

for the Union of South Africa, *IJ.*
 for the Irish Free State, *KL.*
 for India, *MN.*

.....
 who having communicated their full powers, found in good and due form, have agreed as follows:—

.....
 In faith whereof the above-named plenipotentiaries have signed the present Treaty.

AB
CD
EF
GH
IJ
KL
MN

or if the territory for which each Plenipotentiary signs is to be specified as is customary at Geneva:

(for Great Britain, &c.).....*AB.*
 (for Canada).....*CD.*
 (for Australia).....*EF.*
 (for New Zealand).....*GH.*
 (for South Africa).....*IJ.*
 (for the Irish Free State).....*KL.*
 (for India).....*MN."*

The draft treaty as circulated was then read by MR. LAPOINTE.

SIR FRANCIS BELL: That does not deal with cases where they do not agree, where some of them do not agree.

SIR CECIL HURST: That would imply they would not sign.

MR. LAPOINTE: Have you any remarks to make on this?

DR. SKELTON: I have one. I suggest: "For Great Britain and Northern Ireland and all parts of His Majesty's Realms," or some such phrase; and also there is the question, though I think it is of minor importance, whether, when the names of the country are given, they should be in the League alphabetical order, or all be grouped together, as in the preamble.

MR. LATHAM: Does Sir Cecil propose this as the League form for League treaties?

SIR CECIL HURST: Both.

MR. LAPOINTE: The dotted line is for the League signature.

SIR CECIL HURST: Do you see the words "of nations"? I am assuming that in a League treaty you would not want those two words, but that "the League" would be sufficient, but where you were making a non-League treaty you would have those two words.

MR. LATHAM: Why I enquired was because this begins by: "The President of the United States of America," and "His Majesty the King of the Belgians"; that is not the League form.

SIR CECIL HURST: "League treaties" is a phrase we have got into the habit of using here to cover any treaty or convention which is negotiated and concluded under the auspices of the League. The Americans have participated in various treaties or conventions negotiated under the auspices of the League—the Opium Convention, for instance.

MR. LATHAM: Take a thing like the Slavery Convention, which was concluded at Geneva at the last Assembly. Did "The King of the Belgians" come into that, or was it not "Belgium"?

SIR CECIL HURST: It was "Belgium" there. All League treaties hitherto have been made in the name of the country.

MR. LATHAM: The point is, it was suggested that an endeavour should be made to substitute the Heads of States for the names of countries generally in League practice.

SIR CECIL HURST: That was what emerged from one of our discussions here a few days ago. The draft Resolution is really, I think, much the most important part of it.

MR. LAPOINTE read the draft Resolution.

MR. LATHAM: Might I enquire as to how the line is drawn between treaties and agreements between Governments; what is actually the dividing line?

SIR CECIL HURST: Primarily, the distinction is formal. In practice the system of governmental agreements is made use of for more technical arrangements between administrative services, such as postal and railway agreements, and so on.

MR. LATHAM: Such a matter as a cession of territory, if it were involved in the adjustment of a territorial boundary, would ordinarily be regarded as a political matter.

SIR CECIL HURST: In this country we should have made a treaty providing for the cession of territory or for the fixing of a territorial boundary in the form of a treaty between Heads of States.

MR. LATHAM: Why I raise the point is this: under the form of governmental agreement anything could be done, and then these Resolutions would not apply. The Resolution of the Imperial Conference of 1923 in its general terms would not apply. It appears to me to be a rather vague term, not referable to the substance of the matter. I mean the term "agreements between Governments" is rather a vague term, is it not?

SIR CECIL HURST: It is a vague term, and I think there must be a certain measure of elasticity as to the purposes for which any such form of making an agreement is reserved. I do not think I can state it any further than this, that the usual diplomatic practice in the past has been that important agreements were concluded with the Heads of States because it was the desire to surround such an agreement with a higher measure of formality and importance.

MR. LATHAM: I think, Mr. Chairman, we shall have to have an opportunity of considering these proposals, and possibly of circulating any alternatives that any member might feel inclined to suggest. I think it would be a great help if any members who were not satisfied substantially with these proposals, on other than mere drafting points, were to give other members the benefit of circulating their alternative proposals.

The question of a meeting on Wednesday, the 10th instant, was discussed in connection with the proposed meeting of the Antarctic Sub-Committee, and it was agreed that, if possible, there should be two meetings of the Committee on Thursday and Friday, which the Committee considered should be sufficient to allow them to come to an agreement.

(The Committee adjourned until Thursday.)

2, Whitehall Gardens, S.W. 1,
 November 9, 1926.