal and guarded, such liquor to have the same status as that now provided by law for liquor carried through the Panama Canal”. Canadian Government considers that such provision may be accepted as a satisfactory assurance on the part of the United States that such transport will be permitted without obstruction or interference by the officers or under the laws of the United States.

My Ministers further express the view that Canada has right secured by treaty with the United States to transport liquor for commercial purposes into the Yukon Territory by way of the Yukon River. This interpretation of the Treaty of Washington is not admitted by the authorities at Washington, and it may avoid the occasion of litigation, and would certainly provide a more convenient route if reasonable and satisfactory arrangements can be concluded for the transport via Skagway. Therefore Canadian Government considers that the United States proposal may be accepted.

It is suggested by letter received from the Deputy Minister of the Interior, who is now in Washington, that if right to transport liquor through Alaska to the Yukon Territory be conceded by the United States by treaty stipulation, it is considered by the Secretary of State of the United States expedient or necessary that the proposals of the United States delegates which were submitted at the Ottawa conference should in so far as they have been found acceptable by Canadian Government, be formulated and embodied in the treaty.

These proposals are in the main of a somewhat indefinite character looking to administrative co-operation as between the two Governments rather than to the enactment of precise legal obligations such as would be necessary under the British system for the sanction of any treaty which may be framed with the object of giving effect to them. Moreover they are in some particulars concerned with controversial questions which it may be undesirable at the present time to introduce for parliamentary discussion. Therefore it may be doubtful that Canadian Government would be willing to incorporate these provisions generally in a treaty.

There is, however, a particular provision to which Deputy Minister of the Interior says that the Secretary of State has directed special attention whereby it is in effect proposed that treaty between His Majesty's Government and the United States of the 30th June, 1908, providing reciprocal rights for the United States and Canada with relation to conveyance of prisoners should be amended by adding to the description of offences set out in the first Article a