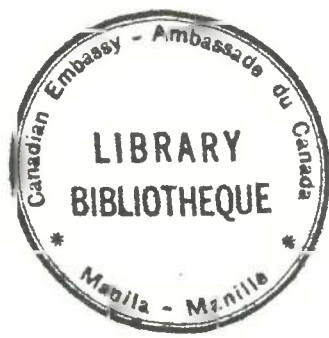






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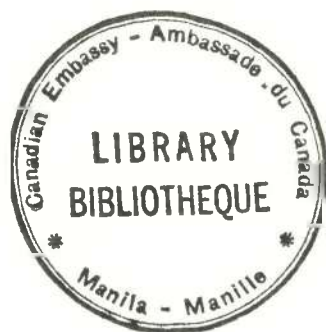
DOCUMENTS ON CANADIAN  
EXTERNAL RELATIONS

The question having been raised as to the meaning of Article IV of the League of Nations Covenant, we have been requested by Sir Robert Borden to state whether we concur in his view, that upon the true construction of the first and second paragraphs of that Article, representatives of the self-governing Dominions of the British Empire may be selected or named as members of the Council. We have no hesitation in expressing our entire concurrence in this view. If there were any doubt it would be ~~be~~ entirely removed by the fact that the Articles of the Covenant are not subject to a narrow or technical construction.

Dated at the Quai d'Orsay, Paris the sixth day of May, 1919.

U. S. Secretary  
Woodrow Wilson  
D. H. Page

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# DOCUMENTS ON CANADIAN EXTERNAL RELATIONS

VOLUME 2

THE PARIS PEACE CONFERENCE OF 1919

Edited by R. A. MacKay  
Carleton University

DEPARTMENT OF EXTERNAL AFFAIRS

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## INTRODUCTION

This, the second volume of *Documents on Canadian External Relations*, deals almost exclusively with the Paris Peace Conference of 1919. Volume 1 covered the period from the establishment of the Department of External Affairs in 1909 to 1918. Volume 3 will continue the documents on external affairs from 1918, other than on matters relating to the Peace Conference. The material on the Peace Conference was felt to be sufficiently extensive and of sufficient interest to warrant a separate volume, even if this meant some overlapping in dates.

As early as January, 1915, the United Kingdom expressly undertook to consult the Dominions about the terms of peace when the time came<sup>1</sup>, but consultation was not then feasible. In 1917, Dominion Prime Ministers were invited "to attend a series of special and continuous meetings of the War Cabinet in order to consider urgent questions affecting the prosecution of the War, the possible conditions on which in agreement with our Allies we could assent to its termination and the problems which will immediately arise".<sup>2</sup> With the addition of Dominion Prime Ministers to its membership, the War Cabinet became known as the Imperial War Cabinet. The first series of meetings of the new Cabinet, however, did not get very far with peace terms beyond generalities. The second series of meetings occurred in the summer of 1918 under the shadow of military reverses and it was only natural that war matters rather than conditions of peace should be the main concern.

As the war drew to a close, peace terms assumed priority. On October 27, 1918, the United Kingdom Prime Minister alerted Dominion Prime Ministers about a possible armistice and, if this occurred, about inter-allied meetings in London preliminary to a peace conference. He advised Dominion Prime Ministers that they should be ready to proceed to Europe without delay, if the proposed armistice were accepted by the Germans, "in order to participate in the deliberations to determine the line to be taken at the conferences by the British Delegates".<sup>3</sup> Sir Robert Borden replied promptly that preparations were being made as suggested. This was followed up next day by a telegram setting forth officially for the first time a request for represen-

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<sup>1</sup>Vol. 1, Document 413.

<sup>2</sup>*Ibid.*, Document 465.

<sup>3</sup>*Ibid.*, Document 364.



tation of the Dominions in the peace negotiations.<sup>1</sup> Mr. Lloyd George replied two days later commenting that the request raised important questions impossible of solution by correspondence, and urging that this was all the more reason for Borden to come over without delay.<sup>2</sup> Borden replied that arrangements were being made for the Canadian party to proceed by the first available ship on November 10.<sup>3</sup>

It is not, however, intended to present here a documentary history of the Peace Conference; this has been done elsewhere, notably in the extensive collection of material in *The Foreign Relations of the United States, The Paris Peace Conference of 1919*. The aim of the present volume is simply to assemble documentary material relevant to Canadian participation in the Conference. Since Canada's role was played largely within the British Empire Delegation, much of the material consists of correspondence between the two Prime Ministers, Borden and Lloyd George, and extracts from *Minutes of the Imperial War Cabinet* and of its successor at Paris, the British Empire Delegation. Other highly useful sources were the Borden Papers; the Governor General's files; the files of the Department of External Affairs on the Peace Conference; and the Loring Christie Papers. Other sources consulted were the papers in the Public Archives of Canada of N. W. Rowell, C. J. Doherty, Sir George Foster and A. L. Sifton. It was also thought desirable to include Borden's reports on the Conference to his colleagues in Ottawa since these reports help to fill serious gaps in the record and

<sup>1</sup>Although this telegram is printed in Vol. I (Document 366) it is felt to be of sufficient importance to reproduce it here.

Ottawa, October 29, 1918

TELEGRAM

SECRET. PRIVATE. PERSONAL. There is need of serious consideration as to representation of the Dominions in the peace negotiations. The press and people of this country take it for granted that Canada will be represented at the Peace Conference. I appreciate possible difficulties as to representation of the Dominions but I hope you will keep in mind that certainly a very unfortunate impression would be created and possibly a dangerous feeling might be aroused if these difficulties are not overcome by some solution which will meet the national spirit of the Canadian people. We discussed the subject today in Council and I found among my colleagues a striking insistence which doubtless is indicative of the general opinion entertained in this country. In a word they feel that new conditions must be met by new precedents. I should be glad to have your views.

BORDEN

<sup>2</sup>*Ibid.*, Document 368.

<sup>3</sup>The list of the party proceeding to London is printed in Vol. I, Document 370, of this series. The official list of delegation and staff attending the Peace Conference as printed in the *Foreign Office List for 1919*, is as follows:

The Right Hon. Sir Robert Borden, G.C.M.G., Prime Minister. Mr. G. F. Buskard, Mr. J. F. Boyce, Clerical, Secretaries to Sir R. Borden. The Right Hon. Sir George Foster, G.C.M.G., Minister of Trade and Commerce. Mr. C. H. Payne, Secretary to Sir George Foster. The Hon. C. J. Doherty, Minister of Justice. Mr. P. T. Ahearn, Secretary to Mr. Doherty. Mr. J. Gallagher, Legal Officer to Department of Justice. The Hon. A. L. Sifton, Minister of Customs. Mr. T. W. Quayle, Secretary to Mr. Sifton. Lieut.-General Sir Arthur Currie, Commanding Canadian Army Corps. Major W. O'Connor, A.D.C. to Sir A. Currie. Lieut.-Colonel O. M. Biggar, Judge Advocate-General. Mr. L. C. Christie, Legal Adviser, Department of External Affairs. Mr. J. W. Dafoe, Department of Public Information. Mr. A. Trepanier, Department of Public Information. Mr. P. M. Draper, Secretary, Trades and Labour Congress of Canada. Mr. W. A. Warne, Department of Trade and Commerce. Captain Oliver Asselin. Mr. F. P. Jones, Vice-Chairman, War Trade Board. Mr. Lloyd Harris, Chairman, Mr. R. T. Younge, Secretary, Canadian Mission in London.

give a more detailed account of the activities of the Canadian delegation at the Conference than appears from the more official documents. Deletions have been made in the reports where there appears to be undue duplication, or where the matter is clearly extraneous to the Peace Conference.

As is well known, participation in the Peace Conference by members of Dominion Governments, and agreements there reached about Dominion representation in the new League of Nations and the International Labour Organization, marked a major advance in the development of Dominion autonomy. It was in achieving and safeguarding this advance that Canada's main interest in the Peace Conference lay rather than in setting the world aright. On the constitutional issue there is abundant material, much of which has already been published, notably in Sir Robert Borden's *Memoirs* and in Canada *Sessional Papers*, 1919, No. 41. But as might be expected in view of Canada's inexperience in world affairs, there is little documentary material, published or unpublished, setting forth Canadian policy or views on the substantive issues before the Peace Conference except on questions such as reparations in which Canada had a direct interest, and on the proposed League of Nations.

Historians have long agreed that a major share of the credit for achieving a new status for the Dominions at the Peace Conference goes to Sir Robert Borden, and it is believed that the documents in this volume will provide further evidence to support this view. But Sir Robert had able supporters in his cabinet colleagues, Hon. C. J. Doherty, Hon. A. L. Sifton and Sir George Foster, and in his principal advisers, Loring Christie, Legal Adviser of the young Department of External Affairs, and Lt. Col. O. M. Biggar, Judge Advocate General, who, as public servants, played anonymous though influential roles.

In selecting documents for this volume, the criteria of selection announced in the first volume have been generally followed, namely, that documents selected "are intended to illustrate the formulation and implementation of policy" and that they have been selected, if available, "at the stage of government consideration and decision". But Borden and his colleagues in Paris were in effect the government for purposes of the Peace Conference; hence most of the significant documents originated in Paris rather than Ottawa. In order to keep within reasonable space, an effort has been made to avoid duplication of documents by omitting those which add little to others selected and by the excision of duplicated material. The choice as between similar documents on a subject is, to some extent, a personal decision on the part of the Editor, but, as in the first volume, readers may be assured that no document has been deliberately omitted if it was felt that it would throw light on Canadian external policy.

More than most books this volume has been a collective enterprise. Collection of materials was begun some years ago by the Historical Division of the Department and was continued later by the present editor who would like to express his thanks and appreciation to those members of Historical

Division who have assisted in so many ways, but who under departmental practice must remain anonymous. Without the advice of senior officials of the division and the technical assistance of other members in such matters as searching for documentary materials, checking texts, preparing the calendar of documents and the index, and in seeing the manuscript through to press, this book would not have come to birth. For the final production however the editor must assume responsibility.

R. A. MacKay

## LIST OF PRINCIPAL PERSONS

- Balfour, Arthur James, Secretary of State for Foreign Affairs of United Kingdom, 1916-1919; Lord President of the Council, 1919-1922.
- Barnes, George Nichol, Minister of Pensions of United Kingdom, 1916-1918; Minister without portfolio, 1918-1919; Plenipotentiary of United Kingdom at the Peace Conference.
- Biggar, Lt. Col. Oliver Mowat, Judge Advocate General, 1918-1919; Vice-Chairman of the Air Board of Canada, 1919-1922; Adviser on Military Questions of the Canadian Delegation at the Peace Conference.
- Bikaner, Major-General Sir Ganga Singh Bahadur, Maharaja of, Plenipotentiary of India at the Peace Conference.
- Borden, Sir Robert L., Prime Minister of Canada, 1911-1920; Secretary of State for External Affairs, 1912-1920; Plenipotentiary of Canada at the Peace Conference.
- Botha, General Louis, Prime Minister of the Union of South Africa, 1910-1919; Plenipotentiary of South Africa at the Peace Conference.
- Buxton, Viscount, High Commissioner and Governor General of the Union of South Africa, 1914-1920.
- Cambon, Jules Martin, Secretary-General of the Ministry of Foreign Affairs of France, 1915-1920; Plenipotentiary of France at the Peace Conference.
- Cecil, Lord Robert, Assistant Secretary of State for Foreign Affairs of United Kingdom, 1918; Adviser on the Question of a League of Nations of the British Delegation at the Peace Conference.
- Christie, Loring C., Legal Adviser to the Department of External Affairs of Canada, 1913-1923; Adviser on Legal Questions of the Canadian Delegation at the Peace Conference.
- Clemenceau, Georges, President of the Council of Ministers of France, 1917-1920; Minister of War, 1917-1920; Plenipotentiary of France at the Peace Conference; President of the Peace Conference.
- Cook, Sir Joseph, Minister for the Navy of Australia, 1917-1920; Plenipotentiary of Australia at the Peace Conference.
- Crowe, Sir Eyre, Assistant Under-Secretary of State for Foreign Affairs of United Kingdom, 1912-1920; Minister Plenipotentiary at the Peace Conference; Adviser on Political and Diplomatic Questions of the British Delegation at the Peace Conference.

- Currie, General Sir Arthur W., General Officer Commanding the Canadian Corps, 1917-1919; Adviser on Military Questions of the Canadian Delegation at the Peace Conference.
- Curtis, Lionel, Secretary to Lord Robert Cecil; Editor of *The Round Table*.
- Curzon of Kedleston, Earl, Lord President of the Council, 1916-1919; Secretary of State for Foreign Affairs of United Kingdom, 1919-1924.
- Dafoe, John W., Editor-in-Chief of the Winnipeg *Free Press*, 1901-1943; Representative of the Canadian Department of Public Information at the Peace Conference.
- Delevingne, Sir Malcolm, Assistant Under-Secretary of State for the Home Office of United Kingdom, 1913-1922; Adviser on Labour Questions of the British Delegation at the Peace Conference.
- Devonshire, Duke of, Governor General of Canada, 1916-1921.
- Doherty, Charles Joseph, Minister of Justice of Canada, 1911-1921; Plenipotentiary of Canada at the Peace Conference.
- Draper, P.M., Secretary-Treasurer of the Canadian Trades and Labour Congress, 1900-1935; Adviser on Financial, Economic and Labour Questions of the Canadian Delegation at the Peace Conference.
- Dutasta, Paul-Eugène, Ambassador Extraordinary and Plenipotentiary of France at Berne, Secretary-General of the Peace Conference.
- Foch, Ferdinand, Marshal of France; Commander-in-Chief of the Allied Forces, 1918.
- Foster, Sir George E., Minister of Trade and Commerce of Canada, 1911-1921; Plenipotentiary of Canada at the Peace Conference.
- Garran, Sir Robert R., Solicitor-General of Australia, 1917-1932; Adviser on Legal Questions of the Australian Delegation at the Peace Conference.
- Hankey, Sir Maurice P.A., Secretary of the Committee of Imperial Defence, 1912-1938; Secretary to the Cabinet of United Kingdom, 1919-1938; Secretary at the Peace Conference.
- Harris, Lloyd, Chairman of the Canadian Mission in London, 1918-1919; Chairman of the Canadian War Mission in Washington, 1918-1921; Adviser on Financial, Economic and Labour Questions of the Canadian Delegation at the Peace Conference.
- House, Colonel Edward M., Plenipotentiary of the United States at the Peace Conference; member of the League of Nations Commission, 1918-1919; member of the Commission on Mandates, 1919.
- Hughes, William Morris, Prime Minister of Australia, 1915-1923; Attorney-General of Australia, 1908-1921; Plenipotentiary of Australia at the Peace Conference.
- Hurst, Sir Cecil J. B., Legal Adviser to the Foreign Office of United Kingdom, 1918-1929; Adviser on Legal Questions of the British Delegation at the Peace Conference.



- Kemp, Sir Edward, Minister of Overseas Forces of Canada in the United Kingdom, 1917-1920.
- Kerr, Philip Henry, Marquess of Lothian, Secretary to Lloyd George, 1916-1921.
- Lansing, Robert, Secretary of State of the United States, 1915-1920; Plenipotentiary of the United States at the Peace Conference.
- Law, A. Bonar, Chancellor of the Exchequer of United Kingdom, 1916-1918; Lord Privy Seal, 1919-1921; Plenipotentiary of United Kingdom at the Peace Conference.
- Lloyd, Sir William F., Prime Minister of Newfoundland, 1918-1919; Plenipotentiary of Newfoundland at the Peace Conference.
- Lloyd George, David, Prime Minister of United Kingdom, 1916-1922; First Lord of the Treasury, 1916-1922; Plenipotentiary of United Kingdom at the Peace Conference.
- Long, Walter Hume, Secretary of State for the Colonies of United Kingdom, 1916-1918; First Lord of the Admiralty, 1919-1921.
- Massey, William Ferguson, Prime Minister of New Zealand, 1912-1925; Plenipotentiary of New Zealand at the Peace Conference.
- Milner, Viscount, Secretary of State for War of United Kingdom, 1918-1919; Secretary of State for the Colonies, 1919-1921; Plenipotentiary of United Kingdom at the Peace Conference.
- Montagu, Edwin Samuel, Secretary of State for India of United Kingdom, 1917-1922; Plenipotentiary of India at the Peace Conference.
- Mulvey, Thomas, Under-Secretary of State of Canada, 1909-1933; Chairman of the Enemy Debts and Reparation Committee, 1918.
- Orlando, Vittorio Emanuele, President of the Council of Ministers of Italy, 1917-1919; Minister of the Interior, 1917-1919; Plenipotentiary of Italy at the Peace Conference.
- Perley, Sir George, High Commissioner for Canada in the United Kingdom, 1917-1922.
- Pope, Sir Joseph, Under-Secretary of State for External Affairs of Canada, 1909-1925.
- Robertson, Dr. James Wilson, Director of Production of Crops for Eastern Canada on the Canada Food Board; Canadian Director of Food Supplies, 1919; Representative of the Canadian Department of Agriculture on the Peace Conference Delegation.
- Robinson, Henry Mauris, Member of the Council of National Defence of the United States, 1917-1918; Commissioner of the United States Shipping Board, 1919; Adviser on Labour and Shipping Questions of the United States Delegation at the Peace Conference.
- Rowell, Newton Wesley, President of the Privy Council of Canada, 1917-1920; Minister of Health, 1919-1920; Acting Secretary of State for External Affairs, 1919-1920

- Sifton, Arthur Lewis, Minister of Customs and Inland Revenue of Canada, 1918-1919; Minister of Public Works, 1919; Secretary of State, 1919-1921; Plenipotentiary of Canada at the Peace Conference.
- Sinha, Sir Satyendra P., Parliamentary Under-Secretary of State for India, 1919-1920; Plenipotentiary of India at the Peace Conference.
- Smuts, General Jan Christian, Prime Minister of the Union of South Africa, 1919-1924; Minister for Native Affairs, 1919-1924; Minister of Defence, 1910-1919; Plenipotentiary of South Africa at the Peace Conference.
- White, Sir Thomas, Minister of Finance of Canada, 1911-1919; Acting Prime Minister, 1918-1919.
- Wilson, Field Marshal Sir Henry, Chief of Imperial General Staff, 1918-1922; Adviser on Military Questions of the British Delegation at the Peace Conference.
- Wilson, Woodrow, President of the United States, 1913-1921; Plenipotentiary of the United States at the Peace Conference.

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174	Aug. 25	<i>Governor General to Governor General of South Africa.</i> Announces delay in submitting Anglo-French Treaty to Parliament so that public could consider.	173
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176	Aug. 29	<i>Governor General of New Zealand to Governor General.</i> Reports that Anglo-French Treaty of guarantee would not be submitted to Parliament and that defaulters to be disfranchised for ten years.	174
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179	Sept. 16	<i>Chargé d'Affaires in United States to Governor General.</i> Postpones proposed conference with Canada on Civil Aerial Navigation.	175
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183	Nov. 8	<i>Colonial Secretary to Governor General.</i> Urges that Dominions, on account of United States objection, assent to renunciation of voting power in event of dispute between member of Empire and another member of League (Article 15).	177

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186	Nov. 14	<i>Ambassador in United States to Foreign Office.</i> Conveys Borden's opinion in favour of Dominion renunciation of voting power under Article 15. Discusses possible effects of renunciation on United States ratification.	179
187	Nov. 26	<i>Prime Minister to High Commissioner in United Kingdom.</i> Authorizes signature of Aerial Navigation Convention with reservation as information lacking.	180
188	Nov. 29	<i>Governor General to Colonial Secretary.</i> Concurs with ratification of Austrian, Czecho-Slovak and Serb Croat Slovene Treaties.	180
189	Dec. 5	<i>Report of Minister of Public Works to Governor General in Council.</i> Requests Canadian laws on Air Navigation be given extra-territorial jurisdiction.	181
190	Dec. 6	<i>Colonial Secretary to Governor General.</i> Reports delay in Canadian signature of Aerial Navigation Convention as authority received too late.	181
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192	Dec. 11	<i>Governor General to Colonial Secretary.</i> Appoints High Commissioner as representative to sign minor documents.	182
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195	Dec. 15	<i>Colonial Secretary to Governor General.</i> Asks whether Canada would accept any German naval material as reparation.	183
196	Dec. 16	<i>Colonial Secretary to Governor General.</i> Outlines proposals for remainder of Peace Conference: Syria, Turkish Peace, Russia, United States attitude to League of Nations, division of reparations between France and British Empire.	183
197	Dec. 18	<i>Governor General to Colonial Secretary.</i> Accepts reparation division as proposed.	185
198	Dec. 26	<i>Prime Minister to High Commissioner in United Kingdom.</i> Announces decision to delay signing Air Convention and possibility of separate Canadian agreement with United States.	185
199	Dec. 27	<i>Colonial Secretary to Governor General.</i> Announces Roumanian signature of Austrian and Bulgarian Treaties and Minorities Treaty.	186
200	Dec. 30	<i>Colonial Secretary to Governor General.</i> Reports United Kingdom recognizes only three mile limit to territorial waters.	186

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ANNEX OF GENERAL MEMORANDA			
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	Jan. 6	<i>Prime Minister to Acting Prime Minister.</i> Encloses first memorandum and authorizes use.	187
1	Jan. 6	Borden proposes to Imperial War Cabinet two methods of ending hostilities in Russia: by military intervention or by summoning delegates of various Russian governments to Paris and exerting political and economic pressure. Latter method accepted.	188
2	Jan. 15	Arrival of Canadian representatives in Paris is described. Dominion Prime Ministers insist upon separate representation at Peace Conference and Wilson finally agrees, although United States initially opposed. Borden proposes that Dominion representatives on League of Nations be selected from a panel.	188
3	Jan. 18	Peace Conference limits admission of press at sessions. Borden and Doherty agree to submit resolution to Imperial War Cabinet that Empire representatives on League of Nations Council be selected temporarily by Imperial War Conference. Newfoundland Prime Minister represents Empire at first Plenary Session. Great powers agree to increase representation of Belgium and Serbia.	191
4	Jan. 22	At meeting of British Empire Delegation Borden and Lloyd George oppose military intervention in Russia. France opposes recognition of Bolshevik Government and favours military intervention.	192
5	Jan. 28	At meetings of British Empire Delegation and plenary sessions representatives of various countries submit claims for annexation of specific German colonies and discuss principle of disposition by annexation or as mandates of League of Nations. Plenary Session passes resolution on composition of committees. Borden and Draper attend Committee on Labour Conditions.	193
6	Feb. 1	British Empire Delegation discusses further disposition of German colonies. Peace Conference debates whether decisions to be made by Peace Conference or by League of Nations. Borden feels Council of Ten not making satisfactory progress. Canadian delegation discusses food situation in Europe and decides that representation of Dominions on League of Nations should be on same principle as at Peace Conference. Russian Governments probably will not attend proposed Prinkipo Conference.	196
7	Feb. 7	Borden is appointed member of Greek Boundaries Committee. Dominion Prime Ministers accept Borden's proposal that plenipotentiaries from each Dominion should assent to Peace Treaty on behalf of H.M. the King. Borden and Harris urge Lloyd George to remove British restrictions on food supply to Europe.	199
8	Feb. 13	Canada requests information from British Foreign Office concerning future restriction on immigration from enemy countries and on repatriation of aliens. Borden is elected Vice-Chairman of Greek Boundaries Committee. Armistice is to be renewed under present terms for period to be terminated on short notice and Allies to consider terms for future renewal.	201



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9	Feb. 22	Plenary Session discusses proposals for a League of Nations. French do not favour League of Nations. Participation of Canadian delegates on committees of Peace Conference is outlined. Reference is made to documents on withdrawal of Canadian troops from Siberia. Greek Boundaries Committee is making slow progress. United States delegate to Prinkipo Conference agrees with Borden about Russian situation. Naval and military authorities suggest possible German reactions to onerous peace terms. Robertson is to accept position on Supreme Economic Council.	203
10	Mar. 1	Disagreement in Greek Boundaries Committee between Greek and Italian delegates creates difficulties. Supreme Economic Council discusses inadequacy of arrangements to meet food shortage in Central Europe. Dominion representatives on Supreme Economic Council are to be selected from panel. Harris and Robertson are appointed Canadian representatives on Empire advisory committee to Supreme Economic Council. British Empire Delegation considers proposed economic arrangements for inclusion in Peace Treaty.	206
11	Mar. 8	Report of Greek Boundaries Committee indicates disagreement among delegates. Canadian representatives on various committees are named. Dominion Ministers stress dangers of possible alliance between Bolshevik Russia and Bolshevik Germany.	208
12	Mar. 15	References are made to Borden's memoranda on draft League of Nations Covenant and on method for Dominion adherence to Peace Treaties, Conventions and League of Nations Covenant. Harris succeeds in obtaining removal of restrictions on trade between Canada and Britain. Lists problems remaining before Peace Conference: naval and military terms, division of reparation payments, Germany's capacity to pay, territorial readjustments in Europe and disposition of remaining German colonies, and future economic arrangements. Borden discusses Indian adhesion to Peace Treaties, Conventions and League of Nations Covenant with Lord Sinha.	210
13	Mar. 24	Inclination to postpone difficult questions and obstructionism delay progress of Peace Conference. Conference is to be held to discuss effect of Japanese proposals about League of Nations control of immigration.	213
14	Mar. 29	Prime Ministers of Four Great Powers draft Peace Treaty. Need for speed in completion of Peace Treaty and dangers of Bolshevism in Germany as reaction to harsh terms are stressed. Dominion Prime Ministers discuss Japanese amendments to League of Nations Covenant recognizing Japan as equal. British Empire Delegation accepts Borden's proposal of committee to consider amendments to International Labour Convention.	214
15	Apr. 7	British Empire Delegation objects to certain terms of proposed International Labour Convention. Four amendments to Covenant of League of Nations to meet Japanese wish for recognition of equality of nationals are listed. Great Powers disagree over boundary between France and Germany. Possibility of alliance between Russia and Germany is emphasized.	215

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16	Apr. 12	British Empire Delegation accepts Borden's resolution that Labour Convention and League of Nations Covenant conform in membership and method of adherence; objects to consideration by Plenary Session of Labour clauses proposed for inclusion in Peace Treaty; insists upon direct representation on proposed International Commission for Air Navigation. Council of Four agrees on frontier between France and Germany, future of Saar Valley and of Danzig; decides Kaiser to be prosecuted only for violation of neutral countries and not for general responsibility for war; discusses French and United States disagreement about principle of indemnity and Lloyd George's estimate of claims of Allies. Borden stresses danger of Bolshevism in Germany if reparation demands too onerous. Borden discusses conditions in Russia and Poland.	218
17	Apr. 19	British Empire Delegation considers reports of Commission on Ports, Waterways and Railways, and of Economic Commission. Agreement on important questions in drafting Peace Treaty is not yet reached. Problem is increased by unrest in some Allied countries. Treaty will soon be submitted to German plenipotentiaries.	222
18	Apr. 26	Italian delegation will probably leave Peace Conference because of Wilson's statement on territorial aspirations of Italy. Work of Peace Conference is progressing rapidly. Drafting Committee will probably adopt amendments to League of Nations Covenant proposed by Dominion Prime Ministers. Delegates discuss various proposals of labour clauses for insertion in Peace Treaty. Robertson is to have higher position on Supreme Economic Council.	224
19	May 3	Italian attitude to Fiume is reported. Borden discusses Dominion representation on Governing Body of Labour Convention with Lloyd George and later with United States delegate. Borden obtains agreement of Plenary Session on labour clauses for insertion in Peace Treaty. Borden and Wilson discuss Dominion representation on League of Nations Council. Canadian delegates differ on this question. In meeting of Council of Four Borden objects to United States proposals to alter arrangements concerning disposition of German submarine cables.	225
20	May 10	Plenary Session considers final draft of Peace Treaty and Foch criticises military terms. Borden succeeds in having objectionable terms concerning Dominion representation struck out of Labour Convention. Peace Treaty is presented to German delegates. Canadian and United States representatives discuss amendments to Aerial Navigation Convention. Question of disposition of German submarine cables is settled.	229

# THE PARIS PEACE CONFERENCE OF 1919

## 1. *President of Privy Council to Prime Minister*

PRIVATE AND CONFIDENTIAL  
My dear Sir Robert,

Ottawa, November 7, 1918

### RE PUBLICITY OF YOUR WORK OVERSEAS

Confirming my conversation with you this afternoon would say that it appears to me to be very important in the public interest that full publicity should be given to the work of yourself and your associates during the time you are over in England on your present mission to the Peace Conference.

The lack of publicity last summer created a serious condition of public sentiment in Canada and led to very grave and widespread dissatisfaction with the Government.

It appears to me that publicity will be doubly important during the next few months. With the probable closing down of munitions plants and men being thrown out of employment and with the reaction from the strain of work, there is likely to be considerable unrest. We can only expect to carry public opinion if we keep it well advised of what is being done by the Ministers overseas and of the necessity of their being there.

It also may be very important to have the Canadian viewpoint on the Peace negotiations kept before the American people and this we can do by the establishment of the New York office at once, provided the Canadian viewpoint as seen at the Peace Conference is sent over to the New York office.

For the sake, therefore, of public opinion on this continent, I would strongly recommend that you take with you, one of the leading journalists of Canada to whom you could give full confidence and keep fully advised and who, knowing Canadian public opinion, would be able to send frequent despatches as to the work you and your colleagues are doing.

At the consultation with Mr. Nichols he suggested Mr. J. W. Dafoe of the *Winnipeg Free Press*, if you could possibly secure him and I cannot think of a better man for this work.<sup>1</sup>

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<sup>1</sup>J. W. Dafoe accepted the appointment and stayed with the delegation in London and Paris until early March, 1919, at which time he left for Canada. A. Trepanier became responsible for press liaison.



In order to avoid any question arising with the Canadian Press Limited and the Canadian newspapers, whose representatives will no doubt go overseas, my suggestion would be that if you approve asking Mr. Dafoe, or any other leading journalist, we should take the matter up with the Canadian Press here and get their approval so that we would be assured of their co-operation. This appears to me to be the most desirable course. An alternative course would be for the journalist to go over as the representative of the Department of Public Information and send his cables both to the Ottawa and New York offices of the Department, to be handed out to the Canadian Press. This would be a good thing from the standpoint of the Department, but I think it is important we should carry the Canadian newspapers with us in the matter; or possibly we could work out a combination of both.

You will probably not have time to deal with this before you leave and if not, could you wire or write me from New York?

Yours faithfully,

N.W. ROWELL

*2. Prime Minister to Prime Minister of United Kingdom*

CONFIDENTIAL

My dear Prime Minister,

London, November 23, 1918

Doubtless some suggestions which I have had in mind and which I venture to mention in this letter have already had your consideration. Probably some, if not all, of them will be considered by the Cabinet before we go to the Peace Conference.

I. The League of Nations. I am not convinced that any scheme yet formulated is practicable in the sense of having permanent results of marked advantage. However, as I stated in the Cabinet, the purpose is so commanding that no right thinking man could withhold his sympathy and support to any proposal which gave the faintest promise of success. I discovered today that the French proposals have been communicated to the Imperial War Cabinet; and a copy forwarded to me, but I have not seen the observations (if any) of President Wilson upon the scheme propounded by Lord Phillimore's Committee.<sup>1</sup> The proposals embodied in the report of that Committee seem to be the nearest approach to a definite scheme that might be capable of acceptance and that might give some promise of usefulness. It has occurred to me that out of the great mass of material collected upon this subject, a memorandum might be prepared containing an analysis of the various proposals, a statement of the considerations which might be urged for or against each and a conclusion (to be

<sup>1</sup>Committee on a League of Nations established in 1917 by the Foreign Office under the Chairmanship of Lord Phillimore (Lord Justice of Appeal, 1913-1916).

considered and approved by the Imperial War Cabinet) as to the position which should be urged on behalf of the Britannic Commonwealth at the Peace Conference. If the preparation of such a memorandum served no other good purpose, it would assist in clarifying our ideas and in enabling us to reach a necessary conclusion before the Conference begins. I realize of course that any conclusion thus reached would be subject to, and might be extensively modified by, the criticism, destructive or otherwise, which it would undoubtedly meet at the Conference.

You know my own conviction that there is at least possible a League of the two great English speaking commonwealths who share common ancestry, language and literature, who are inspired by like democratic ideals, who enjoy similar political institutions and whose united force is sufficient to ensure the peace of the world. It is with a view to the consummation of so great a purpose that I should be content, and indeed desire, to invite and even urge the American Republic to undertake worldwide responsibilities in respect of undeveloped territories and backward races similar to, if not commensurate with, those which have been assumed by or imposed upon our own Empire.

II. I have already expressed in the Cabinet and you have concurred in the view that there should be available a carefully prepared statement with respect to the doctrine of the freedom of the seas and that this should set forth all that can be urged for or against the British point of view having regard to historical, legal and strategical considerations. This work is now in hand, as I understand, by the Admiralty and by the law officers of the Crown.

III. While it is desirable that South Africa, Australia and New Zealand should respectively make their case at the Peace Conference for the retention of certain Colonial possessions conquered from Germany in this war, I venture to suggest that a confidential memorandum should be prepared on the subject and that it should set forth not only the point of view which will thus be urged but any wider considerations which point in the same direction.

IV. Doubtless the question of indemnities (apart from the restoration of the devastated regions of Belgium, France and Serbia) will be considered by the Cabinet in due course. The questions thus arising are necessarily both complex and difficult. One nation or Dominion may have suffered greatly in loss of man power with a resulting pension roll which will impose heavy burdens for half a century; another nation or Dominion may have sustained a much smaller relative loss of this character but a greater loss in the destruction of shipping or other property. Accessions of territory with large supplies of raw materials may wholly or partially compensate one nation or Dominion and not another; a powerful and wealthy nation like the United States may be opposed to any indemnity; the enemy nations may not possess material resources sufficient to pay any indemnity comparable with the appalling losses which they have inflicted upon the world.

I mention these matters not because I have reached any conclusion but because I think we must take them into account before we go to the Conference.

V. Very elaborate studies have been made of important economic questions such as the control of raw materials, the restriction of imports from enemy countries, possible arrangements with Allied and even neutral nations from the benefits of which enemy countries shall be excluded. Insofar as any proposals based upon the reports of various Committees during the past three years are not over-ridden by the Peace Terms, propounded by President Wilson and forming the basis of the armistice, we must I suppose consider carefully our position before the Conference begins.

VI. The territorial adjustments in the Balkans and elsewhere on the Continent of Europe and in the Turkish Empire have been closely studied by the Foreign Office, as I understand, and their views will doubtless be laid before the Cabinet in due course.

My colleagues and I together with the gentlemen who are associated with us have been giving attention to questions which especially concern Canada's interests. If in respect of other wider questions we can be of assistance you may be assured that we shall gladly render any service of which we are capable.

This letter does not call for any reply and it has been prompted solely by a desire to aid as far as possible in the great work that lies before us.

Yours faithfully,

[R. L. BORDEN]

### 3. *Colonial Secretary to Governor General*

TELEGRAM

London, November 28, 1918

Referring to my despatch of 25th September Dominions No. 541 Secret in view of cessation of hostilities His Majesty's Government regard it as very desirable that Civil Aerial Navigation should be developed as rapidly as possible. They are therefore anxious to proceed at once with discussion with Allied Governments of draft International Convention on pages 27 and following of printed reports of Civil Aerial Transport Committee. Question has been further considered by His Majesty's Government and certain alterations have been made in draft convention which I am sending you in separate telegram.<sup>1</sup> Your Ministers will observe that these alterations result in the draft convention asserting in clearest possible manner principle of national sovereignty in the air *usque ad coelum* over national territory and territorial

<sup>1</sup>Not printed.

waters but that subject to that principle convention is now so drawn as to impose fewest possible restrictions on freedom of international aerial communication.

His Majesty's Government would be glad to know as soon as possible whether Dominion Governments concur generally in principles of draft convention. Air Council propose to discuss matter with Dominion Ministers in this country in connection with Peace Conference. Please telegraph reply. Similar telegram sent to other self-governing Dominions.

LONG

*4. Prime Minister to Governor General*

Sir,

London, December 2, 1918

The British Ministers have been necessarily occupied to a considerable extent in election activities and thus the time otherwise available for the discussion of peace terms has been somewhat diminished. However, the French and Italian Prime Ministers are here for a short visit and during their stay we anticipate that important discussions will take place and the necessary decisions will be reached.

We have organized our work in a systematic manner. The British Government has been good enough to furnish offices for us in 2 Whitehall Gardens and we find them very convenient. A meeting of the Canadian Ministers is held every morning at 10:30 and twice each week there is a meeting of all the members of the Canadian delegation. Committees have been appointed to deal with different subjects and our work is progressing favourably. We have found the British Ministers and Committees quite sympathetic in all the proposals which we have put forward. These proposals relate chiefly to trade conditions, the marketing of our products both agricultural and industrial and generally to the share which we are prepared to take in the work of reconstruction.

There was a wonderful reception yesterday to Clemenceau and Foch. The streets were lined with troops behind whom were vast cheering crowds. I have never seen the people of London so demonstrative. After Marshal Foch had entered Claridge's Hotel a great crowd surged around it on every side; and they began to shout in a sort of chant or refrain "We want Foch; We want Foch". After the Marshal had made his appearance two or three times they began another refrain "We want a speech; We want a speech", in response to which he was obliged to make further appearances.

There is a very strong feeling that some punishment should be inflicted upon the ex-Kaiser. The Law Officers of the Crown have made an informal report which is to be followed by a considered opinion. I believe that if any

action is to be taken it should be by a resolution of the Peace Conference and not through a long-drawn out trial before a tribunal constituted for the purpose and really having only such authority as could be conferred upon it by the Peace Conference itself. Many telegrams urging the trial and punishment are reaching me from Canada.

I have asked General Currie to hold himself in readiness to be present in Paris during the deliberations of the Peace Conference. His assistance will be useful and it is quite appropriate that the Canadian Corps should thus be represented on that occasion.

I have etc.

[R.L. BORDEN]

5. *Extracts from Minutes of Fortieth Meeting  
of Imperial War Cabinet*<sup>1</sup>

SECRET

London, December 3, 1918

Sir Robert Borden was not prepared to agree without further consideration that a State trial would afford the best method of dealing with the ex-Kaiser. A trial before such a tribunal might become impressive in more senses than one if it were dragged out for many months or even for years, with the attendant opportunity for the ex-Kaiser to exercise his well-known art of posing and intriguing. In his opinion the public opinion of the world and the justice of the case would be better satisfied if the ex-Kaiser were dealt with by resolution of the Peace Conference. The proposal was to create an *ad hoc* tribunal to try the ex-Kaiser for an *ad hoc* crime and by *ad hoc* procedure. The tribunal was to be constituted not by the League of Nations but by the Allied belligerent nations. A sentence by a tribunal created by the Allied nations with whom the ex-Kaiser had been at war would not rank higher in point of fairness or justice than a sentence by the Peace Conference upon facts which were known and admitted.

The Prime Minister suggested that perhaps Sir Robert Borden would like to raise the question when the representatives of France and Italy joined the Imperial War Cabinet meeting at 11:15 A.M.

Mr. Chamberlain<sup>2</sup> hoped very much that Sir Robert Borden would do this, as he thought that a good many people held the view that a State trial would give the ex-Kaiser's friends too much opportunity for exalting him.

...

<sup>1</sup>Canadian representatives present: Sir Robert L. Borden and Sir G. E. Foster.

<sup>2</sup>Austen Chamberlain, Chancellor of the Exchequer, 1919-1921.



Sir Robert Borden observed that we should carefully consider the points to which the present proposal would lead. If the Peace Conference, instead of exercising jurisdiction upon admitted and acknowledged facts, should propose to establish an international tribunal before which the ex-Kaiser should be impeached, some definite and permanent principle should be asserted and embodied in the proposed action. The principle to be asserted should be set forth in terms as precise and definite as the subject would permit, and should be so expressed as to include all persons responsible for forcing upon the world an unjust and aggressive war. The tribunal should be established or provided for upon a permanent basis, so that all rulers and advisers of rulers in the future might know the penalty for any such action as that undertaken by the German autocracy in 1914. If such a principle were formulated and such a tribunal established, then both the principle and the tribunal could be declared to apply to the events which forced this war upon the world. He desired to observe that, whether the ex-Kaiser was to be sentenced by the Peace Conference or to be tried before the proposed tribunal, this should be asked for without delay.

\* \* \*

#### 6. *Acting Prime Minister to Prime Minister*<sup>1</sup>

TELEGRAM P. 35

SECRET AND CONFIDENTIAL

Ottawa, December 4, 1918

From White. Council today further considered Canadian representation at Peace Conference and is even more strongly of opinion than when you left that Canada should be represented. Council is of opinion that in view of war efforts of Dominions other nations entitled to representation at Conference should recognize unique character of British Commonwealth composed of group of free nations under one sovereign and that provision should be made for special representation of these nations at Conference even though it may be necessary that in any final decisions reached they should speak with one voice; that if this is not possible then you should form one of whatever delegation represents British Commonwealth. It surely is not contemplated that each nation at war should have exactly same numerical representation, so that Serbia and Portugal would have as large representation as Great Britain and France. Should not representation be to some extent commensurate with war effort? Would you like Order in Council passed or any other official action taken declaring attitude of Government on question of Canadian representation at Conference? If so please cable.

<sup>1</sup>The Prime Minister's Office in Ottawa appears to have been the regular channel for telegraphic correspondence between Borden and his colleagues in Ottawa during his absence in Europe for the Peace Conference. Thus telegrams from Borden to Ottawa are addressed "Prime Minister", and telegrams to Borden are signed "Prime Minister". In both cases obviously the term means "Acting Prime Minister". In order to avoid confusion the word "Acting" is added where this is clearly meant.

*7. Acting Prime Minister to Prime Minister*

TELEGRAM P. 39

Ottawa, December 5, 1918

From White. See Long's telegram of November twenty eight to Governor General to which following is reply prepared by officials of Finance Department and which is being forwarded through usual channel. Begins. War expenditure of Canada to thirtieth November one billion and sixty eight million. To thirty first March next estimated one billion two hundred ninety millions. In this statement maintenance of troops in France is calculated at six shillings per man not at suggested increased rate of nine shillings four pence. To this estimate should be added amount of war outlay which will be incurred after thirty first March nineteen nineteen which may exceed three hundred million dollars. Pension expenditure is estimated at thirty millions per year and probably more. Net debt of Canada to thirty first March nineteen fourteen three hundred thirty six millions. Net debt to thirty first March next estimated at one billion and half.

This reply covers points raised in your telegram November eighteen except item number four, information concerning which will be forwarded with least possible delay.

*8. Acting Prime Minister to Prime Minister*

TELEGRAM P. 49

CONFIDENTIAL

Ottawa, December 7, 1918

In addition to direct claim in respect of our war expenditure you will not lose sight of claims for indirect damage covering interruption to trade and dislocation of our business generally. We should, I think, also claim punitive indemnity in respect of our casualties. Damages for the Halifax disaster amounting to say thirty million dollars would appear to me to be a fair claim also.

WHITE

*9. Prime Minister to Acting Prime Minister*

TELEGRAM B. 47

London, December 9, 1918

Your P. 39. Suggest that if possible you specify first, the amount included in total for maintenance of troops in France upon this any additional percentage can be computed. Second, the character and probable amount of expenditure after 31st March instead of giving an upward limit only. Third, the length of time during which pension expenditure will probably continue at rate indicated or its probable total.

BORDEN

10. *Extract from "Shorthand Notes" of Committee of Imperial War Cabinet on Indemnity*<sup>1</sup>

SECRET

December 9, 1918

SIR GEORGE FOSTER: I find myself unable to agree with that statement.<sup>2</sup> It is a matter for which I find no foundation at all; it is simply a guess. You follow that up directly by taking away from Germany her methods of operation, her transport, and everything. You take away from her all her gold, her ships, a large portion of her transport stock; and, in the face of evidence submitted to us that 400 millions was her earnings which she had for investment, you say that there is no reason to believe that she could not put up £1,250,000,000 in a year in the way of interest. You make a negative proposition.

MR. GIBBS: We say, "They have no reason to suppose that the enemy Powers cannot provide."

SIR GEORGE FOSTER: It is put in a negative way. If we did anything with reference to a statement of figures, it should be done positively for the protection of the Committee and of those who take the report; but on what ground do you base the statement that you are able to take that amount? That is an answer to the Prime Minister's question: "How much can Germany be made to pay?"

MR. HEWINS: Not Germany, but the enemy Powers.

SIR GEORGE FOSTER: Yes, the enemy Powers: how much can they be made to pay? And you answer that by saying they can be made to pay £1,250,000,000 in interest per year as calculated on a bulk sum of £24,000,000,000. On what ground do you make that assertion, from the evidence that you have had, or from our own personal knowledge? If you were asked to stand up on a platform or before a Committee and give the grounds for your belief on that, what are those grounds? If we have grounds, and those grounds justify us in putting that forward, let us put the grounds in the report upon which it is based, or otherwise I cannot see that you are justified in putting it there at all. I personally believe that it is an absolutely impossible amount in so far as our knowledge goes now, and I think it will be looked upon as such. You gain nothing by making an extravagant assertion as to

<sup>1</sup>Sir George Foster was the Canadian representative on this Committee and an active member throughout. Since the "notes" consist mainly of short exchanges between committee members, or with witnesses, not much of the material is suitable for publication. The extract here illustrates Foster's general approach to the problem. Other members of the Committee were: W. M. Hughes; Walter H. Long; Lord Cunliffe (former Governor of the Bank of England); Herbert Gibbs; W. A. S. Hewins (Parliamentary Under-Secretary for the Colonies).

<sup>2</sup>The Committee was discussing its draft report. Foster's comments refer to a statement that although the cost of the war could not be estimated accurately as yet the Committee accepted the provisional figure of £24,000,000,000 and that there was no reason to believe Germany could not pay the interest on this amount.



what Germany is able to pay, when in the same breath you have to admit that you do not know what she can pay, or what her position will be. You do not know whether she will gird herself economically or not. You do not know into what shreds or patches she will be torn; yet you make a positive assertion, and, in answer to the question, "How much can she be made to pay?" you say £24,000,000,000. I see no grounds for that whatever. We ourselves got none in the evidence, and we give no substantial grounds for it.

MR. HEWINS: What sum do you want to put in?

SIR GEORGE FOSTER: I do not want to bind myself to a sum which I honestly cannot stand to as being on a reasoned basis.

MR. HEWINS: Have you any sum in your mind?

SIR GEORGE FOSTER: No, I have not; neither would I fix a sum. I think we have gone far enough when we say that in our opinion—and I am firm in that—in justice we should demand that the whole costs of the war should be paid by the enemy Powers; but it may possibly be that the enemy Powers are not able to pay that, and cannot pay it under conditions that the world will tolerate as being carried on over ten, twenty, thirty, forty, or fifty years with 80 or 90 millions of people, with all the contingencies that would be necessary in order to work it out over that period of time, taken in conjunction with the fact that you have cut off her legs and her arms, and taken away a very substantial portion of her body.

. . .

11. *Memorandum by War Office on Contribution of Overseas Dominions towards Army of Occupation in Germany*

SECRET No. 25  
G.T. 6459

London, December 11, 1918

1. In a paper already circulated to the War Cabinet (o.1/183/525) were summarized the probable commitments of the British Empire in regard to Armies of Occupation, amounting to from 14 to 20 Divisions overseas, apart from peace garrisons at home and abroad amounting to not less than 300,000.

2. The provision of the numbers required will obviously throw a great strain on the resources of Great Britain. The great Overseas Dominions have shared with the British Army the vicissitudes and glories of the various campaigns now successfully concluded and I hope that they will equally be ready to participate in the irksome but necessary duties of garrisoning occupied territory. Without such occupation the fruits of victory, for which they have made such sacrifices, will not be gathered.

3. I would propose that the period of occupation should be considered in two stages as follows:

(a) The period of partial demobilization during which time the troops of overseas Dominions should be repatriated as ships are available with

the exception of two Australian Divisions and two Canadian Divisions, forming part of the Army of Occupation in Germany.

(b) Permanent Army of Occupation for an indefinite period after demobilization has been completed, to which Canada and Australia should each contribute one Infantry Division. It is possible that the recruiting of these Divisions would necessarily be on a voluntary basis in which case arrangements similar might be made as in the case of the Regular British Army, i.e. special leave and financial inducements should be offered, the expenditure involved according to the terms of the Armistice to fall on the German Government.

4. A Brigade of all arms has been contributed by Canada to the Allied forces in Siberia and it is hoped the maintenance of the Brigade may be found possible by the Canadian Government, also presumably on a voluntary basis.

5. As a rough estimate, the proportion of British, Canadian, and Australian contingents proposed above as compared with the present numbers in theatres of operations, would approximately be as follows:

British	20% to 25%
Or if the Regular Army Overseas is added	30% to 37%
Canadian	18%
Australian	20%

HENRY WILSON  
C.I.G.S.

12. *Extract from Minutes of Forty-Second Meeting  
of Imperial War Cabinet<sup>1</sup>*

SECRET

December 12, 1918

RETENTION OF DOMINION TROOPS IN OUR ARMY OF OCCUPATION

. . . .

Sir Robert Borden said that, dealing with the proposal under the two stages as suggested in the memorandum,<sup>2</sup> he did not think there would be any objection to retaining two Canadian divisions during the period of partial demobilisation, since he doubted if in any case it would be possible to get these divisions back to Canada before the Peace Conference had been concluded. As regards the Canadian contribution to an Army of Occupation for an indefinite period after demobilisation, he thought great difficulties were involved, and that public opinion in Canada would not support compulsory service for such a purpose. There was a strong feeling that our men should be brought back as soon as possible. Any troops provided by Canada for an Army of Occupation after the treaty of peace would have to be raised by

<sup>1</sup>Canadian representatives present: Sir Robert L. Borden and A. L. Sifton.

<sup>2</sup>Document 11.

voluntary enlistment, and whether it would be practicable to raise a division in that way was quite uncertain. It would be necessary to obtain information in Canada and from the corps now at the front. He would endeavour to obtain such information.

...

The Imperial War Cabinet—

(a) Took note of the views expressed by Sir Robert Borden and Mr. Hughes respectively that there would be no objection to two Canadian divisions and two Australian divisions forming part of the Army of Occupation in Germany during the period of partial demobilisation;

(b) Postponed for discussion at a later date the proposal for Canada and Australia to contribute troops to the Army of Occupation after demobilisation.

#### LEAGUE OF NATIONS

Sir Robert Borden asked if there was a committee dealing with the League of Nations, because, if so, he thought that the Dominions ought to be represented on it, since any opinion advanced at the Peace Conference by the representatives of the British Empire would presumably be assumed to include the views of the self-governing Dominions.

Mr. Lloyd George said that the matter was in the hands of Lord Robert Cecil.

General Smuts said that the Section which was dealing with the matter could not start work before next Monday, as Lord Robert Cecil, who had been appointed to take charge of this work, was busy in connection with the General Election.

Mr. Lloyd George said that the Dominions certainly must be represented at the discussions:

The Imperial War Cabinet decided that—

The Dominions should have representatives on the Section of the Foreign Office considering the question of a League of Nations, and invited Mr. Balfour to make representations in this sense to Lord Robert Cecil.

...

### 13. *Acting Prime Minister to Prime Minister*

TELEGRAM P. 72

Ottawa, December 13/14, 1918

Your cable November 18th for Doherty. Custodian Records to November 30th show following:

1. Real and personal property Germany, eight million four hundred twenty seven thousand five hundred and forty three dollars; Austria, three hundred ninety nine thousand three hundred and thirteen dollars; Tripoli, six thousand five hundred dollars; Bulgaria, none. Debts and Bank balances due to persons in Germany, one million eight hundred seventy five thousand six

hundred and five dollars; Austria, three hundred twenty two thousand six hundred and four dollars; Tripoli, five hundred and fifty dollars; Bulgaria, one thousand four hundred and sixty dollars.

2. Of above, two million three hundred and eighty four thousand four hundred and forty four dollars is vested in Custodian and two million six hundred fifty thousand dollars is in course of being vested.

3. Real and personal property. Germany, ninety six thousand eight hundred and sixteen dollars; Austria, four hundred and thirty four dollars; Tripoli, none; Bulgaria, none. Debts and Bank balances due by persons in Germany four hundred ninety five thousand eight hundred and twenty dollars. Austria, fifty nine thousand eight hundred and eighty five dollars; Tripoli, nine thousand and eighty four dollars; Bulgaria, none. Under this head there are also claims against enemy Governments on securities and for illegal warfare and sequestrations. Germany, four hundred and five thousand six hundred dollars; Austria, one hundred forty one thousand two hundred seventy nine dollars.

4. No information yet available. Figures given above especially those under third head will be much increased when complete information collected. This is being actively pressed.

14. *Extract from Minutes of Forty-Fourth Meeting  
of Imperial War Cabinet<sup>1</sup>*

SECRET

December 20, 1918

THE CAPTURED GERMAN COLONIES

...

Mr. Lloyd George said there was a great deal to be said for the policy which had been advocated by Sir Robert Borden in the summer. Sir Robert Borden had pointed out that it would create a very bad impression if the British Empire came out of this war with a great acquisition of territory, and if the United States undertook no new responsibilities. If America were to go away from the Conference with her share of guardianship, it would have a great effect on the world.

Sir Robert Borden then read extracts from certain speeches made by President Wilson, in order to show the views which the President held. One of the most important assets that we could get out of the war would be assured goodwill and a clear understanding between Great Britain and the United States. There were very strong elements, such as the German and Irish, in the United States which were bitterly opposed to our Empire, and we must not put into the mouths of these people a plausible argument that we had gone into the war for territorial aggrandisement. He frankly said that, so far as Canada was concerned, she did not go into the war in order to add

<sup>1</sup>Canadian representatives present: Sir Robert L. Borden and Sir G. E. Foster.

territory to the British Empire. In so far, however, as the colonies conquered by South Africa, Australia, and New Zealand were concerned, he would be prepared to support their retention on one consideration, and one only, and that was that their acquisition was necessary for the future security of the Empire. As regards the remaining conquered territories, he was in favour of entrusting their control and dominion to whichever State was appointed as mandatory for that purpose by the League of Nations, on the lines suggested in General Smuts' paper. The mandate would be for the development of those countries in the interests of the inhabitants until they were capable of governing themselves. He assumed, of course, that the French and others who had occupied enemy colonies would agree to the same policy.

...

### 15. *Colonial Secretary to Governor General*

PARAPHRASE OF TELEGRAM

SECRET

Ottawa, December 20, 1918

As a result of discussions at Imperial War Cabinet<sup>1</sup> it has been settled that two Canadian Divisions shall, during period of partial demobilization, form part of Army of Occupation in Germany. Question reserved for further consideration regarding Canadian troops forming Army of Occupation after general demobilization.

LONG

### 16. *Extracts from Minutes of Forty-Sixth Meeting of Imperial War Cabinet<sup>2</sup>*

SECRET

December 24, 1918

A LEAGUE OF NATIONS

...

Sir Robert Borden said that, no doubt, at some later date the Cabinet would take up General Smuts' propositions in detail, in order to see what practical effect could be given to them. He wished to associate himself with previous speakers in paying his tribute to the great service he felt General Smuts had performed in producing his statesmanlike examination of the project of a League of Nations. General Smuts had taken a wide and fine conception of a method by which nations, great and small, should have their quarrels settled by reference to a Council and not by recourse to war. It was very necessary that international rules should be laid down and observed, and that force, if required, should be exerted in order to ensure their observance. The peace of the world depended upon public opinion, because, although in any orderly civilised country order depended upon the force behind, that force required the sanction of public opinion. He agreed with General Smuts

<sup>1</sup>Document 12.

<sup>2</sup>Canadian representatives present: Sir Robert L. Borden and Sir G. E. Foster.



that the procedure of the Inter-Allied Conference at Versailles might usefully be followed by the new International Council. Subject to certain reservations in regard to matter of detail, he thought that General Smuts' proposals would afford a most useful basis of discussion at the Peace Conference, and he would agree that the Prime Minister and the Foreign Secretary should use those proposals as their brief when talking over the question with President Wilson. It was quite true that the idea of a League of Nations did not originate with the President, as it had been discussed at least fifty years ago. It was universally felt, he thought, that the awful suffering occasioned by this war made it imperative that some such provision as outlined by General Smuts should be made as an alternative to war.

...

Sir Robert Borden said that in his opinion it was the very strong view of the common people that something should be done to reduce armaments. The people were under the impression, perhaps an erroneous one, that profit-making in the production of armaments led to war and was a direct inducement to war, and if we did not take steps to reduce armaments the Peace Conference would be a sham.

...

#### REPARATIONS

...

Sir Robert Borden concurred in the view expressed by the Committee that Germany, subject to the considerations just mentioned, which in his mind were controlling considerations, should pay a full indemnity. He agreed that it would be for the peace of the world that a Power which had broken that peace should be punished. On the other hand if the Report really was a statement of what Germany was in fact capable of paying, he did not find it convincing and was not prepared to concur in it. If one applied its conclusions to the case of Canada, which had about one-eighth of the population which would be left to Germany after the loss of Alsace-Lorraine and Posen, one would find that Canada would have to pay an indemnity of 150 million pounds a year over and above the cost of maintaining the government of the country and developing its resources. Even with the enormous natural resources which Canada had in proportion to her population, that would be impossible. He doubted if Canada could pay even one-tenth of that amount.

Sir George Foster said that the Committee was appointed to report to the Imperial War Cabinet, and he thought for the purpose of enabling the Imperial War Cabinet the better to reach a decision about the matter afterwards. He was under the impression the Report would not be made public. Such a Committee had not the time nor the sources of information at its disposal to enable it to determine what Germany could pay without injury to her or to us. There were three sources of evidence available to the Committee in regard to the capacity of Germany to pay:—a Report of the Board of Trade; the evidence of Mr. Hirst, who estimated that Germany could pay

125 million pounds annually; and that of Sir Charles Addis,<sup>1</sup> who estimated that Germany could pay from 60 to 65 million pounds annually. Apart from such evidence the Report of the Committee was based on the opinions of its members, framed in each case on such information as each possessed. He had signed the Report subject to certain protests, in order to expedite its consideration by the Imperial War Cabinet. He agreed with the Report so far as it was in favour of presenting a bill for the total cost of the war to the parties which had wrongfully originated and carried on the war. This would be a helpful lesson to mankind. He was in favour of reparation plus indemnity—the one grew out of the other. We should first have reparation and then indemnity. Germany should be made to pay to the last farthing, with the proviso that regard must be had to her capacity to pay and to the effect of the mode of payment of the indemnity on the economic interests of the Allies. But when an attempt was made to fix the precise amount which could be extracted from the enemy Powers, then examination must be made by some commission with more information than was in the possession of the Committee.

...

#### 17. *Acting Prime Minister to Prime Minister*

TELEGRAM P. 92

Ottawa, December 24, 1918

From White. I suggest that when claims for reparation for actual damages to property and persons are being considered you put forward the Halifax disaster as a proper subject for compensation to Canada. Even if Germany cannot be held directly liable the war was the cause of the disaster and she should be held responsible. If Germany is not compelled to make good this loss we are entitled to consideration by the Allies. I do not see how the case can be essentially differentiated from those where direct enemy action is involved. Canada has so many claims for reparation for actual damage and such heavy general war expenditure that we must press every possible claim unless we are to come off badly at the peace settlement.

#### 18. *Acting Prime Minister to Prime Minister*

TELEGRAM P. 102

Ottawa, December 27, 1918

From White. Your B.47.<sup>2</sup> Amount included in total war outlay to 31st March next for maintenance troops in France two hundred million dollars. Estimated war requirements next year in addition to usual outlays for pay

<sup>1</sup>Director of the Bank of England; member of the Cunliffe Currency Committee, 1918–1919.

<sup>2</sup>Document 9.



and maintenance of troops includes also post discharge pay and deferred pay ninety two million dollars and transport seventeen millions. Will send you figure respecting probable total pensions in few days.

19. *Extract from Minutes of Forty-Seventh Meeting  
of Imperial War Cabinet*<sup>1</sup>

SECRET

December 30, 1918

RELATIONS WITH THE UNITED STATES AND RUSSIA

\* \* \*

Sir Robert Borden said that he would regret if we entered on the Peace Conference with any feeling of antagonism towards President Wilson or the United States. He considered that the recent conversations had, on the whole, been as favourable as he had anticipated. Future good relations between ourselves and the United States were, as he had said before, the best asset we could bring home from the war. With regard to the two points on which there had been a pronounced difference, namely the Pacific Islands and indemnity, there was no reason to conclude that we had yet got the President's final point of view. He agreed that with regard to these we should maintain our position strongly. He wished, however, to make clear that if the future policy of the British Empire meant working in co-operation with some European nation as against the United States, that policy could not reckon on the approval or the support of Canada. Canada's view was that as an Empire we should keep clear, as far as possible, of European complications and alliances. This feeling had been immensely strengthened by the experience of the war, into which we had been drawn by old-standing pledges and more recent understandings, of which the Dominions had not even been aware. He was in no sense reproaching the Imperial Government with regard to the past, and admitted—in answer to a question by Mr. Lloyd George—that since the Imperial War Cabinet had been set up the Dominions had not been committed to any treaty binding upon them without their knowledge.

With regard to Russia, he did not see how the war could be regarded as terminated if we left the Peace Conference with five or six nations and Governments still fighting in Russia. There were only two alternatives: one was to go and forcibly intervene in Russia itself; the other, which he preferred, was to induce the Governments of the various States in Russia to send representatives to Paris for conference with the Allied and associate nations. These could then bring pressure, if necessary, upon them to restrain and control aggression, and to bring about conditions of stable government under the power and influence of the League of Nations.

\* \* \*

<sup>1</sup>Canadian representatives present: Sir Robert L. Borden and Sir G. E. Foster.

20. *Extract from Minutes of Forty-Eighth Meeting  
of Imperial War Cabinet*<sup>1</sup>

SECRET

December 31, 1918

\* \* \*

## REPRESENTATION AT THE PEACE CONFERENCE

The Imperial War Cabinet had before them a telegram from Lord Derby,<sup>2</sup> dated December 15, 1918 (Paper G.T.—6568), in regard to representation at the Peace Conference. In this telegram it was suggested that the Allied Great Powers should be invited to appoint five plenipotentiaries each; the smaller Allied Powers, three each; the new States recognised as Allies, two each; States in the course of formation, one each; neutral States, one each. The principle on which summonses would be issued might be the following:—Representatives of the Allied Great Powers at all sittings and committees; smaller Allied Powers and new Allied States to have the right to be represented at all sittings at which questions concerning them were to be discussed; possible representation of States in course of formation and Neutral States to attend when summoned by the Great Powers at sittings devoted to discussion of their interests and *desiderata*. It was suggested that the Congress should be composed of two phases—

- (1) The settlement, properly speaking, of the War.
- (2) The eventual organisation of a Society of Nations.

Lord Robert Cecil said that it was proposed in reply to telegraph a general acceptance of the French proposals in the following sense:

Prime Minister has now considered matter. We agree with French proposals on the understanding that they relate merely to issue of invitation to Allied and Friendly Powers, and that number of representatives of smaller Powers to attend sittings of Conference will form subject of subsequent agreement between Great Powers. We assume, of course, that arrangements come to in recent Inter-Allied conversations in London with regard to representation of British Dominions hold good. We think question of division of Conference into two phases should await further discussion.

Mr. Hughes said that, under the French proposals, the Dominions would not be accorded representation equivalent to, say, Sweden. He called particular attention to the second of the two phases proposed, which referred to the eventual organisation of the League of Nations. If the League of Nations were to endure, it would be one of those questions at the Conference which would most vitally concern the Dominions. It was probable that in 25 years the white population of the British Empire overseas would exceed the population of Great Britain. He therefore suggested that, when the Conference discussed this question, the Dominions were entitled to representation equal to that accorded to neutrals. Australia had put and kept more men in the field than Belgium, and deserved as much representation at the Conference.

<sup>1</sup>Canadian representatives present: Sir Robert L. Borden and Sir G. E. Foster.

<sup>2</sup>Secretary of State for War, 1916–1918; Ambassador to France, 1918–1920.

In reply to this, the Prime Minister pointed out that at a meeting on December 2, 1918, at which Mr. Clemenceau and Signor Orlando were present (Paper I.C.—98 A), it had been agreed by the representatives of the British, French, and Italian Governments—

That there should be five delegates at the Inter-Allied Conference of each of the great Allied and Associated Powers, namely:

France, Great Britain, Italy, Japan, United States of America.

Representatives of the British Dominions and India should attend as additional members of the British delegation when questions directly affecting them are under consideration.

The Prime Minister pointed out that the Dominions and India would be in the same position as, if not better than, the smaller Allied Powers, because it had been agreed at the same meeting—

That the smaller Allied Powers should have no right of representation at all the meetings of the Inter-Allied Conference, but that any of the smaller Allied Powers should have the right to be represented whenever questions concerning them were being discussed.

The Prime Minister added that in all discussions on the subject, it had been intended to include in the five delegates representing Great Britain, one representative of the Dominions and India.

Sir Robert Borden strongly urged that the question of representation had a very serious aspect for the Dominions, and a peculiar significance for Canada, which had no special material interest in the war, and no claims to additional territory. It would be regarded as intolerable in Canada that Portugal should have a representation in the Peace Conference which was denied to that Dominion. Canada had lost more men killed in France than Portugal had put into the field. If the French proposals were adopted as put forward in Lord Derby's telegram, the result upon public opinion in Canada would be such as he did not care to suggest, or even contemplate. The status of the Dominions was not well understood by foreign Powers, and it would be not only proper, but necessary, for the British Government to set it forth fully. The British Empire had the right to define the powers and functions of the nations which compose it, and foreign Powers had no right to question that definition. He alluded to the unanimous resolution passed in the Imperial War Conference in 1917, which was accepted by the British Government, and which declared that the constitution of the Empire was based on the principle of equal nationhood and adequate voice in foreign relations. Each Dominion should have as ample a representation as Belgium or Portugal. There was no question on which the people of Canada were more insistent than their claim to representation at the Peace Conference which would settle the issues of a war in which they had taken so notable a part. He hoped that the Cabinet would appreciate, although it was almost impossible for them fully to appreciate, the strong feeling in Canada on this subject. To provide that Canada should be called in only when her special interests were in question would be regarded as little better than a mockery. It would be most unfortunate from the point of view of the Dominions that the British delega-

tion should be selected entirely from the British Isles. That delegation had authority to represent not only the British Isles, but the whole Empire. He, therefore, strongly urged that the delegation representing the British Empire should be in part selected from a panel, upon which each Prime Minister from the Dominions should have a place, and that one or more of those Prime Ministers should be called from time to time, as occasion might require, to sit in the delegation representing the whole Empire at the Conference.

Lord Robert Cecil agreed with Sir Robert Borden as to the wisdom of creating such a panel, and suggested that its members might serve on a kind of rota.

The Prime Minister, who also approved of the idea of the panel, said that the real business of the Peace Conference would be transacted not at the formal conferences, but at the small informal conversations. The Dominions and India would have the same representation as Serbia, Belgium, and Roumania. He considered, however, that it would be unwise to press for such a full representation of the British Empire, at the first big conference and its final meeting, as five delegates from Great Britain and three each from the Dominions and India, because in that event there would be no fewer than twenty-three representatives of the British Empire at such meetings: and in attempting to get so full a representation we might run the risk of losing more than we gained.

The Imperial War Cabinet decided that—

(a) Representatives of the British Dominions and India ought to be present at the opening session and at any other session of the Peace Conference or the Allied Preliminary Conference (should it be held) at which Belgium and other smaller Allied States were represented.

(b) The British Dominions and India should in all respects have the same powers as, and be on an equal footing at the Conference with, Belgium and other smaller Allied States.

(c) Lord Robert Cecil should re-cast the telegram to Paris on these principles.

(d) The Prime Ministers of the Dominions and the representatives of India should be placed on a panel from which part of the personnel of the British delegation could be filled, according to the subject for discussion.

. . .

## 21. *Prime Minister to Prime Minister of United Kingdom*

SECRET

Dear Mr. Lloyd George,

London, December 31, 1918

I was impressed with a suggestion made to me by Lord Curzon after today's Cabinet. He considers it desirable that the representation of the British Empire should consist of three named delegates and of two others to

be selected from time to time as may be requisite from a panel consisting of British Ministers and Dominion Prime Ministers. This proposal would be more favourably received by public opinion throughout the Dominions than the nomination of five delegates from the British Islands for whom substitutes would be selected from a panel when they were unable to attend.

With best wishes for the New Year, believe me,

Yours faithfully,

[R. L. BORDEN]

22. *Minutes of First Meeting of Committee on Position of Dominions and India in League of Nations*

Present:	London, January 1, 1919
The Rt. Hon. Lord Robert Cecil	Chairman
The Rt. Hon. Mr. Hughes, representing	Australia
The Hon. Mr. Doherty, representing	Canada
The Hon. Sir Satyendra Sinha, representing	India
The Hon. Mr. Lloyd, representing	Newfoundland
The Rt. Hon. General Smuts, representing	South Africa

The Chairman proposed that the Committee should provisionally accept the schemes outlined in his memorandum to the Cabinet, and in General Smuts' memorandum as a basis of discussion. The documents are attached to the Minutes for reference.<sup>1</sup> The discussion hinged on the following provision in Lord Robert's scheme:

The following form of organization is suggested:

1. *The Conference*

*Annual meeting* of Prime Ministers and Foreign Secretaries of British Empire, United States, France, Italy, Japan and any other States recognized by them as great Powers.

*Quadrennial Meeting* of representatives of all States included in the League.

In the course of the discussion, the following suggestions were outlined for further consideration at the next Meeting.

A. That the Prime Minister or Foreign Secretary of the United Kingdom should represent the whole British Commonwealth at the Annual Meeting, subject to the following provisions:

(1) The attitude to be adopted by the British representative on all important questions shall be made the subject of previous discussion with the Dominion and Indian representatives at the Imperial Cabinet.

<sup>1</sup>Not printed.



(2) Though not expressed in Lord Robert's memorandum, it is understood that the representative of any smaller Power whose individual interest is under discussion shall be summoned to the Meeting of the Great Powers for the purpose of such discussion. The suggestion made was that a like privilege should be claimed for the British Dominions and India; e.g. if Japan claimed a right of free entry for subjects of the Mikado to Australia, the representative of Australia would be summoned to the Meeting of the Powers convened to deal with the matter.

B. That the Dominions and India should have the right to send their own representatives to the Quadrennial Meeting of representatives of all States included in the League.

It was agreed to meet for the further discussion of these proposals at 3:30 on Friday, 3rd January, at the Foreign Office.

L. CURTIS  
(Secretary)

*23. Minutes of Second Meeting of Committee on Position  
of Dominions and India in League of Nations*

Present:

London, January 3, 1919

The Rt. Hon. Lord Robert Cecil, Chairman  
The Rt. Hon. W. Hughes  
The Hon. M. [sic] Doherty  
The Hon. Sir Satyendra Sinha  
The Hon. W. Lloyd

The proposals set forth in the minutes of the previous meeting were considered. Mr. Hughes observed that Australians had hitherto acquiesced in the arrangement which had grown out of the past whereby the British Foreign Minister represented the whole British Commonwealth in diplomatic negotiations with Foreign Powers. If, however, the institution of a League of Nations created a position in which Australians were asked expressly and in terms to designate the British Foreign Minister as the representative of Australia as well as of the rest of the British Commonwealth, in addressing Foreign Powers, he would not answer for the result.

The following amendments in the draft proposals embodied in the minutes were suggested by Lord Robert Cecil:

(1) *On page 1* in the para. marked A: that the first three lines should be altered to read as follows:

That the whole British Commonwealth at the Annual Meeting should be represented by two representatives of the highest ministerial rank, subject to the following provisions . . .

(2) That the following words should be added to para. (1) after line 2, page 2:

If at such discussion it should appear that one or more of the Dominions were not in agreement with their colleagues the representatives of the British Commonwealth would state that fact to the Conference.

Mr. Hughes suggested that:

The representatives at the League of Nations shall be such person or persons as shall be chosen by the representatives of the United Kingdom, the Dominions and India.

It was agreed that the next meeting should be at Paris, at a date to be specified hereafter.

#### 24. *Acting Prime Minister to Prime Minister*

TELEGRAM P. 122

Ottawa, January 6, 1919

SECRET. From White. Council has considered B.115<sup>1</sup> and sees no reason change view expressed in P. 35.<sup>2</sup> If Peace Conference in its composition is to express spirit of democracy for which we have been fighting, as Council thinks it should, small Allied nations like Belgium which have fought with us throughout war should be entitled to representation throughout whole conference even if limited to one member, and if this were agreed proposal that Canada should have same representation as Belgium and other small allied nations would be satisfactory but not otherwise. Canada has had as many casualties as United States and probably more actual deaths. Canadian people would not appreciate five American delegates throughout whole Conference and no Canadian entitled to sit throughout Conference nor would they appreciate several representatives from Great Britain and Canada none. There will be great disappointment here if you are not full member of conference. We fully appreciate that you are doing everything in your power to secure suitable representation for Canada.

#### 25. *Prime Minister to Secretary of Imperial War Cabinet*<sup>3</sup>

SECRET

Dear Sir Maurice Hankey,

London, January 7, 1919

I beg to enclose a copy of a letter from my colleague Honourable C. J. Doherty, Minister of Justice, with respect to the Report of the Civil Aerial

<sup>1</sup>Borden's telegram is not printed since it merely summarized his stand at the 48th Meeting of the Imperial War Cabinet, December 31. See Document 20.

<sup>2</sup>Document 6.

<sup>3</sup>Circulated to the Imperial War Cabinet (G.T. 6622) together with the letter from Doherty which Borden enclosed.



Transport Committee, the draft of the proposed International Convention with regard to aerial navigation and the draft of a bill for the regulation of aerial navigation referred to in these reports.<sup>1</sup> The subject was referred to the Minister of Justice for his opinion. I concur in the view which is expressed in his letter.

Yours etc.

[R. L. BORDEN]

[ENCLOSURE]

*Minister of Justice to Prime Minister*

Dear Sir Robert,

London, January 7, 1919

In relation to the reports of the Civil Aerial Transport Committee, the draft of the proposed International Convention with regard to Aerial Navigation and the draft of a Bill for the regulation of Aerial Navigation referred to in these reports, I desire to submit the following observations bearing upon the position of the Dominions generally, and of Canada in particular, as it may be affected by the Convention of the proposed legislation.

I. The Convention by its terms does not apply as of right, except to the mother countries of the contracting States. The second paragraph of Article 48 provides the method whereby it may be put into force in colonies, possessions or protectorates of any such State. I would suggest that in so far as the self-governing Dominions are concerned, their becoming bound by it should be made dependent on their adherence to it. For this manner of dealing with an analogous case, a precedent is found in the Treaty of 1911 with Japan. (Article XXVI).<sup>2</sup> In view of the present national status of the Dominions, this seems a more fitting way of dealing with the matter. It puts the Dominions as towards the States, with whom the Convention may be entered into in their true position as nations within the Commonwealth.

II. Section 23 of the draft Bill makes applicable to all aircraft, including such as may be owned by Canadians resident or domiciled in Canada, whenever they happen to be elsewhere than in or over the territory of the Dominion, all the provisions of the proposed Act, except so far as these provisions are expressly limited to the British Islands and the territorial waters adjacent thereto. It further subjects to the provisions relating to the registration of aircraft, and those contained in collision regulations, aircraft

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<sup>1</sup>Report and draft bill not printed.

<sup>2</sup>See Vol. 1, Documents 875 and 876, pp. 748-749.

papers regulations and signals of distress regulations, all aircraft even while in or over the territory of the Dominion, thus withdrawing, as regards these particular matters, from any control by Dominion legislation, aircraft, whether Canadian or Foreign even while within Canadian Territory.

Subsection 2 of this section makes clear that in the regards just mentioned, it is intended by the Bill to limit the power of the Parliament of the Dominion, of the legislation of any of its provinces, to make provision in relation to itself or its territory.

The enactment of such limitation is doubtless legally within the power of the Parliament of the United Kingdom. The exercise of that power is, however, I submit unconstitutional.

The proposed legislation, as appears by what is above stated, not only governs all aircraft the property of Canadians whenever they pass beyond the limits of Canada, but furthermore as regards the particular matters of registration, collisions, aircraft papers, and signals of distress, governs and subjects to regulations to be made under its provisions all aircraft, Canadian and foreign, while actually within the Canadian territory.

That, under the provisions of the Canadian Constitutional Acts, all these matters are proper subjects of legislation either by the Parliament of the Dominion, or the legislatures of the provinces, does not appear to be open to question. Indeed as has been pointed out, subsection 2 of Section 23 of the Bill practically concedes that the United Kingdom Parliament in dealing with them, limits the powers conferred upon the legislative bodies of the Dominion. This action constitutes an invasion of Canada's rights as conferred upon her by the Act of 1867 and the different amendments thereto. As such it is open to the gravest objection, which it seems but proper should be brought to the notice of the Imperial Cabinet.

So far as with regard to the particular matters in question it may be deemed desirable that there should be uniformity of law within the Commonwealth, that uniformity can, without difficulty, be brought about by concurrent action of the legislatures of the different parts.

The principle that it is the constitutional right of the self-governing Dominions to legislate exclusively with regard to subjects coming within the purview of the powers conferred upon them is too well established, and too fully recognised, for it to be necessary to insist upon it.

It will doubtless be sufficient to ensure its being respected in the present instance, that attention should be called to the fact that the enactment by the Parliament of the United Kingdom of the provisions above referred to, would be a violation of that principle.

Yours etc.

CHARLES J. DOHERTY

26. *Extracts from Minutes of First Meeting  
of British Empire Delegation*<sup>1</sup>

SECRET

January 13, 1919

. . .

DOMINION AND INDIAN REPRESENTATION AT THE PEACE CONFERENCE

Mr. Lloyd George said that he had suggested the present meeting in order to discuss the question of the representation of the Dominions and of India at the Peace Conference. On the previous day there had been a conversation between the representatives of the British, French, Italian and American Governments regarding procedure. (For record of this meeting see I.C. 104.<sup>2</sup>) The French proposal had been that the great Powers should each have five representatives and the smaller belligerent Allied Powers three. At the close of the discussion Siam had been eliminated from this category and the representation of these smaller Powers had been reduced to two. Thereupon the question of Dominion representation had been raised. This had led to a very severe contest. President Wilson, and especially Mr. Lansing, had shown opposition to the principle of separate representation for the Dominions. They were, of course, willing that the Dominion case should be represented. The arguments for independent representation had been put by himself with considerable force. In illustration of this he read several passages from the minutes of the Proceedings (I.C. 104). In the end President Wilson had agreed that the Dominions and India should have one representative of each on the same terms as Greece, Roumania and Serbia. The most forcible argument used by President Wilson was that the British Dominions were not on the same footing as Belgium or Serbia, as these last stood alone, whereas the case for any British Dominion would be backed by five delegates of one of the most powerful members of the alliance. Mr. Clemenceau had been very friendly, but it was clear that he had been under the impression that we only desired two representatives for the Dominions and India together. On perceiving that we proposed two for each, he had shown that he was considerably astonished. In conclusion, the feeling he and the Foreign Secretary had had was that the other members of the meeting were anxious to meet the Dominions and India as far as possible, but were reluctant to attribute to the British Empire a very preponderating number of delegates. The effect on the outside world was naturally what was in their minds. Mr. Lloyd George had said that he could not adhere to any conclusions without first consulting the representatives of the Dominions and India. He felt he could assure them that there was no hostility in the minds of any of the Allies, but only hesitation in view of public opinion. The proposal before the meeting, then, was that the Dominions and India should be represented in the same manner

<sup>1</sup>Canadian representative present: Sir Robert Borden.

<sup>2</sup>Mr. Lloyd George refers to the so-called Council of Ten, the minutes of which are printed in *Foreign Relations of the United States: The Paris Peace Conference, 1919, Vol. III.*

as the smaller Allied belligerent Powers, but only by one delegate, and not two. This representation would be in addition to the Dominion or Indian member in the five delegates representing the British Empire as a whole.

Sir Robert Borden said that the point made by President Wilson would have force if questions at the Conference were decided by votes; if not, this contention did not appear to affect the case materially.

Mr. Lloyd George said the decisions at the Conference would not be reached by voting. He had made this point quite clear at the Conference on the previous day. (I.C. 104, para. 1.)

Sir Robert Borden said he quite saw the difficulty of the case, but he wished to draw attention to the increasing national consciousness in the Dominions. This consciousness was strongly susceptible. He had himself informed the Canadian Cabinet of the proposal approved by the War Cabinet about ten days ago, but his Canadian colleagues were not satisfied with it. They hold that Canada should not have less delegates than the United States, whose sacrifices in this war were certainly proportionately very much less.

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Mr. Bonar Law said that he felt the Dominions need have no apprehension concerning the sufficient representation of their case. This, in any event, would certainly be adequate. The only difficult question, really, was the feelings of the electorate in the Dominions. Could not this be met by explaining that the Dominions really had a dual representation: first as supplying one of the members of the joint delegation of the British Empire, and secondly by being able to send an additional delegate to represent them on the same footing as the smaller belligerent Powers.

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Mr. Lloyd George further pointed out that Mr. Bonar Law would be unable on many occasions to attend the meetings of the Conference, as his duties would detain him in England. In practice, therefore, his place would then be taken by a Dominion representative.

Sir Robert Borden said that he was not convinced that the Canadian public would not complain, even after receiving this explanation. He would, however, do his best to satisfy them. One delegate might make as efficient a presentation as two; but to the average man there was a marked distinction which would be regarded as discrimination. In order to make clear the seriousness of the issues involved, he must point out that there were certain elements in Canada of non-British origin who were not strongly disposed towards the British connection, and the scheme proposed might enable these elements to adduce arguments and agitation which it would be difficult to meet. The majority of the Canadian people were desirous of remaining within the British Empire, but only upon conditions which would satisfy their sense and purpose of nationhood.

\* \* \*

Sir Robert Borden observed that the Canadian point of view would be materially affected by the arrangements for representation of the Dominions

on the main delegation. He asked how many named delegates would be appointed. There would be one aspect if not more than two and at the outside three delegates were selected and named from the British Islands, but a very different aspect if some other course should be pursued.

The suggestion was then made that all the Ministers should be included in a panel from which five delegates should be drawn as might fit the occasion. This proposal, however, was not adopted for the time being, as it was felt that it did not concern the Allies, and could, therefore, be settled at a later date among the British representatives as an internal question.

The conclusions of the above discussion were that, in view of the opposition raised by the representatives of other Great Powers to the proposals adopted by the Imperial War Cabinet for the representation of the Dominions and India at the Peace Conference, and with full recognition of the efforts of the Government of the United Kingdom to carry these proposals into effect, it was agreed that—

1. The Dominions and India would accept a system of representation at the Conference whereby, whenever their special interests are concerned, they would respectively be entitled to a separate representative at the Conference, who should be on precisely the same footing as that proposed for smaller belligerent Powers, such as Belgium, Serbia, etc. Their acceptance is given on the understanding that they will in addition, as members of a panel, be entitled to representation on the British Empire Delegation.<sup>1</sup>

2. The question of the precise method of representation on the British Empire Delegation of the Dominions and India, and the form in which this should be publicly announced, was reserved for subsequent consideration.

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*27. Minutes of Third Meeting of Committee on Position  
of Dominions and India in League of Nations*

Present:

Paris, January 15, 1919

The Rt. Hon. Lord Robert Cecil (Chairman)  
The Rt. Hon. Sir Robert Borden  
The Rt. Hon. W. M. Hughes  
The Rt. Hon. General Smuts  
The Hon. Sir Satyendra Sinha

1. The resolutions providing for the creation of a League of Nations were submitted by the Chairman and approved. Lord Robert Cecil notified that Mr. Lloyd George was also prepared to approve them.

<sup>1</sup>Mr. Lloyd George re-opened with the Council of Ten later in the same day the question of representation of the Dominions and succeeded in getting agreement to two representatives each for Canada, Australia, and South Africa; and one each for New Zealand and British India, and one for the Indian States. *Ibid.* 530-533.



2. Sir Robert Borden drafted for further consideration the following resolution:

Provided further that the Representatives of the British Empire at any session of the annual meeting may be selected from a panel, upon which the Dominions and India shall be represented.

Provided further that the representation of the British Empire shall at all times accord with the development of constitutional relations between the self-governing Nations of the Empire.

Resolved that the secretary be instructed after consultation with Sir Robert Borden to submit for further discussion a formal resolution in the lines of the above draft.

3. The meeting was adjourned till further notice.

L. CURTIS  
(Secretary)

### 28. *Governor General to Colonial Secretary*

#### PARAPHRASE OF TELEGRAM

Ottawa, January 15, 1919

Canadian Government would be glad if attention of Foreign Claims Department of Foreign Office could be drawn to the subject of enemy claims for damages against British subjects by persons in neutral countries for non-performance of contracts made illegal by the Statutory Lists. The International Petroleum Company, a Canadian corporation, is liable to claims by Sloman and Gildmeister of Chile for considerably more than one million dollars for failure to deliver oil under contracts after August 1917, the date of the Proclamation of Canadian Statutory List. The Chilean Courts in preliminary proceeding have refused to recognize Canadian Proclamation as a defence and have decided against the Company. Canadian Enemy Debts Committee have received information that courts of other South American countries have taken same position. The Committee is collecting information about other like cases in Canada. Committee know of similar claims against United States citizens (one very large) and assumes there are cases in United Kingdom. The Committee, after consideration, suggest an agreement with Germany and Austria at the Peace Conference that all such claims should be withdrawn on the analogy of the recommendation of the British Enemy Debts Committee as to claims under contract with persons of enemy countries. Such an agreement could be enforced against any claimant having assets or interests in Germany or Austria, as, Committee believe, many of these claimants have. When the claimant has no such assets or interests the agreement could no doubt be enforced by common diplomatic action.

United States Government are appointing Committee which will consider this subject among others. Canadian Committee suggest investigation of enemy cases and a discussion with the United States and Allies looking to a common policy at the Peace Conference.

The facts of International Petroleum Company's case also Canadian Committee's suggested policy have been informally communicated to Solicitor to the State Department of the United States and Sir Henry Babington Smith of the British Embassy Washington.

DEVONSHIRE

29. *Prime Minister to Acting Prime Minister*

TELEGRAM X. 12

SECRET

PRIVATE AND PERSONAL

Paris, January 20, 1919

Increased representation was given to Belgium and Serbia without consultation with Dominions who knew nothing of proposal until it had been accomplished.<sup>1</sup> It appears to have been based on purely sympathetic considerations. Lloyd George made a strong fight against it but eventually had to yield. I am filing a protest against the change which is especially embarrassing in view of first announcement. Please cable immediately whether change has aroused unfavourable criticism in Canada.

BORDEN

30. *Memorandum by Prime Minister on Increased Representation to Belgium and Serbia*<sup>2</sup>

SECRET

W.C.P. 24

Paris, January 20, 1919

1. The Canadian Ministers have observed the stand which the Prime Minister of the United Kingdom made against the proposal for increased representation to Belgium and to Serbia, which seems to have been based on purely sympathetic considerations, and they realize the difficult position in which he found himself on that account.

2. They desire, however, to express their strong conviction that it was most unfortunate to effect such a change without consultation or communication with the representatives of the Dominions. The consequences of the change are probably not material except insofar as they affect sentiment; but they permit themselves to observe that it was sentiment, coupled with the ideal of duty and not any material considerations, that induced the effort of Canada in this war. There is no question which so profoundly affects public

<sup>1</sup>On January 17, the Council of Ten agreed to three representatives each for Belgium and Serbia. *Ibid.* 601-603.

<sup>2</sup>Circulated to the British Empire Delegation. The memorandum is unsigned, but Borden's report No. 4 (January 22, 1919) to the Cabinet in Ottawa states: "On Monday morning Sir Robert Borden prepared and transmitted to Sir Maurice Hankey. . . a memorandum containing certain observations upon and objections to the course pursued in increasing the representation of Belgium and Serbia . . ."



opinion in Canada at the present time in relation to the war as the question of adequate recognition of her representatives in the Peace Conference.

3. The situation is rendered more unfortunate by the fact that in Canada strong emphasis has been placed on the fact that the Dominion has received the same recognition as the smaller Allied nations with the exception of Brazil. In order to quiet public opinion the press were asked to feature strongly this consideration which has now disappeared. It is hardly to be anticipated that Canadians will consider that their country is suitably recognized by being placed on an equality with Siam and Hedjaz.

4. The Canadian Ministers are of the opinion that the change thus effected makes it still more important that careful consideration should be given to the establishment of a panel representing the entire British Empire and to the selections therefrom for the formal meetings of the five Great Powers.

*31. Extract from Minutes of Second Meeting  
of British Empire Delegation<sup>1</sup>*

SECRET

[Paris,] January 20, 1919

. . .

4. PEACE CONFERENCE REGULATIONS

Sir Robert Borden mentioned that the Regulations provided in Article 1:

(a) The belligerent Powers with general interests (the United States of America, British Empire, France, Italy, and Japan) shall take part in all sittings and Commissions.

(b) The belligerent Powers with particular interests (Belgium, Brazil the British Dominions, etc.) shall take part in the sittings at which questions concerning them are discussed.

These regulations were capable, apparently, of a strict or a liberal interpretation, and under strict interpretation Canada might not be eligible to take part in any sitting. He pointed out that Canada maintained the right, though not claiming to have any particular interest, of putting forward views on questions of general concern which affected her in common with all Allied nations. Among such questions were the League of Nations, Indemnities, Economic Arrangements, Freedom of the Seas, etc.

Mr. Lloyd George stated that he had mentioned this point at the Inter-Allied Conference when the question of representation had been settled. It was therefore quite clear that the interest which Canada had in the economic and other questions constituted such a special interest as entitled her to representation in terms of the regulations.

Sir Robert Borden expressed his great regret that the representation of the Dominions had been relatively diminished by increasing the representation of

<sup>1</sup>Canadian delegates present: Sir Robert Borden and C. J. Doherty.

Belgium and Serbia without corresponding recognition of the Dominions, which were thus placed on the level of Siam and Hedjaz. He realized, however, that the Prime Minister had strenuously opposed this proposal, which had been forced upon him by the other Great Powers.

### 32. *Acting Prime Minister to Prime Minister*

TELEGRAM P. 150

Ottawa, January 20, 1919

Following statement of claims owing to illegal warfare so far as they have been collected is supplied by Mulvey, Under Secretary of State. Amount is in no way complete as claims are being received by Department from day to day and certain claims for large amounts not yet filed. Claims so far aggregate sixteen million one hundred twenty-eight thousand six hundred fifty three dollars made up as follows: Life \$598,332; Effects sixty seven thousand six hundred and sixty one dollars; Injuries to health, expenses incurred, etc., twenty six thousand three hundred eighty one dollars; Cargoes, fifty eight thousand one hundred eighty three dollars; Fishermen's effects, two thousand eight hundred and eighty eight dollars; Fishermen's cargoes, twelve thousand five hundred and seventy five dollars; Ships, hulls and cargoes, fifteen million three hundred seventy two thousand six hundred and thirty three dollars.

### 33. *Colonial Secretary to Governor General*

TELEGRAM

London, January 20, 1919

Following is purport of Regulations dealing with representation of British Empire at Peace Conference.

Belligerent Powers with general interest shall take part in all sittings and commissions. These comprise besides British Empire, United States of America, France, Italy and Japan.

Belligerent Powers with particular interests shall take part in sittings at which questions concerning them discussed. This group includes Belgium, Brazil and other foreign states, British Dominions and India.

Five Powers named above shall each be represented by five plenipotentiary delegates, Belgium, Brazil and Serbia by three each, Greece, Roumania and certain other States two each and one each for Cuba and certain other States.

Article proceeds:

The British Dominions and India shall be represented as follows: Two delegates each for Australia, Canada, South Africa and India (including the Native States), one delegate for New Zealand.

Although the number of delegates may not exceed figures above mentioned each delegation has the right to avail itself of the panel system.

Representation of the Dominions (including Newfoundland) and India may besides be included in the representation of the British Empire by the panel system.

Delegates take precedence according to alphabetical order in French of the Powers.

MILNER

34. *Prime Minister to Prime Minister of United Kingdom*

My dear Prime Minister,

Paris, January 20, 1919

It seems to me that it would be advantageous to have the Dominions take part in the preliminary discussions which lead to the formulation of the British submissions on the subjects to be brought before the Inter-Allied Conference. I understand that it has been agreed that these submissions will be finally considered by the Imperial War Cabinet, but the usefulness of such consideration by its Dominion members would be greatly enhanced if members of the Dominion delegations had had an opportunity of attending the discussions from which the proposals result.

In case you concur in this view I enclose a list of the subjects in the discussions of which I think Canadian representatives might usefully take part, with the names of members of the Canadian delegation who might be made use of on ministerial and departmental committees respectively.

Yours faithfully,

[R. L. BORDEN]

[ENCLOSURE]

*List of Subjects*<sup>1</sup>

To be considered by the Inter-Allied Conference with the names of the members of the Canadian Delegation who might take part in preliminary discussions by ministerial and departmental committees respectively.

<i>Subject</i>	<i>Ministerial Discussions</i>	<i>Departmental Discussions</i>
1. Society of Nations.	Hon. C.J. Doherty	Lt.-Col. O.M. Biggar
2. Polish Affairs.		
3. Russian Affairs.		Mr. L.C. Christie
4. Baltic Nationalities.		Mr. L.C. Christie
5. States born of the late Austria Hungary.		

<sup>1</sup>See Document 72 for Inter-Allied and British Empire Delegation commissions and committees to which members of the Canadian Delegation were appointed.

<i>Subject</i>	<i>Ministerial Discussions</i>	<i>Departmental Discussions</i>
6. Baltic Affairs.		
7. Eastern Affairs.		
8. Affairs of the Far East and of the Pacific.		
9. Jewish Affairs.		
10. International River Navigation.	Hon. A.L. Sifton	Mr. L.C. Christie
11. International Railways.	Hon. A.L. Sifton	Mr. F.P. Jones <sup>1</sup>
12. Public Legislation as to self-determi- nation and rights of minorities.	Hon. C.J. Doherty	Lt.-Col. O.M. Biggar
13. International Legislation for Labour.	Hon. A.L. Sifton	Mr. P.M. Draper
14. International Legislation for patents and trade marks.	Hon. C.J. Doherty	Mr. L.C. Christie
15. Penalties against crimes.	Hon. C.J. Doherty	Lt.-Col. O.M. Biggar
16. Economic Statute.	Rt. Hon. Sir G. Foster	Mr. F.P. Jones
17. Reparations.	Rt. Hon. Sir G. Foster	Mr. F.P. Jones
18. Financial questions.	Rt. Hon. Sir G. Foster	Mr. F.P. Jones

35. *Prime Minister to Prime Minister of United Kingdom*<sup>2</sup>

Dear Mr. Lloyd George,

Paris, January 21, 1919

I should be wanting in my duty if I did not express to you the view entertained by the Canadian representatives that the delays in advancing the business of the Peace Conference are unjustifiable and unnecessary. An entire week was occupied in settling procedure that might reasonably have been determined within two days. There is not a little danger that public opinion in some at least of the Allied Countries will be influenced most unfavourably if these delays continue. So far as Canada is concerned her representatives

<sup>1</sup> Vice-President of the War Trade Board; Adviser on Financial, Economic and Labour Questions of the Canadian Delegation at the Peace Conference.

<sup>2</sup> In his memoirs Borden wrote: "On January 21st, I drafted letters to Lloyd George as to delays and as to the calling of the Conference. When I submitted these letters to the Canadian Ministers, Foster thought them too stiff. I modified one, after discussing them with Sir Maurice Hankey to whom I explained that they were intended to be helpful in stirring up the French." (Henry Borden, editor, *Robert Laird Borden: His Memoirs*, Vol. II, p. 903.)

have been absent from their duties at Ottawa since 8th November last and I do not know how further prolonged absence can be justified unless there is greater expedition in the work of the Conference.

Yours faithfully,

[R. L. BORDEN]

36. *Minister of Justice to Prime Minister*

My dear Sir Robert,

Paris, January 22, 1919

General Smuts did not keep his appointment, and I consequently did not have the advantage of discussing with him the draft Convention on the League of Nations submitted by Lord Robert Cecil, and which, he suggests, might form the British Case on the subject.

From the point of view of the Dominions the draft is, in my opinion, absolutely unacceptable. It excludes them from membership in the League, and gives no recognition whatever to their national status.

The only reference made to them is in section 16, whereby the High Contracting Parties "recognize the right of the *British Empire* to separate representation *in respect of* the Dominions of the *British Empire* including India, at meetings of the Conference of the League, and also at meetings of the Council at which matters affecting any particular Dominion are under discussion."

It will be noted that the representation so provided,—such as it is—is of the *British Empire*. No right whatever is admitted on the part of the Dominion itself. And this is the only right given to the Empire as a whole. Of the Council (composed of the five Great Powers) not the *British Empire* but Great Britain alone (not even the United Kingdom) is made a member.

Acceptance of the proposal would undo what we considered had been done by our recognition in connection with the Peace Conference.

As to the Convention itself, it in effect amounts to a treaty of Alliance among the five Great Powers—to which other States may accede—under which the world is to be dominated by these Great Powers. As between the Great Powers themselves it seems to me to provide little if any effective measure of restraint upon their engaging in war.

If no more adequate means of making justice prevail in the relations of States and Nations can be devised, then there will be grave disappointment among the peoples to whom so much has been promised in the name of the League of Nations.

Before accepting the draft there should at the very least be afforded opportunity for the fullest discussion of it by a Committee representative of all parts of the Commonwealth.

Yours sincerely,

CHARLES J. DOHERTY

*37. Prime Minister to Acting Prime Minister*

TELEGRAM X. 21

Paris, January 22, 1919

Our Committee preparing financial statement proposes to add to amounts specified in your P.102 December 27th the following sums: increased gratuities, one hundred millions; transportation of soldiers' dependents, five millions. Do you agree?

BORDEN

*38. Extracts from Minutes of Third Meeting  
of British Empire Delegation<sup>1</sup>*

SECRET

January 23, 1919

...

10. REPRESENTATION OF DOMINION INTERESTS

...

Sir Robert Borden [said that] . . . The Regulations agreed upon provided for two kinds of Conference—one a Conference consisting of the Delegations of the five Allied Great Powers and the other a Conference including the Delegations of other Powers as well. These Regulations, however, were not being observed; instead, conversations were going on between two representatives only from each of the Allied Great Powers. He appreciated the considerations which had made that an appropriate course for settling the rules of procedure, but he was not clear why it should be continued, because, if it were continued, it meant the cessation of the rule providing for the Conferences between the five Allied Great Powers. It was well, therefore, to understand just what was contemplated in this respect.

Mr. Lloyd George pointed out that the resolutions reached at the Inter-Allied conversations were simply recommendations to be made to the full Conference which would meet on Saturday and that they would then be open to debate.

Sir Robert Borden said that the point proposed concerned the other Dominions perhaps more than it did Canada. There was this difficulty: if the procedure of the formal Conferences were followed, Australian representatives in the case of a particular Australian interest would be entitled to be present; if, however, the conversations were continued, it would appear that Mr. Hughes would be heard, if at all, only as a matter of grace.

Mr. Lloyd George said that tomorrow would be the first instance of a practical illustration of this point and pointed out that, as already men-

<sup>1</sup>Canadian delegates present: Sir Robert Borden and A. L. Sifton.



tioned, he and Balfour had suggested to M. Clemenceau, as Chairman, that the Dominions should be admitted to discuss the question of German Colonies, and M. Clemenceau had agreed.

\* \* \*

Mr. Lloyd George said that . . . The delay in formulating the rules of procedure had been partly caused by the debate over the representation of the Dominions, which had taken up a large part of two days. He had put the Dominion case strongly at the Quai d'Orsay; it was well to consider the other side here. One had only to look at the Conference the previous Saturday, where one whole side of the Conference table was occupied by British delegates, while the United States, with her population of 100,000,000, and France, who had suffered even more than the Empire, had only five delegates each. The fourteen British delegates would, undoubtedly, all stand together in spite of any appearance of separate interests. That was the consideration which had moved President Wilson. In addition to this, it must be remembered that the Dominions would, in practice, secure representation on the various Inter-Allied Commissions, whereas the smaller European Powers and Powers like Brazil would secure no such representation. The Dominion representation was in an entirely different category from that of these Powers; they would not really count, while the Dominions were at the heart of the machine and would count. For example, in the consideration of the Russian question, one of the Dominions had been largely responsible for initiating the proposal which had carried the day and led to the decision announced that day.

Sir Robert Borden said that he would like to re-state the point, in order that it might be cleared up. If the formal Conferences among the five Great Allied Powers were instituted, it would be possible to give the Dominions an opportunity to be represented through the panel system on the British Delegation of five, whereas, if the procedure of Inter-Allied conversations were continued, this would be impossible. If only the informal conversations were carried on, Australia, New Zealand, and India could not go as of right; if the formal Conferences were held, they had a right to be there. He was thinking, of course, of the impression created in the Dominions, and particularly in Canada.

\* \* \*

Mr. Balfour said that the Dominions were entirely outside the category of the small Powers, because the Dominion representatives saw the minutes of the Inter-Allied conversations, and could therefore have their particular points put forward effectively at any moment.

\* \* \*

Sir Robert Borden said that . . . Canada had very few, if any, particular interests and hence, for the most part, could only be represented by forming part of the British Empire Delegation. If this was not secured, the result would be that the oldest and largest Dominion would remain unrepresented on most occasions.

\* \* \*



39. *Colonial Secretary to Governor General*

TELEGRAM

London, January 23, 1919

My telegram of to-day Revised Draft Aerial Navigation Convention. Understand your Prime Minister and Minister of Justice wish Article 48 of previous version (Article 56 of present version) should follow as regards adhesion of self-governing Dominions precedent of Article 26 Japanese Treaty 1911,<sup>1</sup> and further consideration is being given to the matter accordingly.

MILNER

40. *Prime Minister to Acting Prime Minister*

TELEGRAM X. 27

SECRET

London, January 23, 1919

Lloyd George has asked me to go as Chief Delegate representing British Empire to the meeting with the delegates of the various Russian Governments which is to be held at Prince's Island, Sea of Marmora about fifteenth or twentieth February. Each of other Allied nations will also send two delegates who have not yet been named. I do not feel like refusing to undertake this highly important duty but feel I must consult my colleagues. Answer must be given tomorrow if possible. Hope you can reply immediately.

BORDEN

41. *Acting Prime Minister to Prime Minister*

TELEGRAM P. 162

[Ottawa, n.d.]

Your X. 27. Personally decidedly against proposal for you to go Marmora Conference. Political situation in West developing seriously again through persistent agitation systematically carried on. Feel you should be in position to return soon after commencement Session. Apart from this your prestige weakened by leaving Conference. Public would feel that Canada was not fully represented at Conference. Council will discuss matter today. Am sure they will strong[ly] dissent.

42. *Secretary, Committee on Position of Dominions and India in League of Nations, to Prime Minister*

Sir,

Paris, January 24, 1919

I am instructed to inform you that the meeting to consider the position of the Dominion and Indian Governments in the League of Nations convened

<sup>1</sup>See Vol. 1, Documents 875 and 876, pp. 748-749.

for 3 o'clock to-day was, owing to the absence of several members, adjourned till further notice. I am to ask that you will be good enough to furnish me with any amendments which you wish to suggest in the printed draft of the Convention of the League of Nations (which has already been circulated to you) in anticipation of the next meeting so that Lord Robert Cecil can consider them in advance. He will also be glad to receive any observations which you care to note on the draft. As soon as the members of the Committee have formulated their amendments a meeting will be convened. I enclose a copy of the minutes of the last meeting,<sup>1</sup> and also of the resolutions to be moved by Sir Robert Borden.

I have etc.

L. CURTIS

[ENCLOSURE<sup>2</sup>]

Paris, January 17, 1919

The following resolutions are suggested for consideration at the fourth meeting of the Committee to consider the position of the Dominion and Indian Governments in the formation of a League of Nations:

(1) That pending the holding of the Constitutional Convention provided for by resolution of the Imperial Conference of 1917,<sup>3</sup> the representatives of the British Commonwealth on the Council of the League of Nations be selected by the Imperial Cabinet Conference upon which the Dominions and India are represented.

(2) That this resolution be recommended for acceptance by the Imperial War Cabinet.

43. *Acting Prime Minister to Prime Minister*

TELEGRAM P. 164

Ottawa, January 24, 1919

Your X. 27.<sup>4</sup> Difference of view in Cabinet whether you should go to Prince's Island Conference. You must decide personally.

WHITE

44. *Extract from Minutes of Plenary Session  
of Preliminary Peace Conference*

January 25, 1919

. . .  
Sir ROBERT BORDEN: I have a great deal of sympathy with the point of view of the smaller nations, because possibly the constitution of the League

<sup>1</sup>Document 27.

<sup>2</sup>This is believed to be the memorandum referred to in Curtis's letter.

<sup>3</sup>For Resolution IX see Vol. 1, Document 476, pp. 308-309.

<sup>4</sup>Document 40.

affects them even more closely than it affects the status of the Great Powers of the world. On the other hand, I realize that there must be a reasonable limitation of the membership of the Committee [Commission on the League of Nations]; otherwise it would be very difficult to carry on the work in an effective way. And I remember, also, that after this Committee has made its report, its conclusions must be submitted to this Conference, and must be approved by it before they can go into effect. But I do feel that the matter has been placed before this Conference in perhaps not the most appropriate way. We are told that certain decisions have been reached. The result of that is that everyone of us asks: "By whom have these decisions been reached, and by what authority?"

I should have thought it more appropriate to submit a recommendation to this Conference, and to have the Conference itself settle the number to be appointed and who they are to be. If that course had been taken, it seems probable that most of the difficulty which had arisen would not have presented itself. And I should like to suggest, with all due respect, that perhaps that would be a more appropriate method of dealing with such matters in the future. Certain regulations have been formulated and passed by which, as I understand, two Conferences were established—one a Conference of the Five Great Powers, and another which may be called the full or plenary Conference. I do not understand that, up to the present time, there has been any Conference of the Five Great Powers in accordance with the regulations thus adopted, it may be that is, and I have no doubt it is, with the best intention; but nevertheless, as we are acting under regulations adopted by the representatives of the Five Great Powers, it seems highly desirable that we should abide by them. Therefore, I again suggest, with all respect, that the proceedings in the future should be guided by those regulations.

. . .

45. *Prime Minister to Acting Prime Minister*

TELEGRAM X. 32

Paris, January 25, 1919

YOUR P. 164. If I remain here I see no ground on which I can refuse the duty of attending Conference at Prince's Island. It is a choice between undertaking that duty and returning at once. Therefore I have said I would accept. It is however very doubtful whether the Conference will take place.

BORDEN

46. *Prime Minister to President of Privy Council*

PERSONAL AND CONFIDENTIAL

My dear Mr. Rowell,

Paris, January 25, 1919

Thanks for your letter of 24th December. So far as I can gather the arrangement made for representation of the Dominions at the Peace Confer-

ence seems to have been well received in Canada. From time to time I have sent to my Colleagues, through the Acting-Prime Minister, a report of our proceedings and a record of events since our arrival in Paris. I cannot say that I am satisfied with the progress which has been made or with the manner in which the formal regulations are being carried out. There seems to be a disposition on the part of the five Great Powers to continue the "conversations" and to confine them to two representatives of each Power.

You know that I have taken strong ground against large annexations of territory to the British Empire. I rather fear that we are heading for disaster by that route. Yesterday, Australia, South Africa and New Zealand presented their case for annexation of the adjacent German Colonies which they have captured. Except with regard to South Africa I did not think that the case was skillfully put even from the standpoint that annexation was desirable but apart from this it would have been far better for each Dominion to declare at once that it did not desire annexation and to urge its claim to be appointed Mandatory under the League of Nations. The grounds upon which this could have been urged were the future security of the Dominions themselves, their generous treatment of natives in the past, their familiarity with conditions and their past experience. It is my impression that Wilson will stand out firmly against annexation but that the Dominions will be supported by Japan, France and Italy who will thus endeavour to secure the aid of Great Britain in their own schemes for territorial aggrandizement. I am afraid that the methods and aims of nations at a Peace Conference are not much higher than or superior to those of an ordinary Town Council.

I have been very much divided as to whether it is my duty to remain here or to return without delay to Canada. That question assumed an urgent form day before yesterday when I was asked to become the Chief British Delegate at the proposed Conference in the Sea of Marmora. If I am to remain there is no ground upon which I can refuse to accept this duty. I thought it necessary to submit the question to my Colleagues and White has replied that they are so divided in opinion as to make it necessary for me to decide. Accordingly I told Lloyd George this morning that I should be prepared to go. Shortly afterwards I received a telegram from Calder<sup>1</sup> strongly urging that I should be available to return at any moment after the session opens. This makes the situation somewhat more embarrassing but I shall see Lloyd George today and endeavour to make such an arrangement as will permit me to withdraw in case of emergency.

There has been some progress during the past week but I am convinced that the work of the Conference will not be fully completed for several months. The President leaves for the United States about the 15th February and Lloyd George returns to England to meet Parliament about the first week in February. In the meantime, however, and during their absence the

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<sup>1</sup>James Alexander Calder, Minister of Immigration and Colonization, 1917-1920.

Committees which are to be immediately established will be at work and probably conclusions will have been reached on some of the difficult questions.

If Parliament reaches the conclusion that Union Government has served its purpose and should no longer be continued I do not know that any of us would have the right to complain. Certainly I should greatly welcome any respite from the burdens which I have sustained during the past four and a half years. Doubtless there are several of my Colleagues who experience the same feeling.

Yours faithfully,

[R. L. BORDEN]

*47. Minister of Justice to Secretary, Committee on Position  
of Dominions and India in League of Nations*

Sir,

Paris, January 27, 1919

I beg to acknowledge receipt of your favour of this date, requesting my attendance at 3 P.M. on Tuesday, January 28th, in Lord Robert Cecil's room at the Astoria, at a meeting of "the Committee to consider the position of the Dominion and Indian Governments in a League of Nations," and asking me, as the time is short, to bring with me any amendments I desire to propose *on* the document circulated on January 24th and 25th, if they have not already been sent in.

I observe that in this letter as well as in the notice convening the meeting called for January 24th, and your letter of that date asking me to furnish any amendments I wish to suggest in the printed draft of the Convention of the League in anticipation of the next meeting of the Committee of which I am a member is given the designation above quoted.

This seems to restrict very materially the scope of the Committee's functions. In the notices calling the first meetings it was described as the "Dominions Committee on the League of Nations" and, as I understood, it was a Committee to consider all matters connected with the proposed League, including its Constitution, and any case to be prepared as the British case upon the subject. This understanding is confirmed by the Agenda paper circulated for that first meeting.

The designation now given to the Committee, as well as the fact that a plan has been circulated, as I am informed, to the representatives of other States as being the British case, without its having been first submitted to or considered by the Dominions Committee would seem to indicate that the intention was and is that the Dominions should be—as they have in fact been—consulted only in regard to their position in the League.

I would be glad to be informed whether this is the intention of Lord Robert Cecil.



Meanwhile, I am sending you the enclosed observations and suggestion with regard to the position in the League assigned the Dominions by the draft Convention, some notes prepared early in January in the expectation that a meeting of the Committee would then be held, dealing with the Constitution and Functions of a League of Nations, and such suggestions with regard to the draft Convention as it has been possible to formulate in the very brief period that has elapsed since it reached me. There will probably be additional suggestions with respect to some matters of detail, which may be made at the meeting.<sup>1</sup>

Yours truly,  
[CHARLES J. DOHERTY]

[ENCLOSURE I]

*Memorandum on the Draft Convention on the League of Nations  
submitted by Lord Robert Cecil*

THE POSITION OF THE DOMINIONS AND INDIA IN THE LEAGUE  
OF NATIONS UNDER THE PROPOSED DRAFT

The position in the League assigned to the Dominions and India by the proposed Convention is clearly unacceptable.

That position is not one of membership in the League. (Clause 16).<sup>2</sup> The only clause of the Convention wherein mention is made of the Dominions clearly excludes them from such membership. That clause ignores their existence as national entities, denies them any right to representation as such, and merely gives separate representation to the British Empire as a whole "in respect of the Dominions and India".

Under this clause the Empire is admitted to and represented in the League. The Dominions as such are not.

No plan for a League of Nations in which membership as "autonomous nations of the Imperial Commonwealth" (to use the words of the resolution of the Imperial Conference of 1917) is denied to them can be assented to by the Dominions. Their status as such nations, and their right to have that status recognized not only within the Empire, but in the family of Nations, has been conceded by their admission to the Peace Conference on a footing of equality with the smaller Sovereign States.

They cannot consent to the status so conceded being now denied by their exclusion from membership in the League.

<sup>1</sup>The enclosures referred to by Doherty appear to be the three immediately following the above letter although they are undated.

<sup>2</sup>Clause 16 read:

The H.C.P. [High Contracting Parties] recognize the right of the British Empire to separate representation in respect of the Dominions of the British Empire, including India, at meetings of the Conference of the League, and also at meetings of the Council, at which matters affecting any particular Dominion are under discussion.



The claim to such membership, the people of Canada will not forego. They would certainly and most unequivocally repudiate any acquiescence on the part of their representatives in its being ignored or denied.

The submission to the Peace Conference by the British Government of a plan for the Constitution of a League of Nations in which that claim is ignored, must necessarily be looked upon by the Canadian people as a repudiation by Great Britain of the resolution of 1917 above referred to, and a relegation of the Dominions to their former condition of Colonial tutelage.

I would suggest that the draft Convention be amended by striking out Clause 16 and that the Dominions as autonomous nations of the Commonwealth and recognized members of the Peace Conference be parties to the Convention and as such become members of the League.

[ENCLOSURE II]

*Notes on Constitution and Functions  
of the League of Nations*

SECRET

It is the interest not alone and indeed not mainly of the States that hold sway over different sections of humanity, but the interest of humanity itself, that is of the peoples of all these States, that demands the prevention of war. To them, therefore, to the governed, belongs a share in the task of ensuring that prevention. It is not the concern of the Governing Power alone.

The Sovereign State is not organized with a view to the exercise of any restraining influence over its own action as towards other states. It is constituted to govern men. It is not its function, either alone or in combination with other states to govern or restrain itself.

If war is to be prevented, or its likelihood to be diminished, that end can be attained only by there existing somewhere, if not a power that will control, at least an influence which will restrain the absolute sovereignty of the organized States in their dealings with each other.

Whence is that power or influence to be derived if not from the peoples inhabiting the different states, whose every interest demands the suppression of war? They are the sufferers by it, and it is they who must forego any advantage, real or imaginary which might be hoped for from its successful prosecution.

That in their action and the exercise of their influence exists our main hope of war's disappearance seems unmistakably indicated in what are almost the concluding words of the very able report of the Committee on the League of Nations (page 6, par. 26)

it is becoming an article of faith widely and sincerely professed in most countries that there is no quarrel between nations for which an equitable settlement could not be found without recourse to war, provided the voice of the people could make itself heard, and the necessary machinery were called into existence.

and yet, by the conclusion reached and embodied in the scheme submitted with its interim report that Committee provides no means whereby the voice of the people as distinguished from the voices of the different organized states is to be heard. To those States as such, which means to the Governing Powers, is, by the scheme, left the entire work of providing the remedy sought.

This appears to be the weak point in the scheme, a weak point common to all the plans which I have had the opportunity of examining.

This weakness resulting from the fact that the only body by which action of the States is to be controlled, restrained, or influenced is a Conference of those States themselves, to the exclusion of the peoples who are to be affected by the decisions reached, and the too limited scope given to the functions of the proposed League as pointed out by Mr. Smuts in his memorandum (page 2, par. 2) are the two matters to which I propose directing the following observations. If the two principles underlying what is hereinafter enunciated, and the general line suggested for giving them effect should be approved, there will be opportunity to elaborate a detailed plan.

#### I. CONSTITUTION OF THE PROPOSED CONFERENCE

Under the scheme of the Committee, the conference is to be a "Conference of the Allied States". The same is true of the Conference contemplated by Mr. Smuts, who describes it as a "Permanent Conference" between the Governments of the Constituent States, though he goes into more details as regards the manner in which these States should be represented.

As above indicated such a conference fails entirely, in my opinion, to meet the essential requirement of bringing to bear upon the action of the Governments of the States the influence of the voice expressed directly upon any contemplated action, not merely of the people of the States immediately concerned, but of the great body of people—embracing in effect all mankind who are to be affected by that action.—As pointed out by the Committee (Final Report, page 6, par. 25)

the experience of the present war has brought all thinking people to see that the intricate development of commercial and financial relations between all the States (more correctly "the people inhabiting all the States") of the World has given to all nations (i.e. the people of all nations) a common life.

War between any two Great Powers necessarily dislocates that common life, with results disastrous to all who share in it. The interests to be affected by any war are consequently not merely, not even principally, those of the States concerned or of the general body or family of States as such, nor those even of the peoples of the particular States engaged. They are the interests of the great body made up of the peoples of all states whose "common life" is by it disturbed. The practical question is therefore how is a League to be constituted in which the voice of that great body may be effectively heard, and its influence effectively exercised.

The great Victory that has crowned the Allied Arms has been called the triumph of Democracy. From the very outset, and throughout its whole length, we have proclaimed as the battle of Democracy the great struggle that victory has so gloriously closed.

If what we so said was true and if in our victory we are to be true to what we proclaimed as the great aim of our battling, the "making of the world safe for Democracy" then surely the future guardianship of the safety purchased at so great a price must be shared in by a body representative of the World's Democracy, whose members have been selected by the direct choice of that Democracy.

Let the State remain in the exclusive enjoyment of its unlimited Sovereignty, in the performance of its proper functions of the government of its own people—let it retain alone the power of action in connection with its relations with other States. But let the Peoples' interests in the world's Peace which has been so often, and may again be placed in jeopardy by the State's action towards other States be watched over and protected by the world's Democracy, the world's people acting through their representatives democratically chosen, elected for the purpose by popular vote. The inclusion in the League of a body composed of such representatives would not derogate from or prejudicially affect the powers to be exercised by the States as such under any of the plans proposed.

Within the body itself, each State would find legitimate protection in the adequate representation therein of its own people. In determining the number of representatives to be elected by the people of each state, many considerations would call for attention. These, as well as the methods of election, term for which members should be elected and other questions of detail in organization, may be taken up, and should not prove difficult of solution, after the principle itself has been accepted.

It is not my intention in these notes to enter upon any elaborate argument in support of the proposal made. Enough has been said to make its motives and purpose clear. If these commend themselves, argument can be adduced establishing the plan suggested to be justified by those motives and to be the best means to attain that purpose. If adopted, it will be a substantial step towards what the Committee (Final Report, page 6, para. 27) considers we might "without presumption look forward to" namely "a system of international relations maintained by an aggregate of popular force uniformly intolerant of any attempt to substitute an appeal to the sword for the methods of the council chamber," and in the concluding words of the same paragraph "justify the hope that the history of the future may differ from the history of the past in having to record the birth and development of a method of co-operation between Sovereign States whereby their ancient rivalries will be shorn of their extreme violence and made amenable to peaceful adjustment," a hope that cannot but be confirmed by the assurance that behind that co-operation of the States and holding them firmly to it, are the World's peoples speaking and acting by and through their duly chosen representatives.

## II. SCOPE OF THE FUNCTIONS OF THE LEAGUE

By the draft Convention submitted by the British Committee, as well as by the report of the French Committee laying down the principles to form the basis of the League of Nations, the function of that League is limited to the taking of steps to avert or prevent war imminent between States being members of it, or between a member and a non-member State.

With the Constitution modified as above suggested, so as to make part of it a body whose constituents should be the peoples of the States, the League would be better adopted [*sic*] for that extension of its scope which Mr. Smuts recommends. Certainly one of its functions—the principal and most important function of the suggested representative body—should be to exercise in times of peace a constant influence upon the States in their relations with each other tending to keep them from the paths that lead to those differences which give rise to conflict between them and so make war imminent. To put it in other words, it would play the part of the foreseeing physician who seeks by the aid of preventive medicine to eliminate the causes that give rise to disease, rather than of the practitioner called in when the disease is fully developed, to face the more difficult and uncertain task of snatching a moribund from the jaws of death.

The great work of what may be styled the popular House of the League should be to bring about between States in their international relations what Lord Parker<sup>1</sup> (Parl. Debates H.L. 19th March 1918, page 500) describes as: "That sense of mutual obligation and respect for the rights of others which lies at the root of and forms the foundations of, those settled rules of conduct among individuals which alone make law and order in the community possible," and to make the rules of International Law come within the definition which His Lordship (*loc. cit.*) says may at the present day be given of law "a rule of conduct generally observed, and exceptional deviations from it are punished by tribunals based upon force." It would perform that work by investigation, discussion, deliberation and legislation—legislation, however, which would take the form of the adoption of recommendations addressed to the States. These very processes combined with those necessarily incidental to the election of members would constitute an invaluable education of the people, and be of the greatest advantage to the States themselves.

To the organized State, acting through its Conference or Council would belong exclusively the function assigned to them by the reports of the British and French Committees, as well as in the plans outlined by Lord Parker and Mr. Smuts of taking such steps as might be considered feasible and effective for averting the outbreak of threatened or impending war. And of course it would be open to and incumbent upon them to do everything in their power in the days of peace to promote what has been described as the special work of the Popular House.

Between the plans proposed for the carrying on of the work of the States in cases of threatened or impending war, the differences are very largely in

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<sup>1</sup>Lord Parker of Waddington, Lord of Appeal in Ordinary.



matters of detail. The general lines laid down in all of them are such as to inspire confidence that by their combination and a judicious selection between their features of difference would be evolved a satisfactory working system. To justify a final opinion with regard to such a selection, or suggestion of improvement in matters of detail would require a more careful and minute comparison than it has been as yet possible to make, and further consideration. Some observations with respect to them, as well as in regard to Mr. Smuts' suggestions as to the manner of dealing with the newly recognized or created States, and the questions of abolition of conscription and Conscript Armies, the limitation of armaments and the nationalization of munition production, may be submitted later.

[ENCLOSURE III]

*Suggestions on Draft Convention  
for League of Nations<sup>1</sup>*

Article 1. s. ii

The obligation to *guarantee* boundaries, imposed by this section, goes far beyond what the members of the League should be called upon to undertake. It should be restricted to the agreement to respect the boundaries referred to.

No undertakings for the protection of rights of any other kind are contained in the Convention. There seems no good reason why the right to territory should be singled out for exceptional protection.

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<sup>1</sup>The references are to Chapter I of Lord Cecil's draft of the Covenant; the texts are as follows:

Article 1. (ii)

They undertake to respect the territorial integrity of all States members of the League, and to protect them from foreign aggression, and they agree to prevent any attempts by other States forcibly to alter the territorial settlement existing at the date of, or established by, the present treaties of peace.

Article 1. (iii) evidently intended for 1 (iv) which read:

They entrust to the League the general supervision of the trade in arms and ammunition with the countries in which the control of this traffic is necessary in the common interest.

Article 2

If at any time it should appear that the boundaries of any State guaranteed by Article I (i), (ii) do not conform to the requirements of the situation, the League shall take the matter under consideration and may recommend to the parties affected any modification which it may think necessary. If such recommendation is rejected by the parties affected, the States members of the League, shall, so far as the territory in question is concerned, cease to be under the obligation to protect the territory in question from forcible aggression by other States, imposed upon them by the above provision.

Article 4

A General Conference of the League shall be held within six months of the date when the present convention comes into force, and similar conferences shall be held from time to time as occasion may require and in any case at intervals of not more than four years.

Article 5

The H.C.P. appoint the following States members of the League to constitute the Council of the League:—France, Great Britain, Italy, Japan, and the United States of America. The Council may at any time co-opt additional members. Except as provided hereafter, no State shall be represented at any meeting of the Council by more than two members.

Meetings of the Council shall be held from time to time as occasion may require, and in any case at intervals of not more than one year.

## Article 1. s. iii

It would seem that the general supervision of the trade in Arms and Ammunition might be entrusted to the League without the restrictive words contained in this paragraph.

## Article 2

If the suggestion with regard to Article 1 (ii) should be accepted, then the wording of this article should be modified accordingly.

## Article 4

The Conference should be constituted and composed on the lines laid down in the Notes herewith submitted. Its operations should be "permanent processes" and the number of its meetings determined by itself.

## Article 5

Membership of the Council should not be limited to the five Great Powers mentioned in this article, and such additional members as they may co-opt. Means should be devised to give to the smaller Nations such representation upon it as may be found suitable. The means of doing this I am not at the moment prepared to point out. But the Committee and those who may be further charged with dealing with the matter should make this question of finding the means the subject of careful study, and a method, even if not perfect, should be devised to meet the requirement.

48. *Extract from Minutes of Council of Ten*<sup>1</sup>

January 30, 1919

. . .

7. CANADIAN VIEWS ON MANDATORY SYSTEM<sup>2</sup>

Sir Robert Borden expressed his pleasure at the fact that an agreement, if only provisional, had been reached. He was one of those who most earnestly desired the establishment of the League of Nations. He agreed that the future destinies of the world depended largely on it, because there were forces in Russia which would manifest themselves unless some proposal of that kind could be accepted. The success of the League of Nations would not depend upon the machinery that might be created, but on something behind it, namely, public opinion, which would give it the power—the same power which steam or electricity gave to the machinery of a factory. He would beg them to be careful not to impose too heavy a burden on it in the first instance. Born as an infant, it might develop as a giant, but whilst an infant too much should not be imposed on it. He had carefully studied the organisation of the British Empire, which was not unlike the proposed organisation of the League of Nations, and he knew that the British Empire depended

<sup>1</sup>Printed in *Foreign Relations of the United States: The Paris Peace Conference, 1919*, Vol. III, p. 794.

<sup>2</sup>The question under discussion earlier in the session was whether mandates should be allotted by the Peace Conference or allotment should be left to the proposed League of Nations.



only on public opinion. Not one of the Dominions could have been forced to send a single man to the war; they joined in the war because of the cause involved, and because of public opinion. The League of Nations would have to depend on the same considerations. Therefore, as far as possible, he hoped that the Conference would come to a conclusion on all proper matters with as little delay as possible. It would be for the representatives to decide forthwith whether they would themselves settle this question, or whether they would constitute themselves into machinery to settle such questions at some future date. At any rate, it was essential that the organisation of the League of Nations should be determined without imposing too much on it at once. It was well known that no democratic country attempted to enforce every law to its fullest extent, as that would be impossible. Government by convention and goodwill, founded on public opinion, was the only Government possible; and the working of the League of Nations would depend on similar foundations. Therefore, he hoped the matter under consideration would be determined as speedily as might be possible, because the world was looking to the proceedings of the Conference, and might become tired in face of any delay.

. . .

49. *Minister of Justice to British Adviser*

Dear Lord Robert,

[Paris,] January 30, 1919

Referring to our conference of this morning, I beg to submit for your consideration the following, which I suggest should be substituted for Clause 16 of the draft Convention submitted by you:

16. This Convention shall be applicable to and binding upon the Dominions of the British Empire and India only upon declaration of adhesion thereto by any such Dominion or by or on behalf of India and upon notice of such declaration being given to the Chancellor of the League. Upon such declaration being so made and notified the Dominion by and on whose behalf it is so made and notified shall be entitled to separate representation at meetings of the Conference of the League and to all rights of representation at meetings of the Council and other rights by the present Convention conferred upon States members of the League not members of the Council.

As regards the representation of the Dominions and their rights in the League, this wording is intended to meet your suggestion. In so far as provision is made for the convention becoming binding upon the Dominions only upon their adhering to it, this seems necessary in order that authorization to assent to and become bound by the Convention may be given by their respective Parliaments.

I am submitting this clause after consultation with Sir Robert Borden.

Yours very sincerely,  
[CHARLES J. DOHERTY]

*50. Order in Council*

P.C. 230

January 30, 1919

The Committee of the Privy Council have had before them a report, dated 28th January, 1919 from the Acting Secretary of State for External Affairs, to whom were referred despatches from the Right Honourable the Secretary of State for the Colonies to Your Excellency, on the subject of Civil Aerial Navigation between the self-governing Dominions and other Nations or States, together with a report of the Civil Aerial Transport Committee with appendices reporting as follows:

...

## FINAL PROVISIONS

Chapter seven, dealing with final provisions, makes provision in Article 48 regarding, as is therein stated, the Colonies, possessions and protectorates of Mother Countries which are contracting States to the Convention.

The Minister suggests the advisability of changing the wording of this Article so as to recognize the status of the self-governing Dominions beyond the seas, and of enacting that if a contracting state has such self-governing Dominions that any such Dominion desiring to obtain the benefit of the proposed Convention, may indicate, through the Mother Country, its desire to obtain such benefit and that thereupon the procedure, as provided in Article 48 of Chapter seven, which at present relates to Colonies, possessions and protectorates, shall apply.

The Minister therefore suggests that Article 48 be amended to read substantially as follows:

1. The present convention does not apply as of right, except to the mother countries of the contracting States.

2. If a contracting State has any self-governing Dominions beyond the seas or has Colonies, possessions or protectorates and any such self-governing Dominion expresses to the Mother Country, its desire to obtain the benefit of the present convention or amendments thereof, or if a contracting state desires that the present convention should be put in force in its colonies, possessions or protectorates, or in one or more thereof, it shall declare its intention, either expressly in the ratification or in the Act of Adherence (Article 49, paragraph 2) or by special notification addressed in writing to the French Government, which shall be deposited in the Archives of that Government. If the State making the declaration chooses the latter procedure, the French Government will immediately transmit to other contracting states a certified copy of the notification indicating the date of receipt.

3. The denunciation of the present convention by one of the contracting states for one or more of the Dominions beyond the seas, or of its colonies, possessions or protectorates will always be effected by a special notification addressed to the French Government which will be deposited in the Archives of that Government. It will take effect twelve months after the date of such deposit.

4. For the purpose of the application of this Convention, native inhabitants of protectorates shall be regarded as subjects or citizens of the protecting powers.

The Minister suggests that in dealing with the regulations to be observed on departure, on landing and during flight (dealt with by chapter four, schedule A) that the physical conditions of the country, especially in the Western part of Canada, particularly in sparsely settled portions of the prairie district where unknown landings could easily be effected, should receive careful consideration so that, as far as possible, violations of the Canadian laws respecting immigration, or importation of forbidden articles or smuggling, be safeguarded.

Subject to the above, and to such further suggestions, if any, as the Prime Minister of Canada and his colleagues now overseas at London or Paris may make, the Minister submits that the proposed Convention is generally acceptable to the Government of the Dominion of Canada.

The Committee, concurring in the foregoing, recommend that Your Excellency may be pleased to forward a copy hereof to the Right Honourable the Secretary of State for the Colonies for the information of His Majesty's Government.

All of which is respectfully submitted.

#### *51. Minister of Justice to Prime Minister*

My dear Sir Robert,

Paris, February 3, 1919

With reference to the proposed Convention as to Aerial Navigation, the revised draft whereof, enclosed in the letter of the 29th January of Mr. W. A. Robinson,<sup>1</sup> on behalf of the Air Council to the Secretary of the War Cabinet, I have just read, I wrote you on January 7th as follows:

The Convention by its terms does not apply as of right, except to the mother countries of the contracting states. The second paragraph of Article 48 provides the method whereby it may be put into force in colonies, possessions or protectorates of any such State I would suggest that in so far as the self-governing Dominions are concerned, their becoming bound by it should be made dependent on their adherence to it. For this manner of dealing with an analogous case, a precedent is found in the Treaty of 1911 with Japan (Article XXVI). In view of the present national status of the Dominions, this seems a more fitting way of dealing with the matter. It puts the Dominions as toward the States, with whom the Convention may be entered into, in their true position as nations within the Commonwealth.

To give effect to the view so expressed, there should be added to Article 56 of the Convention, the following:

This Convention shall become applicable to the Dominions of the British Empire only upon notification of its intention on the part of any Dominion desiring to adhere to it, given in the manner prescribed by Article 57 for the adhesion of

<sup>1</sup>Sir William Arthur Robinson, Permanent Secretary of the Air Ministry of Great Britain, 1918-1920.

non-signatory states. Any denunciation of the Convention by any such Dominion shall be effected by a notification on its part given in the manner prescribed by Article 59.

Yours very sincerely,  
CHAS. J. DOHERTY

*52. Prime Minister to Acting Prime Minister*

TELEGRAM X. 57

Paris, February 5, 1919

SECRET. British Government have offered and I have accepted position of chief representative of British Empire on Commission consisting of two representatives of each of Five Great Powers to define future boundaries of Greece and of Roumania. It is anticipated that Commission will begin its work immediately and will be engaged therein about two or three weeks. It will not be necessary to visit Greece and Roumania.

BORDEN

*53. Acting Prime Minister to Prime Minister*

TELEGRAM P. 180

Ottawa, February 6, 1919

CONFIDENTIAL. From Rowell. Our Canadian press filled every day with despatches about Peace Conference from American correspondents all playing up President Wilson and part Americans taking in Conference and next to that Lloyd George and Clemenceau. Practically no mention made of you or Canada's part in Conference. Dafoe's despatches excellent but as not so sensational do not get same prominence in press. Could not Dafoe in addition to his despatches which are comment, send some news features which will put Canada more fully on map here? As Dafoe by reason of his relations to Canadian representatives has not same freedom as ordinary correspondents, would he think it desirable to get one or two Canadian press men who are in London to go to Paris to co-operate in sending news despatches. Canada should get her news on Peace Conference from Canadian sources as quickly as she gets it from American sources. Usually American despatches are out here and published before Dafoe's.

*54. Prime Minister to Prime Minister of United Kingdom*

Dear Mr. Lloyd George,

Paris, February 6, 1919

It is announced that four of the minor nations have secured representation on the Committee which is considering proposals for the establishment of a League of Nations. You may remember that I spoke to you with regard to the representation of Canada. The Canadian Minister of Justice who is in

Paris, has devoted much study to this question and recently he has made an important contribution to the public discussion of the subject. I hope it may be possible to give Canada the same consideration as has been accorded to the smaller nations whose claims have been allowed.

Yours faithfully,  
[R. L. BORDEN]

*55. Secretary, Prime Minister of United Kingdom, to Prime Minister*

Dear Sir Robert Borden,

Paris, February 8, 1919

The Prime Minister has asked me to reply to your letter of the 6th February as he did not have time to do so before he had to leave for England. He fully understands the reasons why Canada should desire direct representation on the League of Nations Commission now that four of the minor nations have received representation upon it. He fears, however, that it is hardly practicable to secure any change in view of the stage which the proceedings of the Commission have reached. It would be necessary to consult the Lesser Powers and to gain the assent of the Great Powers, and he understands that such progress has already been made with the draft that the Commission expect to report within a very few days.

Further, he does not think it would be possible to raise the question of Canada's representation without asking for representation for the other Dominions. In his opinion there are very strong reasons against claiming further representation for the nations of the British Commonwealth at the present time. He thinks the Dominions and the Empire have been very generously treated by the other nations of the world in the matter of representation, and that if we were to put forward further claims to representation, both as individual nations and as part of the British Empire, it might arouse the not unreasonable criticism and opposition of the other powers. He thinks that to raise such opposition now might seriously prejudice the question of the representation of the nations of the British Empire in the constitution of the League of Nations which is now under consideration, and where wealth and population rather than war service may be the principal considerations.

He also asks me to say that the existing representatives of the Empire on the Commission were appointed by the British Empire Delegation at its second session, and that Lord Robert Cecil and General Smuts have in fact exercised a predominant influence in the preparation of the draft. He also understands that they have been in constant consultation with the representatives of all the Dominions in preparing their work on the Commission. He is therefore very reluctant to open the question with the other Powers. Should you not agree with his view, however, he suggests that you should raise the matter in the British Empire Delegation.

Yours sincerely,  
P. H. KERR



*56. Prime Minister to Acting Prime Minister*

TELEGRAM X. 78

Paris, February 11, 1919

SECRET. During past two weeks work of Peace Conference has made considerable progress and several Committees are now actively engaged in inquiries which will occupy from two to six weeks. Have discussed with my colleagues whether it is advisable that two or more of us should return for Session. Such proposal seems attended with following disadvantages. First. Those returning would obviously be obliged to relinquish important duties here. Second. Return of Ministers and especially of myself, would probably induce raising of questions which general consensus of opinion would keep in background during my absence. It is not reasonable to anticipate that if I should return I could resume my duties at Peace Conference before end of Session had been reached or agreed upon. Parliament must of course have opportunity of considering and debating results of Peace Conference but unless present Session should be greatly protracted that opportunity will not probably be available until next Session. Possibly present Session might be shortened by arrangement that next Session shall be called about October or November so as to give early opportunity of considering and debating results of Peace Conference. Apparently Wilson does not expect Peace Conference to conclude its labours before August.

BORDEN

*57. Prime Minister to Prime Minister of United Kingdom*

SECRET

Dear Mr. Lloyd George,

Paris, February 13, 1919

Having regard to questions raised respecting the renewal of the Armistice, I sent for General Sir Arthur Currie, who commands the Canadian Corps, and he arrived in Paris yesterday afternoon.

Last evening and this morning I discussed with him the Canadian arrangements for demobilization. He informed me that these arrangements are working smoothly and that he sees no reason for apprehending any interruptions unless from events now unexpected. If his anticipations are realized, the last of the Canadian Corps will have left France not later than the first of May next, and all the Canadians will have reached their own country not later than the 10th June. The arrangements for demobilization have been announced and explained to the men who are perfectly satisfied therewith. As is most natural they are intensely desirous of returning to their homes with the least possible delay.

He reports the condition and spirit of the troops as being all that he could desire. Demobilization is being carried out by Divisions and with each Divi-



sion a proportionate part of the auxiliary units, such as line of communication troops, hospital units, etc., is being demobilized. Thus as demobilization proceeds the Divisions remaining in France constitute a complete and effective military formation with necessary units available on lines of communication and in hospitals, etc. He considers this method much more satisfactory from a military standpoint than demobilization by length of service which inevitably breaks down efficiency of organization.

As demobilization is proceeding with such rapidity I think it desirable to bring the situation to your attention in view of the discussion which took place in the Imperial War Cabinet on the 12th December last.

General Currie informs me that there is a very strong feeling among the officers and men of the Canadian Corps that the first duty of the Peace Conference is to settle the terms of Peace with Germany and to submit them to the Government of that country.

They are critical of bestowing time and attention upon minor subjects before this task has been accomplished. This view is not unnatural on the part of men who have been separated from their homes and families for from two to four years and who are extremely impatient of delays which in their judgment are unnecessary and which tend to protract their absence. I venture to mention this as it may give an index to the feeling among other British and Dominion troops now serving at the front.

I am sending a copy of this letter to Sir Edward Kemp, Minister of the Overseas Military Forces of Canada, for his information.

Yours faithfully,

[R. L. BORDEN]

*58. Prime Minister to Prime Minister of United Kingdom*

Dear Mr. Lloyd George,

Paris, February 13, 1919

Mr. Kerr's letter of the 8th instant reached me in due course. I was sorry to trouble you about the matter in the hurry of your departure. Under the circumstances I shall not press it further at the moment.

Some of the views expressed in Mr. Kerr's letter would not commend themselves to public opinion in Canada. On the contrary they would be likely to arouse fierce criticism and strong antagonism. However, I shall not weary you with a written discussion. When you return to Paris I may have the opportunity of emphasizing the Canadian point of view which I do not consider either unnatural or unreasonable.

Faithfully yours,

R. L. BORDEN

*59. Extract from Minutes of Ninth Meeting  
of British Empire Delegation<sup>1</sup>*

SECRET

February 20, 1919

2. PROCEDURE OF PRELIMINARY PEACE CONFERENCE

Sir Robert Borden expressed himself in full agreement with Mr. Balfour's desire in regard to the speeding-up of the work of the Conference. He would even be inclined to go further. He believed that a very dangerous condition of affairs would develop not only in the Allied countries but in the world generally if peace were delayed. It had been intimated to him that the Bolshevik disturbances of recent occurrence would continue as long as the Peace Conference prolonged its discussions. The men under arms were impatient to return home. In the Canadian forces they had "round table" conferences at which these matters were freely discussed. The point of view of the men was that they wanted to know why they should be kept under arms whilst the Peace Conference was discussing such questions as Belgian claims in the Congo. In regard to Germany there were two dangers. In the first place she might become so disorganised as to put Bolshevism on top, and secondly she might become so reorganised that in another four or five months she might not be disposed to make Peace on the terms which she would accept now. He desired to offer a practical suggestion. He suggested that a careful examination should be made forthwith of the questions which must necessarily be determined before the final settlement of the Peace Terms, and any such questions, proper for reference to Committees, should be so referred without delay. There were some questions which could be sent direct to Committees before being discussed at all by the Conference.

Mr. Balfour stated that they had already gone a good way in this direction. Almost every question involved in the Peace Preliminaries was already before Commissions.

*60. Prime Minister to Acting Prime Minister*

TELEGRAM X. 105

Paris, February 21, 1919

During past ten days I have taken several opportunities to emphasize both publicly and at meetings of British Delegation the unfortunate and probably dangerous consequences of the unnecessary delay which has characterized the proceedings of Peace Conference from the first. During the ten [days] there has been more energy and expedition but settlement of Peace conditions will probably occupy several months, say, until the middle of July. Clemenceau's absence will appreciably retard progress.

BORDEN

<sup>1</sup>Canadian representative present: Sir Robert L. Borden.

61. *Extracts from Memorandum by Minister of Justice on Article X  
on Draft Covenant of League of Nations*<sup>1</sup>

[Paris, February 22, 1919]

STATUS OF DOMINIONS

By the draft who are to be parties to the Convention does not appear. Provision is however made by Article VII for admission to the League later of States non-signatories and not invited to adhere, and in this provision the right of self-governing countries, including Dominion[s] and colonies to become members is recognized.

It is therefore to be assumed that Dominions, members of the Conference, would be among the parties to the Convention *ab initio* and as such fully recognized members of the League.

...

Article X

Guarantee as against external aggression of the territorial integrity of all States members of the League.

This Article is open, in my judgment, to the very gravest objections, both generally, and from the point of view of countries in the condition and stage of development of Canada in particular.

Of the gravity of the obligations by it imposed upon the parties to the Convention, there can be no question. It makes of the League, as *The Times* expresses it, "a mutual guarantee society of unlimited Liability".

(A) *Generally*

The clause makes each one of the Nations signatories of the Convention the guarantor of the actual territorial possessions of all the members of the League, not only such as may be acquired under settlements effected in connection with the Peace terms, but of all those held by them, at whatever time or in whatever manner acquired.

That as regards territory whose possession is allotted to any particular State by the Peace Treaty those States which make the settlement and allot the territory should warrant peaceful possession to the allottee seems not unreasonable—if they consider it their duty or to their interest to do so.

But why all the nations generally, including those taking no part in the determination of conflicting claims to particular territories, should, as a condition of their membership in the League, undertake to give protection to the allottees, which may involve those so undertaking in all the horrors of wars in which they have no interest, in order to ensure respect for decisions in which they had no part and for which they have no responsibility, is not to me apparent.

<sup>1</sup>Undated but sent to Borden and other colleagues under covering note of February 22. The memorandum, which is very prolix, has been cut in half to save space.

When one comes to consider the effect of the clause in respect to existing territorial possessions—that is the possessions of all the victorious belligerent and the neutral nations as they stood at the meeting of the Peace Conference, and whose delimitation or consideration formed no part of the work of the Peace Conference as such—it is still more objectionable.

The undertakings of such obligation with regard to these territories presupposes a determination by those assuming it that all those existing possessions are rightly and justly in the hands and under the dominion of their present holders. It further pre-supposes,—if those who, it is proposed, should become such guarantors are ordinarily prudent,—some consideration of the greater or less likelihood of the occurrence of such external aggression as they are called upon to warrant against. Such aggression is more or less likely accordingly as the holding of the possessor to be guaranteed is more or less disputable by other States or peoples, or more or less liable to form the subject of contention between them.

The Peace Conference has no jurisdiction or authority to inquire into or determine the justice or legitimacy of the holdings in question, or the possibility or probability of their being or becoming a bone of contention between disputing States or peoples. It has made no such enquiry and taken no steps to place itself in a position to make such determination. And yet, if it adopts this Article, it will in effect pronounce all the holdings to be right and impose upon all the nations who may enter the League the obligation of guaranteeing their permanency. By assenting to it the latter will become bound to protect those possessions in case of aggression, threat or danger of aggression. The Executive Council of the League is to advise upon the means whereby that obligation will be fulfilled, and subject to that advice each nation will be called upon to back the guarantee given by “the whole force at its disposal”.

...

It has been, I understand, said as justifying the imposition of this absolute obligation of mutual protection of existing possessions that disputes with regard to territory are the most prolific source of war. If this be true, is it a good reason for making it the absolute obligation of all Nations to take the one side in every such dispute, and to back up that side with force, merely because it is the side of the party in possession? May not the prevention of wars resulting from disputes as to territories be left to the operation of the provisions made for the prevention of war generally? Why, in this particular case is right to be assumed to be on one side exclusively, and the duty imposed of espousing in every instance the cause of the possessor merely because he is the possessor? —and without any preliminary proceeding of any kind to verify the justice of that possession?—why is the right to possessed territory so much more sacred than are other national rights that it should be singled out to be made a matter of universal international, not a matter of national concern, and a protection afforded to it which is not given to any other?

(B) *Objections particular to Canada and other Dominions,  
and Nations whose conditions may be similar*

Even if, notwithstanding what precedes, it is right that a guarantee such as proposed should be given it does not follow that it should be given by all States. It may be right that one class of States should give it, and entirely wrong to exact it of another. Canada has no say in, and no responsibility for any settlement that may be made by the Powers of general interests, after hearing those of particular interests directly concerned therein, as to territory to be allotted to or determined for, revived or newly created States, out of that formerly held by the vanquished Powers. There is therefore in the fact of that settlement itself to be found no reason why she should guarantee its being executed and continuously respected.

For existing possessions, she certainly has no responsibility, nor is she called upon—nor indeed in any position—to pronounce upon their rightfulness.

If it be said that the protection of these possessions is a matter of general interest, then Canada has been arbitrarily classed by the Great Powers among Powers with particular interests, as distinguished from Powers with general interests.

...

Situated as she is, forming part of the British Empire, having actually no disputed or disputable territory with but one Continental Neighbour at whose hands there is no ground to apprehend aggression upon her territory and whose every interest as well as declared and settled policy is to protect her from territorial aggression on the part of others, Canada has but an extremely remote interest in obtaining this guarantee. Should the day come when her own means of defence with the support of the Empire and the aid of the United States will be insufficient to protect her territory, it may well be doubted whether the aid of the other nations of the League will avail to save her.

It is true that the formation of a general association of nations "under specific covenants for the purpose of affording mutual guarantees of political independence and territorial integrity to Great and Small States alike" is one of the "fourteen points" generally regarded as the basis on which Peace terms are to be settled. But to give effect to it it is not essentially that *all* the nations of the League should be guarantors—Surely it can be fully carried out in the spirit and without derogation to its letter, by guarantees being given by those whose super-eminent power enables them to do it, and whose interests in obtaining it furnish adequate consideration for giving it. Indeed the very reading of the article in which this "point" is set forth indicates that what was contemplated were such guarantees as would put the small and the weak in a position of security as to their territorial integrity and political independence equal to that of the Great and the Powerful—not the imposition upon the former of burdens which they may well hesitate to accept in the interest of the latter—



To resume I submit

*1st* That any guarantee should be applicable only to the territorial integrity and political independence of the States re-constituted or created by the Peace Settlement, and given by the States responsible for that settlement and, if thought proper, by those benefiting by it.

*2nd* That as regards actually existing territorial possessions the Conference should not undertake to pronounce upon, or ratify them; that if it undertake to do so it should first afford opportunity to all States, Peoples or Parties having or believing themselves to have ground for complaint of or objection to the actual holding of any State a full opportunity to be heard; that the States affected should agree to accept the determination of the Conference, and that any guarantees to be given in regard to such territorial possessions should be given by the Great Powers—the Powers with general interests—and those having special interest in obtaining them, and not exacted indiscriminately from all States, without regard to the considerations hereabove set forth.

. . .

The war from which they have just emerged they went into willingly impelled thereto by many and varying motives—not least among them the call of the blood that appealed to so many to make common cause with their British Brothers—And yet throughout that war there existed—growing with the war itself—very wide-spread feeling that while it had been and was true that when “England was at war Canada was at war” that it was a situation that called for modification. That feeling while it grew with the war will not die with it. It will remain with us sturdier and stronger than ever. A way must be found said and says Canadian Public Opinion whereby Canada shall have, if not complete, at all events a very large measure of control over the events that in the future might lead her into war.

If this be her view when it is a question merely of being involved in wars because they are England’s wars, what will be her attitude to a convention so easily susceptible of the interpretation that France’s Wars, Italy’s Wars are in the future to be hers wherever and whenever such a war is initiated by territorial aggression? What reception will she give to those who have bound her or seek to bind her to such a convention?

I know it may be said that she may on the same grounds and with equal reason object to the other Articles of the Convention that may subject her to becoming engaged in wars entered upon for the enforcement of the obligations of the nations members of the League.

The difference between the two obligations is however very great. Were they not substantial there would be no reason for creating this particular one at all.

In the first place the present obligation is direct and absolute. It is subjected to no conditions. It clearly binds to military action.

The general obligation in cases of violation of obligations under the Covenant is extremely remote. It is subject to conditions which render its ever



becoming operative exceedingly improbable. It does not, as I have pointed out in the accompanying memo as to the sources of the different provisions of the Covenant impose an absolute obligation of military or naval action. It has moreover behind it as justifying it the fact that it is the sanction of violation of the very Covenants into which all the parties are now entering.

Save in the case where a nation may go to war without taking any steps at all looking to arbitration or settlement by the Conference, no obligation arises unless there has been a unanimous recommendation by the Council or Conference which has not been complied with or unless such a recommendation having been made and complied with war is made against the complying nation. The probability of such a unanimous recommendation being obtained upon any really serious difficulty is less than slight. If the dispute be dealt with by the Conference—and it is the right of every disputant to have it so dealt with—unanimity will be even less probable than in cases before the Council. Moreover in cases so dealt with by the Conference Canada will be represented on the recommending body and as the recommendation must be unanimous it will be her own decision for which she will be called on to ensure respect.

•••

For myself I am convinced that whatever may be said in support of this guarantee [i.e. in Article X] from a general point of view it is as I have said both unjust and unfair that it should be exacted of Canada. It is a mutual guarantee where the risks run and the burdens imposed are not equal between the nations entering into it and where this inequality is particularly striking in the cases of countries in Canada's position and works specially to their detriment. Its imposition upon such countries at the hands of those mightier than she is in my judgment a positive wrong—such as I am satisfied was not and cannot have been contemplated by the author of the 14 points. That it was not by Lord Robert Cecil in the references in his memoranda to a territorial settlement to be effected by the Peace Treaty and a guarantee of such settlement is clear. This guarantee is not of a settlement, and is imposed upon Nations parties to no settlement.

I feel in the strongest possible way that Canada should urge and insist upon these objections to her being called upon to agree to this guarantee. For what my judgment on that question may be worth, I am satisfied the people will most strongly resent our assenting to it should we do so.

#### THE COMPOSITION OF THE CONFERENCE

I do not here desire to go over what was set forth in the memo circulated to my colleagues some time ago.

I may confess that I hardly expect the suggestion therein made to be accepted and acted upon by the present Peace Conference—in view of the manner in which it is composed and the—what seems to me quite inadequate conception they have of what the democratic peoples of the world are looking for in the League of Nations.

The fundamental principle on which the suggestion rests is that the people not the Governments alone should have means of participating in the work of the League. The share suggested is a very minimum—merely an opportunity to express their views through a body of their representatives. But the matter is to be decided by *Governments*—and apparently they are not willing to consider allowing even this minimum to the people—I would call attention to President Wilson's admission on this subject and his palpably inadequate answer.

The President admits the "feeling current throughout the world" and pleads simply impossibility of *adequately* meeting it. Surely that you cannot meet it fully, is not a reason not to meet it at all. And that feeling being that the League should not be "merely a body of officials representing the various Governments" you would have done something to meet it if instead of providing for each nation three representatives of their Governments you had given these three representatives to the people and allowed the latter to elect them—at least if you must insist on *Government* representation in the Conference as well as in the Council, you might have allowed the people also representation in it,—or perhaps even provided an additional distinct deliberative body representative of the people.

For myself I desire to say that I adhere to the suggestion made in my first memorandum, in the firm conviction that the League will fail,—that will have no greater permanence than previous Alliances of Victorious Powers—for that is in effect what it now is, whatever rules it may make—till it ceases to be a body where Governments alone speak and finds the machinery whereby the voice of the peoples may make itself heard and its influence felt.

#### 62. Prime Minister to British Adviser

Dear Lord Robert Cecil,

Paris, February 26, 1919

In connection with the matters we were discussing this afternoon I did not take up your time in urging a point of view which must already have pressed itself upon your attention.

On the one hand there is an apprehension which was conveyed to me in very cogent terms on Thursday last, that there is a real danger of starvation in the immediate future among the population not only of the enemy countries but of allied populations in Central Europe.

On the other hand there is a very large amount of food products in the United States and Canada for which no market has hitherto been found. The delay in disposing of this surplus has created a very strong feeling which, under the influence of any untoward circumstances, would quickly flame into fierce resentment.

With a great surplus of food on one Continent and one hundred and fifty millions of people on the verge of starvation on this Continent, it seems altogether a question of financial arrangements. Three months ago we were

told on the highest authority that an abundant provision of shipping was available. As to financial arrangements I have no especial knowledge. If, however, any of the Powers propose that millions shall be allowed to starve in order that resources may be husbanded to meet claims for indemnity I desire to record a strong protest.

Yours faithfully,  
R. L. BORDEN

63. *Prime Minister to British Labour Adviser*

Dear Sir Malcolm Delevingne,

[Paris,] February 26, 1919

I have your letter of the 24th instant about Article 18 of the draft Labour Convention.<sup>1</sup>

At the meeting between the Dominions and the Labour Section I indicated, as you say, that I did not think there would be any insuperable difficulty arising from the constitutional relations between the Provinces and the Dominion of Canada. On the whole I think it better not to make any definite suggestion at the moment but rather to await any proposal that the Americans may make to cover their constitutional difficulty and may render it necessary to weaken the Article. It is not desirable that we should be bound more strongly than they are; the obligation should be equal all around.

Apart from this particular aspect I should be glad to have some further explanation of the general intention of Article 18 which, considered in connection with Article 29 and the Articles providing for penalties, seems to have far-reaching consequences.

I believe my colleague, Mr. Doherty, our Minister of Justice, who is at present in London, has been studying this draft Convention. On his return to Paris at the end of the week I shall bring your letter to his attention and ask him to take up with you the point you mention as well as any others that may need discussion.

Yours faithfully,  
R. L. BORDEN

64. *Extracts from Minutes of Tenth Meeting  
of British Empire Delegation<sup>2</sup>*

SECRET

February 27, 1919

1. SUPREME ECONOMIC COUNCIL

. . .

Lord Robert Cecil said that the Supreme Economic Council consisted of five representatives from each of the four Great Powers—the British Empire,

<sup>1</sup>The Labour Convention is printed in *Sessional Papers*, 1919, No. 41i.

<sup>2</sup>Canadian representatives present: Sir Robert L. Borden and Sir G. E. Foster.

France, America, and Italy. So far the only British representative was himself. The Cabinet had decided that the other representatives should be chosen on the panel system from among the Chancellor of the Exchequer, the President of the Board of Trade, the Food Controller, the Shipping Controller, and Mr. Harmsworth as representing the Blockade Department. As the persons just named would not ordinarily be in Paris, they were to be represented by Deputies.

The Cabinet had also agreed, on his suggestion, to the constitution of two Committees:

1. A British Committee, and
2. A Dominions Committee,

which would advise the British representatives on the Supreme Economic Council. He now understood that the Dominions would prefer that their representation should be through the British Committee, and he was anxious to fall in with their wishes.

...

Sir George Foster concurred in the view that one British Empire body, with Overseas and Indian representation, would be the most convenient form for the Committee.

Sir Robert Borden stated that he had discussed the subject on the previous day with Lord Robert Cecil, and that he shared the opinion expressed by Sir George Foster.

(It was agreed—

(a) That the Supreme Economic Council should be constituted, as regards the British Empire, on the panel system, with five representatives for Great Britain, the Dominions, and India. Lord Robert Cecil would be the principal British delegate on the Council.

(b) That, instead of having two Committees—one British and one Dominions and India—to advise the British representatives on the Supreme Economic Council, as had been agreed by the War Cabinet on the 24th February, there should be one British Empire Economic Committee, with Lord Robert Cecil as Chairman.

(c) That Mr. J. A. Salter should be Secretary of the Economic Committee, and that he should be assisted by members of the staffs of the Dominion and Indian Delegations on the panel system, as in the case of the Secretariat of the British Empire Delegation.)

*65. Memorandum by Supreme Economic Council  
on British Empire Representation*

[n.d.]

The representation of each of the four Allied and Associated Governments on the Supreme Economic Council is restricted to five members, and the

Governments of the United States, France and Italy have nominated not more than five representatives apiece, who are the same at all Sessions of the Council.

In the case of the British Empire, however, the organisation of the Departments, and in particular, the necessity of securing adequate representation of the Dominions, has made it impossible to appoint only five unchanging representatives. A panel has therefore been formed consisting of the British Ministers principally concerned and of Ministers representing the Dominions of Canada, Australia, New Zealand, South Africa and India.

Lord Robert Cecil, who is the general member attends all the meetings of the Council so far as possible, and other members (or delegates representing absent members) not exceeding four are chosen from the general panel to attend according as the business specially concerning them is transacted at the Council.

The British Ministers on the panel are the Chancellor of the Exchequer, the Shipping Controller, Food Controller, Under-Secretary for Foreign Affairs (for Blockade), President of the Board of Trade, and Minister of Munitions. These Ministers are represented in absence by permanent delegates.

The Dominion representatives on the panel are:

Canada: Sir George Foster (represented in his absence by Hon. A. L. Sifton, or Hon. Chas. Doherty)

Australia: Mr. Hughes (represented in his absence by Sir J. Cook, or Sir R. Garran)

New Zealand: Mr. Massey

South Africa: General Botha

India: Rt. Hon. E. S. Montagu (represented in his absence by Lord Sinha or Mr. Kershaw<sup>1</sup>)

### 66. *Acting Prime Minister to Prime Minister*

TELEGRAM P. 213

Ottawa, February 27, 1919

Your X.92 and B.11. Acting Prime Minister instructed Mulvey, Under-Secretary of State, to prepare and to engage any necessary legal assistance. He employed Christopher C. Robinson, Toronto, who has drafted following reply which is concurred in by Mulvey. Begins. About ninety-five percent in value of Canadian claims for illegal warfare are based upon destruction of ships. Validity of these claims depends upon particular facts of each case. Examination of all information available here shows that except in a few cases of destruction near coast of Canada we have not enough information

<sup>1</sup>Louis James Kershaw, Secretary of the Financial and Statistical Section of the India Office; Adviser on Economic Questions of the Indian Delegation at the Peace Conference.



for briefs in support of these claims. Understand British Admiralty have reports on all cases of ships damaged or destroyed giving sufficient facts to determine whether enemy action was internationally justifiable or not. Suggest you have these reports examined and any legal points arising briefed for you in England. Claims have been made by Canadians as owners of or interested in following ships, with dates and places of sinking so far as known:

- Bianca*, August 24th, 1918, 41 deg N. Lat 61 deg W. Long.
- Dornfontein*, August 2nd, 1918, near Gannet Rock, Bay of Fundy.
- Erik*, August 25th, 1918, near Gallantry Head.
- Kendal Castle*, September 15, 1918.
- Luz Blanca*, August 5th, 1918, off Halifax.
- Palacine*, off France.
- Retlaw*, Dorothy Duff, May 17th, 1917, off Valencia, Spain.
- Morwenna*, May 26th, 1915, in Irish Sea.
- Scottish Hero*, June 10th, 1915, in Irish Sea.
- Storstad*, March 1917. Norwegian Register under charter to Dominion Steel Company.
- Sylvania*, August 1918, off Canso.
- Triumph*, August 20th, 1918, Middle Ground Bank.
- Mayola*, Feb. 16, 1917, off Portugal.
- Lillian H*, Jan. 19th, 1917, off Queenstown.
- Laura*, April 25th, 1917, off Ireland.
- Strathcona*, April 13, 1917, off Orkney Islands.
- Neepawah*, April 22nd, 1917, off Scilly Islands.
- C. A. Jaques*, May 1st, 1917.
- D. A. Gordon*, December 30th, 1917.
- Armonia*, March 15th, 1918.
- Tefona*, May 16th, 1918.
- Acadian*, September 16th, 1918.
- Coral Leaf*, June 1917, off Ireland.
- Harry W. Adams*, December 24th, 1916, off Finisterre.
- Wilfred M*, Feb. 1915, in South Atlantic.
- Perce*, January 1917, in South Atlantic.
- Themis*, Norwegian Register under charter to N.S. Coal Co., Oct. 12, 1917, in Mediterranean.
- Fimveite*, Norwegian Register, July 23rd, 1915, in Atlantic.
- Wacousta*, Norwegian Register, November 8th, 1915, in Mediterranean.
- Tellus*, or *Elizabeth IV*, August 31st, 1916, in Mediterranean.
- St. Olaf*, 19th August, 1915, off Ireland.
- Midland Queen*, 4th August, 1915, off Fastnet.
- Empress of Fort William*, February 27th, 1916, off Dover.
- Empress of Midland*, March 27th, 1916.
- Dundee*, January 31st, 1917.
- Charles Theriault*, July 10th, 1918, off Bordeaux.



Canadians have made claims for lives lost or health injured while travelling on following ships:

*Lusitania.*

*Hesperian*, September 4th, 1915, off Ireland.

*Nyanza*, September 29th, 1918, off Scotland.

*Orduna Morseby*, November 28th, 1916, in English Channel.

*Llandoverly Castle*, 27th June, 1918.

*St. Nixion*, 7th February, 1918.

*Leinster*, October 10th, 1918, in St. George's Channel.

*Port Dalhousie*, March 19th, 1915, off England.

*Cuba*, 30th September, 1918.

*Fallaba*, 28th March, 1915.

*Hampshire*, 5th June, 1916.

*Laurentic*, 25th January, 1917.

*Ticonderoga*, 30th September, 1918.

*Georgian*, 8th March, 1917.

*Cittedipalermo*, 8th January, 1916.

*Pollux*, 19th March, 1917.

*Karina*, 1st August, 1917.

*Nepaulin Apapa*, 28th November, 1917.

*Gimbri*, 18th January, 1918.

*Alfred H. Read*, 28th December, 1917.

*Borg*, 10th June, 1918.

*Aster, Justicia*, 20th July, 1918.

*Burutu*, 3rd October, 1918.

*Princess Irene*, Capedexe, 12th October, 1917.

*Minas Queen*, 26th August, 1917.

*Halifax*, March 1918, near New York.

*Lanfranc*, April 1917.

*Stuart Prince*, March 22nd, 1917, off Ireland.

*Cabotia*, October 23rd, 1916, off Ireland.

Canadians have made claim for personal effects lost on following ships:

*Lusitania.*

*Missanabie*, 7th September, 1918.

*Schooner Charles Theriault.*

*Laconia*, 25th February, 1917.

*Hospital Ship Anglia*, 17th November, 1915, English Channel.

*Laura, Maid of Harlech*, 2nd February, 1918, Mediterranean.

*Rochester*, 2nd November, 1917.

*Llandoverly Castle*, 27th June, 1918.

*Port Dalhousie*, 19th March, 1915, off England.

*Glorizia*, 29th April, 1917, English Channel.

*Stephano*, 8th October, 1916, off New York.

*Midland Queen.*

*Arabia*, 19th August, 1915.  
*Hesperian*.

Canadians have made claims for cargoes lost on following ships:

*Hesperian*.  
*Sea Gull*.  
*Medora*, 1918, English Channel.  
*Lake Michigan*, 13th April, 1918.  
*Louisiana*, February 1917.  
*Carthaginian*, June 14th, 1917.  
*Stephano*.  
*Manchester Castle*, October 1914.  
*Cymrie*, May 8th, 1916, off Ireland.  
*Milwaulkie*, August 1918.  
*Annapolis*, March 1917.  
*Englishman*, March 1916.  
*Indrani*, June 1915.  
*Durango*, August 1917.

Several Canadian Fishing Schooners of less than 100 tons net destroyed while fishing on Banks in July and August 1918. Claims these were protected by Article III Hague Convention Number 11 of 1907. There is also Canadian claim for detention of steamers *Pandosia* and *Trobia* in Hamburg, though they desired to leave before actual declaration of War. Also a few claims for civilian internment and for imprisonment of Canadian members of crews of merchant vessels captured or destroyed. Also claims for loss of life or injury in following air raids.

September 30th, 1917, London.

August 22nd, 1917, Ramsgate.

September 1917, London.

May 19th, 1918, Hospitals at Etaples, France including No. 9 Canadian Stationary Hospital.

Canadian Insurance Companies are making claims for lives of soldiers killed in action. Their claims are probably not valid as a whole, apart from special terms in Peace Treaty, but certain claims may be good where death can be proved to have been caused by methods prohibited by Fourth Hague Convention of 1907. Ends.

Mulvey states that since P.150, January 20th, further claims have been received aggregating \$13,347,109. made up as follows:

Lives	\$320,000.
Effects	13,887.
Damages	328,110.
Cargoes	36,444.
Fishermen's effects	2,499.
Cargoes	3,431.
Ships, Hulls and Cargoes	12,642,738.

It was considered advisable to cable names of vessels as circumstances of sinkings vary and presumably might affect validity of claims, that as you are dealing with principles at present details are not required. If they are required details could be forwarded by mail though heavy undertaking. Please advise.

67. *Acting Prime Minister to Prime Minister*

TELEGRAM P. 221

Ottawa, March 4, 1919

From Rowell. 1. Is League of Nations Covenant as reported by Committee generally acceptable to you. 2. Is it clearly understood that Dominions will be represented in League as fully as in Peace Conference. 3. Do you think it desirable there should be any expression of opinion by our Parliament on question of formation of League of Nations, and if so, what form should such expression take.

68. *Prime Minister to Acting Prime Minister*

TELEGRAM X. 129

Paris, March 5, 1919

SECRET. Your 221. For Rowell. We consider Covenant badly drafted and that it will require much alteration. The purpose expressed is regarded as acceptable but certain of its proposals require attentive study. I will cable you within a few days as to pronouncement by Parliament on question of forming such a League.

BORDEN

69. *Prime Minister to Acting Prime Minister*

TELEGRAM X. 144.

Paris, March 9, 1919

Your 233. Conferred with Lloyd George this morning as to date of my return. He strongly deprecates my departure before preliminaries of Peace are settled and believes that this will be accomplished by middle of May. Finally we agreed to let question stand until Wilson arrives on Thursday or Friday, as shortly thereafter we shall know whether Peace can probably be signed by date mentioned or whether Conference will drag on to midsummer.

BORDEN

70. *Prime Minister to Acting Prime Minister*

TELEGRAM X. 148

Paris, March 11, 1919

Cable full information to date amount debts owing by Canadians to persons in enemy countries and by persons in enemy countries to Canadians.

Important ascertain whether balance in favour of or against Canada on total, and as nearly as possible amount of balance. Has Council reached and communicated to British Government any conclusion as to British scheme of settlement of such debts and claims. If so cable in what sense. Seems to us on incomplete figures before us very doubtful that we should approve and join in scheme.

BORDEN

*71. Acting Prime Minister to Prime Minister*

TELEGRAM P. 231

Ottawa, March 11, 1919

From White. Halifax pressing strongly for full compensation for explosion aggregating about thirty million dollars. See no difference between damage caused there and damage to property in France and Belgium. Think you should insist upon reparation in full as a claim prior to general claims for indemnity against general cost of war.

*72. List of Canadian Representatives on British Empire and Inter-Allied Committees and Commissions*

Paris, March 12, 1919

The Right Hon. Sir Robert Borden

Inter-Allied Commission on the Russian Question

Inter-Allied Commission on the Greek Question

(Sir Robert Borden is Vice-President of this Commission)

The Right Hon. Sir George Foster

Inter-Allied Economic Commission (Sir George Foster is Vice-President of this Commission)

Supreme Economic Council (British Empire Panel)

British Empire Committee on Transport and Transit

British Empire Economic Committee

The Hon. A. L. Sifton

Inter-Allied Commission on the International Regime of Ports, Waterways and Railways (Mr. Sifton is Vice-President of this Commission)

Inter-Allied Sub-Committee on Regime of Rivers, Ports and Railways

Supreme Economic Council (Alternate Canadian Delegate on British Empire Panel)

British Empire Committee on Transport and Transit

The Hon. C. J. Doherty

Supreme Economic Council (Alternate Canadian Delegate on British Empire Panel)

Inter-Allied Sub-Committee (of Economic Commission) on Pre-War Contracts

British Empire Committee on the League of Nations

Mr. Lloyd Harris

British Empire Economic Committee

Dr. J. W. Robertson

British Empire Economic Committee

Lt. Col. O. M. Biggar

British Committee on Aerial Transport

British Committee on Enemy Debts and Pre-War Contracts

British Committee on the Arms Traffic

British Sub-Committee on International Rivers, Railways and Canals

British Empire Secretary of Inter-Allied Commission on Responsibility for the War

Assistant Secretary of British Empire Delegation

Mr. L. C. Christie

British Committee on Aerial Transport

British Sub-Committee on International Rivers, Railways and Canals

British Committee on the Arms Traffic

Assistant Secretary of British Empire Delegation

Assistant Secretary of British Empire Economic Committee

*73. Memorandum by Prime Minister on Dominions as Parties  
and Signatories to Peace Treaties<sup>1</sup>*

SECRET

W.C.P. 242

Paris, March 12, 1919

(1) The Dominion Prime Ministers, after careful consideration, have reached the conclusion that all the treaties and conventions resulting from the Peace Conference should be so drafted as to enable the Dominions to become Parties and Signatories thereto. This procedure will give suitable recognition to the part played at the Peace Table by the British Commonwealth as a whole and will at the same time record the status attained there by the Dominions.

(2) The procedure is in consonance with the principles of constitutional government that obtain throughout the Empire. The Crown is the supreme executive in the United Kingdom and in all the Dominions, but it acts on the advice of different Ministries within different constitutional units; and under Resolution IX of the Imperial War Conference, 1917, the organization of the Empire is to be based upon equality of nationhood.

(3) Having regard to the high objects of the Peace Conference, it is also desirable that the settlements reached should be presented at once to the world in the character of universally accepted agreements, so far as this is consistent with the constitution of each State represented. This object would not be achieved if the practice heretofore followed of merely inserting in the

<sup>1</sup>See Annex, Memorandum No. 12, par. 4, p. 211.

body of the convention an express reservation providing for the adherence of the Dominions were adopted in these treaties; and the Dominions would not wish to give even the appearance of weakening this character of the peace.

(4) On the constitutional point, it is assumed that each treaty or convention will include clauses providing for ratification similar to those in the Hague Convention of 1907. Such clauses will, under the procedure proposed, have the effect of reserving to the Dominion Governments and legislatures the same power of review as is provided in the case of other contracting parties.

(5) It is conceived that this proposal can be carried out with but slight alterations of previous treaty forms. Thus:

(a) The usual recital of Heads of State in the Preamble needs no alteration whatever, since the Dominions are adequately included in the present formal description of the King, namely, "His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India."

(b) The recital in the Preamble of the names of the Plenipotentiaries appointed by the High Contracting Parties for the purpose of concluding the Treaty would include the names of the Dominion Plenipotentiaries immediately after the names of the Plenipotentiaries appointed by the United Kingdom. Under the general heading "The British Empire" the sub-headings "The United Kingdom," "The Dominion of Canada," "The Commonwealth of Australia," "The Union of South Africa," etc., would be used as headings to distinguish the various Plenipotentiaries.

(c) It would then follow that the Dominion Plenipotentiaries would sign according to the same scheme.

(6) The Dominion Prime Ministers consider, therefore, that it should be made an instruction to the British member of the Drafting Commission of the Peace Conference that all treaties should be drawn according to the above proposal.

*74. Memorandum by Prime Minister on Draft Covenant  
of the League of Nations<sup>1</sup>*

SECRET

W.C.P. 245

Paris, March 13, 1919

1. This memorandum has been prepared with a full appreciation of the valuable work accomplished in presenting to the world concrete proposals for the establishment of the proposed League. It has been undertaken also with at least a partial understanding of the difficulties encountered by those responsible for the framing of the Covenant.

<sup>1</sup>The text here quoted is from the draft submitted to the Plenary Session of the Peace Conference of February 14, 1919. The memorandum was circulated to the British Empire Delegation and at least to President Wilson.



2. It will be agreed that in the form of expression simplicity, clearness and directness should be sought and that prolixity and ambiguity should be avoided as far as possible.

3. It will be agreed also that in substance, the provisions should be effective and practicable; but necessarily the draftsman must continually bear in mind the reluctance of each nation to relax control of matters within the scope of its sovereignty.

4. In the following proposals, attention has been given to both form and substance; but there has been an endeavour to adhere as closely as possible to the language as well as to the purpose and scope of the Covenant as drafted.

5. In cases where the reason of the proposed amendations [*sic*] seems fairly clear and obvious, the draft of an amendment is submitted. In other cases the memorandum submits suggestions or points out difficulties.

Article I is as follows:

The action of the High Contracting Parties under the terms of this Covenant shall be effected through the instrumentality of meetings of a Body of Delegates representing the High Contracting Parties, of meetings at more frequent intervals of an Executive Council, and of a permanent international Secretariat to be established at the Seat of the League.

Proposed Amendment:

The action of the High Contracting Parties under this Covenant shall be effected through the instrumentality of a Body of Delegates, of a Council, and of a permanent Secretariat.

Reasons for Amendment: Unnecessary words are omitted, the meaning remaining unchanged. The Council is not really an executive body.

Article II is as follows:

Meetings of the Body of Delegates shall be held at stated intervals and from time to time as occasion may require for the purpose of dealing with matters within the sphere of action of the League. Meetings of the Body of Delegates shall be held at the Seat of the League or at such other place as may be found convenient and shall consist of representatives of the High Contracting Parties. Each of the High Contracting Parties shall have one vote but may have not more than three representatives.

Proposed Amendment:

The Body of Delegates shall consist of representatives of the High Contracting Parties each of whom shall have one vote and not more than three representatives. Meetings of the Body of Delegates shall be held at stated intervals and also as occasion may require at the Seat of the League or elsewhere as may be determined from time to time.

The Body of Delegates, in addition to any powers or duties expressly or impliedly conferred or imposed by this Covenant, shall report upon any

matters submitted to it by the Council, and may also of its own motion, make recommendations to the Council respecting any of the matters set forth in the Preamble.

Reasons for Amendment: (a) Unnecessary words are omitted; (b) the order of expression is changed so as to conform with Article III; (c) the Body of Delegates is established by language corresponding to that employed in Article III; (d) the general powers and duties of the Body of Delegates should be expressed.

Article III is as follows:

The Executive Council shall consist of representatives of the United States of America, the British Empire, France, Italy and Japan, together with representatives of four other States, members of the League. The selection of these four States shall be made by the Body of Delegates on such principles and in such manner as they think fit. Pending the appointment of these representatives of the other States, representatives of . . . shall be members of the Executive Council. Meetings of the Council shall be held from time to time as occasion may require and at least once a year at whatever place may be decided on, or failing any such decision, at the Seat of the League, and any matter within the sphere of action of the League or affecting the peace of the world may be dealt with at such meetings.

Invitations shall be sent to any Power to attend a meeting of the Council at which matters directly affecting its interests are to be discussed and no decision taken at any meeting will be binding on such Power unless so invited.

Proposed Amendment:

The Council shall consist of representatives of the United States of America, the British Empire, France, Italy and Japan, together with representatives of four other States members of the League to be selected by the Body of Delegates. Pending such selection representatives of . . . shall be members of the Council.

Meetings of the Council shall be held at least once a year and also as occasion may require, at the Seat of the League or elsewhere as may be determined from time to time.

The powers and duties of the Council shall extend to all matters within the sphere of the League as defined in this Covenant and generally to all matters affecting the peace of the world.

If the direct interests of any State are to be considered at any meeting of the Council, such State shall be requested to send representatives to such meeting; otherwise no such State shall be affected in respect of such interests by the conclusions reached at such meeting.

Reasons for Amendment: (a) Unnecessary words are omitted; (b) the order of statement is made to conform with Article II; (c) the definition of the powers and duties of the Council is separated from the minor question of arranging the meetings; (d) the last sentence has been amended so as to avoid the possibility that every Power must receive notice to attend every meeting; (e) the word "binding" seems inappropriate.

Article IV is as follows:

All matters of procedure at meetings of the Body of Delegates or the Executive Council including the appointment of Committees to investigate particular matters shall be regulated by the Body of Delegates or the Executive Council and may be decided by a majority of the States represented at the meeting.

The first meeting of the Body of Delegates and of the Executive Council shall be summoned by the President of the United States of America.

Proposed Amendment:

The Body of Delegates and the Council respectively shall have power, by a majority of the States represented, to regulate from time to time the procedure at their meetings.

The first meeting of the Body of Delegates and of the Council shall be summoned by the President of the United States of America.

Reasons for Amendment: (a) Omission of unnecessary words, etc.

Article V is as follows:

The permanent Secretariat of the League shall be established at . . . . which shall constitute the Seat of the League. The Secretariat shall comprise such secretaries and staff as may be required, under the general direction and control of a Secretary-General of the League, who shall be chosen by the Executive Council; the Secretariat shall be appointed by the Secretary-General subject to confirmation by the Executive Council.

The Secretary-General shall act in that capacity at all meetings of the Body of Delegates or of the Executive Council. The expenses of the Secretariat shall be borne by the States members of the League in accordance with the apportionment of the expenses of the International Bureau of the Universal Postal Union.

No amendment is suggested.

Article VI is as follows:

Representatives of the High Contracting Parties and officials of the League when engaged on the business of the League shall enjoy diplomatic privileges and immunities, and the buildings occupied by the League or its officials or by representatives attending its meetings shall enjoy the benefits of extraterritoriality.

No amendment is suggested.

Article VII is as follows:

Admission to the League of States not signatories to the Covenant and not named in the Protocol hereto as States to be invited to adhere to the Covenant requires the assent of not less than two-thirds of the States represented in the Body of Delegates, and shall be limited to fully self-governing countries including Dominions and Colonies. No State shall be admitted to the League unless it is able to give effective guarantees of its sincere intention to observe its international obligations, and unless it shall conform to such principles as may be prescribed by the League in regard to its naval and military forces and armaments.

Proposed Amendment:

Membership of the League is limited to fully self-governing countries including Dominions and Colonies.

Admission to the League of States not Signatories to the Covenant and not named in the Protocol hereto requires the assent of not less than two-thirds of the States represented in the Body of Delegates.

No State shall be admitted to the League unless it has effectively demonstrated its sincere intention to observe its international obligations, and unless it conforms to such principles as may be prescribed by the League.

Reasons for Amendment: (a) Omission of unnecessary words; (b) a more direct and orderly statement.

Observations: The Article is obscure in not defining the authority which shall prescribe the principles to which the State seeking admission must conform. The intention would be clearer if the words "through the Council" were added at the end of the Article.

Article VIII is as follows:

The High Contracting Parties recognize the principle that the maintenance of peace will require the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations, having special regard to the geographical situation and circumstances of each State; and the Executive Council shall formulate plans for effecting such reduction. The Executive Council shall also determine for the consideration and action of the several governments what military equipment and armament is fair and reasonable in proportion to the scale of forces laid down in the programme of disarmament; and these limits, when adopted, shall not be exceeded without the permission of the Executive Council.

The High Contracting Parties agree that the manufacture by private enterprise of munitions and implements of war lends itself to grave objections and direct the Executive Council to advise how the evil effects attendant upon such manufacture can be prevented, due regard being had to the necessities of those countries which are not able to manufacture for themselves the munitions and implements of war necessary for their safety.

The High Contracting Parties undertake in no way to conceal from each other the condition of such of their industries as are capable of being adapted to war-like purposes or the scale of their armaments, and agree that there shall be full and frank interchange of information as to their military and naval programmes.

No attempt has been made to redraft this Article as it would involve important considerations of policy on the part of each State. The objections to the Article in its present form are, however, obvious: (a) The different forms of expression employed may lead to confusion. "National armaments" first appears; then follows "military equipment and armament;" and lastly we find "munitions and implements of war." (b) The Council is to formulate plans for effecting reduction; but there is no suggestion as to the action proposed for putting such plans into execution; unless, (c) the second sentence of the first paragraph is intended to set forth the action to be taken upon such plans when formulated. If so, the draft is confused and redundant. (d) The expression "when adopted" in the second sentence is ambiguous. Are the limits to become effective when adopted by the Council itself or when adopted by the Government of the State in question? Possibly the ambiguity may be intentional; but it is submitted that any ambiguity in so important a document is unfortunate. (e) If the Council is merely to recommend, there should be a clear statement to that effect. If on the other hand the Council is to determine absolutely, then the expression should be equally clear. (f) The second paragraph gives the impression of a weak attempt to control the production of munitions and implements of war. Whom is the Council to advise, and how and by whom is its advice to be carried into effect? If it is merely to recommend or if on the other hand it is to act, the statement should be in either case clear and unambiguous. (g) The concluding paragraph seems equally weak and ineffective.

Article IX is as follows:

A permanent Commission shall be constituted to advise the League on the execution of the provisions of Article VIII and on military and naval questions generally.

Observations: It would be useful to provide that the Commission shall have such powers and duties for the purpose mentioned as the Council may determine.

Article X is as follows:

The High Contracting Parties undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all States members of the League. In case of any such aggression or in case of any threat or danger of such aggression the Executive Council shall advise upon the means by which this obligation shall be fulfilled.

Observations: It is submitted that this Article should be struck out or materially amended. It involves an undertaking by the High Contracting



Parties to preserve the territorial integrity and existing political independence of all States members of the League. The Signatories to the Covenant are called upon to declare (a) that all existing territorial delimitations are just and expedient, (b) that they will continue indefinitely to be just and expedient, (c) that the Signatories will be responsible therefor. The undertaking seems to involve initially a careful survey, consideration and determination of all territorial questions between the various States who become parties to the Covenant. Even if such a survey were practicable it is impossible to forecast the future. There may be national aspirations to which the provisions of the peace treaty will not do justice and which cannot be permanently repressed. Subsequent articles contemplate the possibility of war between two or more of the Signatories under such conditions that the other Signatories are not called upon to participate actively therein. If, as a result of such war, the nation attacked occupies and proposes to annex (possibly with the consent of a majority of the population) a portion of the territory of the aggressor, what is to be the operation of this Article? Indeed, the Article seems inconsistent with the provisions of Articles XII to XVII inclusive. Obviously a dispute as to territory is within the meaning and competence of the six Articles last referred to, under which a disposition of the dispute materially different from that proposed by Article X might be reached. Article XXIV does not seem to remove the difficulty.

Article XI is as follows:

Any war or threat of war, whether immediately affecting any of the High Contracting Parties or not, is hereby declared a matter of concern to the League, and the High Contracting Parties reserve the right to take any action that may be deemed wise and effectual to safeguard the peace of nations.

It is hereby also declared and agreed to be the friendly right of each of the High Contracting Parties to draw the attention of the Body of Delegates or of the Executive Council to any circumstances affecting international intercourse which threaten to disturb international peace or the good understanding between nations upon which peace depends.

Proposed Amendment:

Any war or threat of war, whether immediately affecting any of the High Contracting Parties or not, is hereby declared a matter of concern to the League, and the High Contracting Parties declare it to be their right and duty to take any action that may be deemed wise and effectual to safeguard the peace of nations.

It is also declared to be the friendly right of any High Contracting Party to draw the attention of the Body of Delegates or of the Council to any circumstances which threaten to disturb international peace or the good understanding between nations upon which peace depends.

Reasons for Amendment: (a) Explicit declaration of right and duty, (b) Omission of unnecessary words.



Articles XII, XIII, XV, XVI and XVII, are as follows:

#### Article XII

The High Contracting Parties agree that should disputes arise between them which cannot be adjusted by the ordinary processes of diplomacy, they will in no case resort to war without previously submitting the questions and matters involved either to arbitration or to inquiry by the Executive Council and until three months after the award by the arbitrators or a recommendation by the Executive Council; and that they will not even then resort to war as against a member of the League which complies with the award of the arbitrators or the recommendation of the Executive Council.

In any case under this Article, the award of the arbitrators shall be made within a reasonable time, and the recommendation of the Executive Council shall be made within six months after the submission of the dispute.

#### Article XIII

The High Contracting Parties agree that whenever any dispute or difficulty shall arise between them which they recognize to be suitable for submission to arbitration and which cannot be satisfactorily settled by diplomacy, they will submit the whole subject matter to arbitration. For this purpose the Court of Arbitration to which the case is referred shall be the Court agreed on by the parties or stipulated in any Convention existing between them. The High Contracting Parties agree that they will carry out in full good faith any award that may be rendered. In the event of any failure to carry out the award, the Executive Council shall propose what steps can best be taken to give effect thereto.

#### Article XV

If there should arise between States members of the League any dispute likely to lead to a rupture, which is not submitted to arbitration as above, the High Contracting Parties agree that they will refer the matter to the Executive Council; either party to the dispute may give notice of the existence of the dispute to the Secretary-General, who will make all necessary arrangements for a full investigation and consideration thereof. For this purpose the parties agree to communicate to the Secretary-General, as promptly as possible, statements of their case with all the relevant facts and papers, and the Executive Council may forthwith direct the publication thereof.

Where the efforts of the Council lead to the settlement of the dispute, a statement shall be published indicating the nature of the dispute and the terms of settlement, together with such explanations as may be appropriate. If the dispute has not been settled, a report by the Council shall be published, setting forth with all necessary facts and explanations the recommendation which the Council think just and proper for the settlement of the dispute. If the report is unanimously agreed to by the mem-

bers of the Council other than the parties to the dispute, the High Contracting Parties agree that they will not go to war with any party which complies with the recommendation and that, if any party shall refuse to so comply, the Council shall propose the measures necessary to give effect to the recommendation. If no such unanimous report can be made, it shall be the duty of the majority and the privilege of the minority to issue statements indicating what they believe to be the facts and containing the recommendations which they consider to be just and proper.

The Executive Council may in any case under this Article refer the dispute to the Body of Delegates. The dispute shall be so referred at the request of either party to the dispute provided that such request must be made within fourteen days after the submission of the dispute. In any case referred to the Body of Delegates all the provisions of this Article and of Article XII relating to the action and powers of the Executive Council shall apply to the action and powers of the Body of Delegates.

#### Article XVI

Should any of the High Contracting Parties break or disregard its covenants under Article XII, it shall thereby *ipso facto* be deemed to have committed an act of war against all the other members of the League, which hereby undertake immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between their nationals and the nationals of the covenant-breaking State, and the prevention of all financial, commercial, or personal intercourse between the nationals of the covenant-breaking State and the nationals of any other State, whether a member of the League or not.

It shall be the duty of the Executive Council in such case to recommend what effective military or naval force the members of the League shall severally contribute to the armed forces to be used to protect the covenants of the League.

The High Contracting Parties agree, further, that they will mutually support one another in the financial and economic measures which are taken under this Article, in order to minimize the loss and inconvenience resulting from the above measures, and that they will mutually support one another in resisting any special measures aimed at one of their number by the covenant-breaking State, and that they will afford passage through their territory to the forces of any of the High Contracting Parties who are co-operating to protect the covenants of the League.

#### Article XVII

In the event of disputes between one State member of the League and another State which is not a member of the League, or between States not members of the League, the High Contracting Parties agree that the State or States not members of the League shall be invited to accept the obligations of membership in the League for the purposes of such dispute, upon

such conditions as the Executive Council may deem just, and upon acceptance of any such invitation, the above provisions shall be applied with such modifications as may be deemed necessary by the League.

Upon such invitation being given the Executive Council shall immediately institute an inquiry into the circumstances and merits of the dispute and recommend such action as may seem best and most effectual in the circumstances.

In the event of a Power so invited refusing to accept the obligations of membership in the League for the purposes of such dispute, and taking any action against a State member of the League which in the case of a State member of the League would constitute a breach of Article XII, the provisions of Article XVI shall be applicable as against the State taking such action.

If both parties to the dispute when so invited refuse to accept the obligations of membership in the League for the purposes of such dispute, the Executive Council may take such action and make such recommendations as will prevent hostilities and will result in the settlement of the dispute.

Observations: Clearly it is not within the competence of any human power absolutely to prevent war. Therefore the framers of the Covenant have wisely availed themselves of the best means of reducing to a minimum the possibility of its outbreak. The means selected are discussion, publicity and mediation. As President Wilson has truly said, there is force in the background, but only in the background. It is a Covenant of peace and not of war. If the Great Powers of the world had been parties to such a Covenant in 1914, humanity would have been spared the horror and sacrifice which have been endured in the past five years.

Even if the provisions of these five Articles were more open to criticism than is apparent, one would hesitate to suggest any amendment lest the proposal might lead to differences which would prevent the adhesion of nations whose support and concurrence are of vital importance. The following observations are therefore put forward with the reserve which prudence clearly dictates under the circumstances:

First. It is submitted that the form of expression could be improved in clearness and directness through the aid of a skilled draftsman and without in any way modifying the meaning intended.

Second. As the dispositions of these five Articles permit war under certain conditions without any breach of the Covenant, it is advisable to consider whether the proposed Signatories would concur in additional safeguards; or, failing that, whether further provisions to prevent the continuance of such a war and to control its results might not be advisable.

Third. The circumstances in which war might break out without breach of the Covenant are, *inter alia*, the following: (a) The arbitrators fail to

make an award. (b) The arbitrators fail to make an award within a reasonable time. (c) The Council or the Body of Delegates fail to make a recommendation. (d) The Council or the Body of Delegates fail to make a recommendation within a reasonable time.

Fourth. As an illustration, the following case is suggested: State "A" intends to attack State "B". "A" declines arbitration and submits its case to the Council with the demand that it shall be referred to the Body of Delegates. It might not be difficult for "A" so to influence the representatives of one or more States in the Body of Delegates that no recommendation would be made. "A" therefore attacks "B", overpowers it, and annexes a portion of its territory.

Fifth. Exception has already been taken to the provisions of Article X, which possibly might be invoked in aid under such circumstances. It is not clear at what stage, under what conditions, or with what result the provision of Article X, could thus be invoked.

Sixth. It is suggested that the articles in question should embody a provision that no treaty embodying terms of peace between such contending powers shall be registered under Article XXIII except by express permission of the Council. This would give the Council definite control of the terms of peace as no treaty is binding until registered. The power of the Council to revise any such treaty would be of great value in deterring any nation from undertaking aggressive war for the purpose of acquiring additional territory.

Seventh. In connection with these five Articles it is to be observed that the Covenant itself apparently prevents any of the Signatories from going to the assistance of a weak Power aggressively attacked by a stronger Power under the circumstances above set forth.

Eighth. In case any High Contracting Party breaks or disregards its Covenant, how is the fact to be evidenced so as to affect the High Contracting Parties? There is no express provision requiring a determination and a public declaration by the Council. If such a declaration is contemplated it would involve delay; and in that case there should be a provision permitting immediate action in the meantime as a state of war is created by breach of the Covenant.

Ninth. Amend Article XVII as follows: (a) Substitute for the words "the above provisions" the words "the provisions of Articles XII to XVI, both inclusive;" (b) Substitute for the word "League" in the last line of the first paragraph the word "Council".

Reasons for Amendment: Obvious.

Tenth. Strike out the word "Executive" before the word "Council" in all these Articles.

Article XIV is as follows:

The Executive Council shall formulate plans for the establishment of a Permanent Court of International Justice, and this Court shall, when

established, be competent to hear and determine any matter which the parties recognize as suitable for submission to it for arbitration under the foregoing Article.

Proposed Amendment.

The Council shall establish a Permanent Court of International Justice, which shall be competent to regulate its own procedure and to hear and determine any matter or dispute referred to it under the foregoing Article or otherwise.

Reasons for Amendment: (a) More direct statement; (b) Necessary provision for regulating procedure; (c) Omission of unnecessary words.

Article XVIII is as follows:

The High Contracting Parties agree that the League shall be entrusted with the general supervision of the trade in arms and ammunition with the countries in which the control of this traffic is necessary in the common interest.

Observations: The methods by which the proposed supervision is to be carried out are not apparent. Compare Articles IX and XIX.

Article XIX is as follows:

To those colonies and territories which as a consequence of the late war have ceased to be under the sovereignty of the States which formerly governed them and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well-being and development of such peoples form a sacred trust of civilization and that securities for the performance of this trust should be embodied in the constitution of the League.

The best method of giving practical effect to this principle is that the tutelage of such peoples should be entrusted to advanced nations who by reason of their resources, their experience or their geographical position, can best undertake this responsibility, and this tutelage should be exercised by them as mandatories on behalf of the League.

The character of the mandate must differ according to the stage of the development of the people, the geographical situation of the territory, its economic conditions and other similar circumstances.

Certain communities formerly belonging to the Turkish Empire have reached a stage of development where their existence as independent nations can be provisionally recognized subject to the rendering of administrative advice and assistance by a mandatory power until such time as they are able to stand alone. The wishes of these communities must be a principal consideration in the selection of the mandatory power.

Other peoples, especially those of Central Africa, are at such a stage that the mandatory must be responsible for the administration of the



territory subject to conditions which will guarantee freedom of conscience or religion, subject only to the maintenance of public order and morals, the prohibition of abuses such as the slave trade, the arms traffic and the liquor traffic, and the prevention of the establishment of fortifications or military and naval bases and of military training of the natives for other than police purposes and the defence of territory, and will also secure equal opportunities for the trade and commerce of other members of the League.

There are territories, such as South-west Africa and certain of the South Pacific Islands, which, owing to the sparseness of their population, or their small size, or their remoteness from the centres of civilization, or their geographical contiguity to the mandatory state, and other circumstances, can be best administered under the laws of the mandatory state as integral portions thereof, subject to the safeguards above-mentioned in the interests of the indigenous population.

In every case of mandate, the mandatory state shall render to the League an annual report in reference to the territory committed to its charge.

The degree of authority, control, or administration to be exercised by the mandatory state shall if not previously agreed upon by the High Contracting Parties in each case be explicitly defined by the Executive Council in a special Act or Charter.

The High Contracting Parties further agree to establish at the seat of the League a mandatory Commission to receive and examine the annual reports of the mandatory powers, and to assist the League in insuring the observance of the terms of all mandates.

No observations.

Article XX is as follows:

The High Contracting Parties will endeavour to secure and maintain fair and humane conditions of labour for men, women and children, both in their own countries and in all countries to which their commercial and industrial relations extend; and to that end agree to establish as part of the organization of the League a permanent Bureau of Labour.

Observations: As a pious aspiration this Article is commendable, but it is obviously ineffective except in so far as powers may be conferred and duties imposed upon the proposed Bureau of Labour. The expression "endeavour to secure and maintain" seems inappropriate on the part of any High Contracting Party in respect of its own conditions of labour.

Article XXI is as follows:

The High Contracting Parties agree that provision shall be made through the instrumentality of the League to secure and maintain freedom of transit and equitable treatment for the commerce of all States members



of the League, having in mind among other things special arrangements with regard to the necessities of the regions devastated during the war of 1914-1918.

Observations: The provisions of this Article are so indefinite that it may mean too much or too little. Its intention should be clearly defined. The last two lines seem to have no special relation or relevancy to the remaining portion. It is suggested that this Article might be omitted as its purpose will be expressed more fully in the Freedom of Transit and Equality of Trade Conditions Conventions.

Article XXII is as follows:

The High Contracting Parties agree to place under the control of the League all international bureaux already established by general treaties if the parties to such treaties consent. Furthermore, they agree that all such international bureaux to be constituted in future shall be placed under the control of the League.

No observations.

Article XXIII is as follows:

The High Contracting Parties agree that every treaty or international engagement entered into hereafter by any State member of the League, shall be forthwith registered with the Secretary-General and as soon as possible published by him, and that no such treaty or international engagement shall be binding until so registered.

Observations: It is presumed that this Article is intended to include a treaty between a Signatory and a non-Signatory State. In such case, is it intended that the non-Signatory State shall be entitled to the benefit of this Article? If so, its terms require further consideration.

Article XXIV is as follows:

It shall be the right of the Body of Delegates from time to time to advise the reconsideration by States members of the League, of treaties which have become inapplicable, and of international conditions, of which the continuance may endanger the peace of the world.

No observations.

Article XXV is as follows:

The High Contracting Parties severally agree that the present Covenant is accepted as abrogating all obligations *inter se* which are inconsistent with the terms thereof, and solemnly engage that they will not hereafter enter into any engagements inconsistent with the terms thereof.

In case any of the Powers signatory hereto or subsequently admitted to the League shall, before becoming a party to this Covenant, have under-

taken any obligations which are inconsistent with the terms of this Covenant, it shall be the duty of such power to take immediate steps to procure its release from such obligations.

**Proposed Amendment:**

The High Contracting Parties severally agree that all obligations entered into between themselves which are inconsistent with the terms of this Covenant are hereby abrogated, and they undertake that they will take immediate steps to procure their release from every such obligation entered into with any State not a party to this Covenant, and that they will not hereafter enter into any such obligation; nor shall any State bound by such an obligation be hereafter admitted to the League until it shall have procured its release therefrom.

**Reasons for Amendment:** This Article as originally drafted deals with four distinct cases, three affecting the High Contracting Parties and one the States not yet admitted to the League. As the Article stands these are confused and on its face the second paragraph is inconsistent with the first.

**Article XXVI is as follows:**

Amendments to this Covenant will take effect when ratified by the States whose representatives compose the Executive Council and by three-fourths of the States whose representatives compose the Body of Delegates.

**Proposed Amendments:**

Strike out in both instances the words "whose representatives compose" and substitute the words "represented in". Strike out also the word "Executive".

**Reasons for Amendments:** Obvious.

#### GENERAL OBSERVATIONS

In view of criticisms put forward in certain quarters, it is suggested that the Covenant should contain suitable provisions for the peaceful withdrawal of any State which may so desire.

In addition to the provisions enabling the Council and the Body of Delegates to determine procedure at their meetings, it is suggested, that each of these bodies should be empowered to establish general regulations as to procedure in respect of other matters with which they may be called upon to deal; for example, the form and length of notices to States upon reference of disputes, the arrangements for publicity, the formulation and notification of their recommendations or decisions, etc., etc.

It is assumed that the adhesion of each Signatory State to the Covenant will be subject to the approval of its Parliament.

It is also assumed that the Dominions of the British Empire are entitled to become Signatories to the Covenant.

*75. Prime Minister to Acting Prime Minister*

TELEGRAM X. 155

Paris, March 14, 1919

SECRET. Your P.231.<sup>1</sup> Fear quite impracticable to put forward claim in matter suggested. France and Belgium very aggressive in seeking to maintain excessive claims for reparation which would absorb more than Germany could pay. Italy even claims indemnity for increased cost of living. We have discussed question several times in meetings of British Delegations. Lloyd George endeavouring to arrange basis of distribution between France, Great Britain and Belgium on basis that each payment divided in proportion fifty to France, thirty-three to British Empire and seventeen to Belgium without regard to nature or amount of claims put forward by each country. Unless some such arrangement can be effected British Empire will get nothing. Clemenceau has agreed tentatively to distribution on basis fifty-eight to France, twenty-five to Great Britain and seventeen to Belgium which Lloyd George refuses to accept. Any amount received by British Empire would be divided on equitable basis between Great Britain and Dominions including India. If we put forward Halifax claims as suggested it would strengthen French demand that their extraordinary reparation claims shall have complete precedence.

BORDEN

*76. Prime Minister to President of United States*

Dear Mr. President,

Paris, March 14, 1919

During the early part of this week I have been enabled to give pretty careful consideration to the provisions of the Covenant of the League of Nations, and as a result I have circulated to the members of the British Delegations a memorandum embodying certain suggestions on behalf of my colleagues and myself. It seems to me desirable that I should send to you the enclosed copy of the memorandum.<sup>2</sup> You will understand, I am sure, that it is my desire to be helpful and not critical. I fully realize the immense difficulties which have been overcome in presenting to the world this supremely important document upon which the future of humanity so greatly depends. I appreciate also the danger of undertaking amendments which may renew differences which the committee found it difficult to compose.

May I venture to add a word of earnest and intense appreciation with respect to the great part which you have taken in the accomplishment of this momentous task.

Faithfully yours,

R. L. BORDEN

<sup>1</sup>Document 71.

<sup>2</sup>Document 74.

*77. Acting Prime Minister to Prime Minister*

TELEGRAM P. 243

Ottawa, March 18, 1919

From White. Your X.155.<sup>1</sup> In circumstances mentioned Canada should hold all enemy alien property in Dominion until her claims for reparation paid in full. Am strongly opposed to pooling our enemy property with allies except as to surplus after our claims paid fully.

*78. Acting Prime Minister to Prime Minister*

TELEGRAM P. 245

Ottawa, March 18, 1919

From Enemy Debts Committee; approved by Secretary of State and White. Your X.148.<sup>2</sup> Returns to date show debts from persons in enemy countries to Canadians, \$775,000; Canadian property in enemy countries, \$750,000; and Canadian claims against enemy Governments for illegal warfare as made, \$30,000,000, of which last good many are of doubtful validity. Debts from Canadians to persons in enemy countries, \$1,660,000, and enemy property in Canada, \$38,000,000. Last figure approximate but believed conservative. Balance in Canadian hands is thus about \$8,000,000, and Canadian claims appear amply secured. Pending complete returns, Council has not communicated to British Government any conclusion as to any British scheme for settlement of enemy debts and claims. Not clear whether scheme mentioned in cable is that of British Enemy Debts Committee reports of April 4, 1917, and January 23, 1918, or that of British-Belgian-French Conference at Paris October 9, 1917. Understand United States has larger favourable balance proportionately than Canada, but that heavy adverse balance in Britain and France. Council considers Canada should not join in general use of enemy property for common benefit either of British Empire or Allied countries if result would be loss of benefit of any part of security she holds. Application for benefit of British Empire or other Allied countries of surplus enemy property in Canada after payment of all Canadian claims in full would involve no material loss to Canadians, but may be open to objection as confiscation of private enemy property. In view of small amount of commercial debts and claims between Canadians and enemies probable machinery and expense involved in practical working out of British Enemy Debts Committee scheme should be discussed with British authorities before Canada commits herself to it. It should also be ascertained exactly what use of private enemy property is contemplated by various proposals made. Canada should avoid any confiscation or unfair dealing.

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<sup>1</sup>Document 75.

<sup>2</sup>Document 70.

*79. Prime Minister to Prime Minister of United Kingdom*

Dear Mr. Lloyd George,

Paris, March 20, 1919

I very earnestly hope that developments in the United Kingdom will not demand your return in the immediate future. There is the most urgent need that the work of the Conference shall be pressed to a conclusion with the least possible delay. Among all the Allied Nations the influences which have created Bolshevism in Russia, are making themselves manifest whether in the loosening of the ties that usually hold together organized communities, or in disregard for constituted authority even where it is founded on the broadest democratic basis. It is said that we must guard against a Bolshevik invasion. In one sense it is already here in Western Europe, tempered in each nation by the character and traditions of its people. In Eastern Europe it seems to be a rapidly growing force the influence of which has apparently made itself manifest in the recent disturbances in Egypt which seem to be distinctly Bolshevik character.

The world was very weary of the war and it will become still more weary of the Peace Conference unless the greatest possible expedition is secured. I am confident that every unnecessary hour's delay in arranging the preliminaries of peace is fraught with the possibility of evil and even of disaster.

Yours faithfully,

[R. L. BORDEN]

*80. Acting Prime Minister to Prime Minister*

TELEGRAM P. 250

Ottawa, March 25, 1919

From White. Discussion in House yesterday indicated unanimous view that Germany should indemnify Canada to extent of ability to pay. Report was published *Montreal Star* that you were opposed to principle indemnity. Session going well.

*81. Prime Minister to Acting Prime Minister*

TELEGRAM X. 178

Paris, March 27, 1919

Your P. 250. For White. Report alluded to is absolutely unfounded and indeed absurd. You are authorized to give absolute and explicit denial of any such statement. We are making every effort to procure from Germany the fullest indemnity that she is able to pay.

BORDEN



82. *Prime Minister to Prime Minister of United Kingdom*

Dear Mr. Lloyd George,

Paris, March 27, 1919

Referring to my letter<sup>1</sup> relative to the Report of the Commission on International Labour Legislation, I should have said that upon certain questions arising out of our federal system Sir Malcolm Delevingne has communicated with me from time to time. My reference to lack of consultation was with regard to the general proposals of the Commission.

Yours faithfully,

[R. L. BORDEN]

83. *Prime Minister to Prime Minister of United Kingdom*

Dear Mr. Lloyd George,

Paris, March 27, 1919

A Canadian Ukrainian called on me this morning, bringing with him Mr. Gregoire Sydorenko, who is President of the Ukrainian Delegation to the Peace Conference. There are about three hundred thousand Ukrainians in Canada and six hundred thousand in the United States. Mr. Sydorenko claims that his country affords a strong rampart against Bolshevism, as the people are largely peasant proprietors and their spirit and mentality are entirely averse to Bolshevik ideals and methods. He admits that the Bolsheviks have overrun more than half of his country but he alleges that this is due to the lack of arms, ammunition and equipment. It is his very earnest hope that his Government may be recognized by the Great Powers and that the Ukrainian delegates may have a place in the Peace Conference. Further, he believes that the influence of the French Government, which desires an undivided Russia, is preventing the recognition which otherwise would be accorded by Great Britain. On the whole he seemed a capable, earnest man; and of course his companions, the Ukrainians from Canada, are much concerned to have the Ukraine recognized as an independent state. I promised him that I would place before you the considerations which he urged and that at a convenient opportunity I should discuss the situation with you or with Mr. Balfour.

Faithfully yours,

R. L. BORDEN

84. *Prime Minister to Prime Minister of United Kingdom*

CONFIDENTIAL

Dear Mr. Lloyd George,

Paris, March 27, 1919

May I venture to suggest that the proposed Report of the Commission on International Labour Legislation should be considered at a meeting of the

<sup>1</sup>Presumably Document 84.

British Delegations before it is adopted or sent to the Peace Conference. During the past five or six weeks there has been no consultation by the British members of that Commission with the representatives of the Dominions so far as I am aware. At least that is the case so far as Canada is concerned. It is obvious that the problems connected with labour may be very different in Canada from those which obtain in the United Kingdom; and naturally the British representatives on the Commission have but an imperfect knowledge of many questions that are of great moment in Canada. For example, in British Columbia there is Provincial legislation which reserves certain industries for white labour. Apparently the eighth article of the proposed report would call upon us to override this legislation. Any such proposal would arouse the fiercest resentment and might lead to the most serious consequences.<sup>1</sup>

Yours faithfully,  
R. L. BORDEN

85. *British Adviser to Prime Minister*

Dear Sir Robert Borden,

Paris, March 28, 1919

Now that a distinct further stage has been reached in the workings of the League of Nations Commission, I think it may be of interest to you to hear how far we have been able to satisfy the points raised in your memorandum (W.C.P. 245).<sup>2</sup>

Before I deal with that paper in detail, let me thank you for the extremely valuable comments and suggestions it contains, which I took into most careful consideration before the meetings of the League of Nations Commission recommenced.

The document enclosed herewith represents the present stage of the Covenant. It shows nearly, but not quite, all the substantive amendments which have been agreed to and indicates where it has been decided that purely drafting amendments are required. One or two important questions, as you will see, are still outstanding, and one or two amendments have been introduced which on further consideration I shall try to induce the Commission to cancel; but I do not think it is worthwhile, waiting until the Covenant reaches quite its final form before letting you see what is being done to it.

<sup>1</sup>The Commission on International Labour Legislation proposed (1) a statement of principle, or code, on the rights of labour which should form part of the Peace Treaty, and (2) a convention for the establishment of a permanent international labour organization. The original draft of the statement of principle, or "The Nine Points" as it came to be called, was far from acceptable to Canada and other Dominions, as indicated in the above letter. In working out an acceptable statement Sir Robert Borden played an active role, but, since he subsequently gave a documented account to Parliament (Canada, *House of Commons Debates*, 1st session, 1919, pp. 4692-5) it was deemed unnecessary to reproduce here documents covering these negotiations. Documents printed, therefore, refer almost entirely to negotiations on the text of the proposed Convention to set up the permanent labour organization.

<sup>2</sup>Document 74.

### Article I

The drafting of this article has been altered to nearly the words you proposed. I agree that the word "executive" would be better left out, but on this point—which after all is not a substantive one—it was necessary to give way. Perhaps we may yet do something about it.

### Article II

On the whole I venture to think that the drafting of this Article is satisfactory as it stands.

### Article III

The most important amendment which you propose, namely avoidance of the inappropriate word "binding", has been carried. You will note other important amendments in this article.

### Article VII

This Article has been redrafted but I am afraid that the alteration does not meet your objection. The prescription, however, of armaments, etc., was purposely left to "the League" in order to leave a free hand to both the Executive Council and the Body of Delegates to express their views.

### Article VIII

This Article has been redrafted and your criticisms (a) to (e) inclusive are I think met thereby.

I agree that paragraphs 2 and 3 are somewhat weak, but they were as far as it was possible to induce *all* the States represented on the Commission and our Admiralty to go.

### Article IX

I venture to think that it is better not to define the powers and duties of this Commission.

### Article X

I am not quite happy about this Article, but I was unable to persuade my colleagues on the Commission to agree to its alteration.

### Articles XII, XIII, XV, XVI, and XVII

I am fully aware of the difficulties involved in all this part of the Covenant, and have tried very hard to find whether amendments could not be made which would have met some of the very serious questions to which you draw attention. Particularly paragraphs 4 and 7 have exercised me, but I fear that there is nothing to be done. It was impossible to sacrifice the principle of unanimity in this the greatest of all the functions of the Executive Council, and yet the events of 1914 in particular add special force to the case you put. I am afraid that the real fact is that, when a situation like that arises again—if it ever does—no paper provisions can be wholly satisfactory.

On the points raised in your eighth paragraph too we came to the conclusion that the balance of advantage lay in leaving it undefined how the disregarding of the Covenant is to be affirmed. The advantage to the faithless country that no action against it can be taken without calling together the Executive Council seems too great under modern conditions.

Paragraph 9. Both these suggestions have been adopted.

#### Article XIV

The smaller States, and especially neutrals, attached so great importance to this international Court that it would be impossible to leave its establishment entirely to the Executive Council.

#### Articles XVIII, XX, and XXI

These Articles are purposely left vague in the Covenant because they look to the Conventions on the different subjects dealt with, which are now being elaborated by Commissions of the Peace Conference.

#### Article XXIII

I regret to say that I do not altogether follow the question raised. I think the Article clearly includes a treaty between a signatory and a non-signatory State.

#### Article XXV

I think your redraft of this Article is a distinct improvement, and I will submit it to the Drafting Committee.

#### General Observations.

You will note that a withdrawal clause has been added.

It did not seem necessary to say in so many words that the Council and the Body of Delegates should be empowered to establish regulations of the kind described. It was thought that this could be taken for granted.

The answer to both of the last two questions is in the affirmative.

Generally speaking, you will not fail to understand that in many cases where the drafting seems imperfect it has seemed better to let it go rather than offend the *amour-propre* of other States represented on the Commission.

You will no doubt have seen the notes on the Covenant made by the Prime Minister of Australia (W.C.P. 346). I enclose, in case you may be interested to see it, the answer I have sent him.<sup>1</sup>

I must ask you to regard the enclosed copy of the Covenant<sup>1</sup> as confidential for the present.

Yours very sincerely,

ROBERT CECIL

<sup>1</sup>Not printed.

86. *Prime Minister to Acting Prime Minister*

TELEGRAM X. 184

Paris, March 29, 1919

For White. Your cable March 26. As foreshadowed in my letter March 4th, it has been decided not to conclude at present any convention of general application respecting equality of trade conditions but rather to insert article in the Peace Treaty imposing on the enemy without reciprocity certain obligations respecting trade with the Allied and Associated States. As to convention of general application present understanding is that Allied and Associated States shall merely agree between themselves that a special conference shall be convened by the League of Nations within prescribed period after the ratification of the Treaty of Peace for purpose of concluding such a convention and that in meantime no such state shall discriminate as against the others in favour of any enemy state. It is also proposed that pending conclusion of the convention of general application there should be an agreement regulating the commercial relations of the new States created since beginning of war, with one another and with such of the Allied and Associated States as give reciprocity. The above scheme will be clearly understood by reference to paper entitled Provisions as to Commercial Relations, numbered W.C.P. 202, which was enclosed in my letter March 8th and which has been accepted as basis of discussion in Inter-Allied Economic Commission of Peace Conference. In view of foregoing the points raised in your cable will not arise until the special Conference referred to above has been convened.

BORDEN

87. *Extracts from Minutes of Fourteenth Meeting  
of British Empire Delegation<sup>1</sup>*

SECRET

March 29, 1919

...

DRAFT LABOUR CONVENTION, ARTICLE I<sup>2</sup>

Lord Robert Cecil proposed to omit the word "the" before the phrase "States Members of the League," for otherwise the effect would be that every State which entered the League of Nations would become a party to the Labour Convention.

...

<sup>1</sup>Canadian representatives present: Sir Robert L. Borden, A. L. Sifton, and C. J. Doherty.

<sup>2</sup>Article 1 read:

The High Contracting Parties, being the States Members of the League of Nations, hereby decide to establish a permanent organization for the promotion of the objects set forth in the Preamble, and for this purpose hereby accept the provisions contained in the following Articles.



Sir Robert Borden said that it was an important question whether or not the Convention was so bound up with the League of Nations that a State could not be a member of the League without adhering to the Labour Convention or be bound by the Labour Convention without being a member of the League.

...

Sir Robert Borden supported the proposal of Lord Robert Cecil.

...

Sir Robert Borden asked the Delegation to return to Article 1, in order to give further consideration to what he regarded as an important question. If Article 1 were left in the form appearing in the draft and if Germany were to be excluded from a League of Nations, there was a risk of creating a condition which would be very dangerous for the Allied Nations. Their standards of labour might be improved and consequently their cost of production would increase. If Germany were not bound by the Convention, she would be left with lower standards and cheaper production and consequently would become a most formidable competitor.

...

#### 88. Memorandum by Prime Minister

SECRET  
W.C.P. 431

Paris, March 31, 1919

#### IMPERIAL PREFERENCE AND INTER-ALLIED OR LEAGUE OF NATIONS ECONOMIC ARRANGEMENTS

1. According to the present intention the economic arrangements to be embodied in the Peace Treaty will simply comprise certain clauses imposing obligations upon the enemy without reciprocity. So far as any obligation on the part of the Allies is concerned, either as it may operate between themselves or in relation to the rest of the world, it is contemplated that some time after the ratification of the Peace Treaty there shall be convened a special Conference under the League of Nations for the purpose of reaching an agreement and drafting a general multi-lateral Convention. In order that the Governments of the British Empire may be prepared for this Conference it is highly desirable that careful consideration should be given to the form of the proposed general Convention in so far as it may affect the question of Imperial Preference.

2. Paragraph 1 of the draft Convention for "Equality of Trade Conditions" (W.C.P. 144), originally considered by the British Empire Delegation, reads as follows:

Goods, the produce or manufacture of the territories of any one of the High Contracting Parties imported into the territories of any other, from whatsoever place arriving, shall not be subjected to other or higher duties or charges than those paid on the like goods, the produce or

manufacture of any other foreign country. Nor shall any prohibition or restriction be maintained or imposed on the importation of any goods, the produce or manufacture of the territories of any of the High Contracting Parties into the territories of another, from whatsoever place arriving, which shall not equally extend to the importation of the like goods being the produce or manufacture of any other foreign country.

Assuming that this draft or something like it will be put forward at the future special Conference it may well be that the form of words used, and particularly the use of the words "any other foreign country", sufficiently safeguard our position but doubts have been expressed from some quarters, and it is, therefore, better that the question should be thoroughly re-examined while there is time so that no awkward question may be raised in future years.

3. I suggest, therefore, that this draft Convention (W.C.P. 144) should be submitted to the Law Officers of the Crown with a request for their opinion as to whether it sufficiently recognizes our right to enter into an Imperial Preference arrangement. If they find the form of words used inadequate for the purpose they should be requested to submit an alternative wording. Their opinion should be based on the assumption that the assent of the Dominions to the future general Convention will be given at the time of its conclusion through the signature of separate Dominion plenipotentiaries in such a manner as that already proposed for the conclusion of the Peace Treaty (See paper circulated March 12th—No. W.C.P. 242).

R. L. BORDEN

89. *Minister of Customs and Inland Revenue to Prime Minister*

Dear Sir Robert,

Paris, March 31, 1919

I attended this morning, Committee Meeting in regard to the report of the International Commission on Labour Legislation. Practically nothing was done in the matter of consideration of special clauses, the discussion being on the general principles as applicable to the Dominions and India, and I may say that the representatives of the Dominions and India were practically unanimous, first, in the idea that membership of an International Labour Organization should be separate and distinct from membership of a League of Nations, second, that Section 35 should be so amended as to allow Dominions to accept or reject membership in an International Labour Organization separate from each other or Great Britain.

I also brought to the attention of the Committee the manifest absurdity that either in organization or even in a possibility of being represented on the Governing Body, the Dominions were ignored, it being absolutely stated in Section 35 that the Dominions whether self-governing or not, shall not be

entitled to any representation except through the one member appointed by a High Contracting Party.<sup>1</sup>

I also brought to the attention of the Committee the fact that although the first meeting is arranged to be held in Washington, to be organized by representatives of seven nations in which Committee Switzerland and Belgium are parties, there is no possibility of representation of the Dominions. Any work done by that Convention, although under the influence of the United States which in that case would be in practise [*sic*] practically a governing influence, would be in effect compulsory upon the Prime Minister of Great Britain who would have to submit it to his Parliament and assume responsibility therefore, while the President of the United States would not be bound by anything except the necessity of sending copies through the ordinary official channels to the Governments of the separate States. A similar distinction, I suggested, would arise if the Dominions were, in accordance with Section 35, subject to the conclusions of this Committee. The Prime Minister of Canada would be carrying out his agreement by sending copies through the ordinary official channels to the nine Provincial Governments. The same thing would happen in Australia, while the Prime Minister of New Zealand would be expected to submit the convention to his Parliament as a Government measure, and further, said that these manifestly unequal conditions would in my opinion not satisfy either Labour People or anyone else in the various Dominions.

The result of the discussion was that Mr. Barnes agreed to ask the Prime Minister to call a special meeting of the British Empire Delegation for the purpose of presenting these and some serious questions affecting India, it being explicitly stated by Mr. Barnes that the British Delegation felt that the printed document as it exists now, should be placed before a Plenary Session of the Peace Conference and that amendments could only be made there or by that Conference referring it back to the International Committee. As this is probably the most serious problem, so far as our domestic matters are concerned, it requires very thorough examination before receiving the assent, either by inference or otherwise, of the Government of Canada.

Yours very truly,  
ARTHUR L. SIFTON

90. *Prime Minister to Prime Minister of United Kingdom*

Dear Mr. Lloyd George,

Paris, April 1, 1919

The discussion of the proposed Labour Convention on Saturday morning and afternoon and again yesterday was not productive of very satisfactory

<sup>1</sup>Mr. Sifton appears to have confused Article 35 and the Protocol to Article 7 which provided for election to the Governing Body. Article 35, paragraph 1, reads:

The British Dominions and India shall have the same rights and obligations under the Convention as if they were separate High Contracting Parties.

The relevant paragraphs of the Protocol to Article 7 are to be found in the enclosure to Document 125, p. 141.

results. This morning I had a conference with Mr. Hughes on the subject; and he and I entirely concur in the view that before the draft Convention is submitted to the Plenary Conference, it should be discussed in a full meeting of the British Empire Delegation at which you should be present. Mr. Hughes informs me that Mr. Massey entertains the same opinion which I am confident is shared by General Smuts.

Yours faithfully,  
[R. L. BORDEN]

91. *Minutes of Committee of British Empire Delegation  
on International Labour Legislation*<sup>1</sup>

SECRET

W.P.C. 421

April 1, 1919

Present:

Rt. Hon. G. N. Barnes, M.P. (in the Chair)

Rt. Hon. W. M. Hughes

Rt. Hon. W. F. Massey

Maj.-Gen. H. H. The Maharajah of Bikaner

Rt. Hon. Lord Sinha

Hon. A. L. Sifton

Sir Robert Garran

Sir Malcolm Delevingne

Mr. Barnes explained that the meeting had been called at the suggestion of Sir Robert Borden, to consider objections that might be raised to the scheme embodied in W.C.P. 383 A. The representatives of the Dominions had been consulted at the outset and had been kept informed of the progress of the scheme at all stages; minor alterations could now be suggested, but fundamental changes would require the sanction of the Peace Conference.

Mr. Sifton objected to the provisions of Art. 35 on the ground that the Dominions would be bound by the scheme, even if they did not sign the Convention, and to those of Art. 19, which placed the U.S.A. in a favourable position as compared with the British Empire. He stated that no Canadian Government could stand if it accepted the scheme as drafted.

Mr. Hughes agreed with Mr. Sifton and urged that the scheme should be independent of the League of Nations. He considered that the Committee could not be expected to discuss a scheme which they had no power to alter materially. He suggested that a full meeting of the B.E.D. with the Prime Minister in the Chair was essential for the proper consideration of the scheme.

(The Committee adopted this suggestion and Mr. Barnes undertook to communicate it to the Prime Minister.)

<sup>1</sup>Appointed in accordance with B.E.D. 15, Minute 1.

*92. Prime Minister to Acting Prime Minister*

TELEGRAM X. 192

Paris, April 1, 1919

It appears that enemy property situate in Canada or within control of Dominion Parliament and Provincial Legislatures amounts to about thirty-eight million dollars and that Canadian property in Germany amounts to less than one half million dollars. Serious question arises as to our attitude respecting relevant provisions of Peace Treaty. We are considering proposals that treaty should provide that this property shall be applied in reimbursement of Canada's claim for reparation and indemnity and the German Government must undertake compensation to its nationals in whom this property is now vested. Subject has not yet been discussed in British Delegations but will probably be considered during coming week. Would be glad to have views of Council.

BORDEN

*93. Prime Minister to Acting Prime Minister*

TELEGRAM X. 193

[Paris,] April 1, 1919

Your 256. Present proposals recommended by British Authorities and now under consideration are as follows: Each Government should be responsible for collecting the sums ascertained to be due from its own nationals and would pay the sums ascertained to be due to its nationals, the balance being settled between governments. All direct settlements between debtors and creditors would be prohibited. Scheme would apply to British Empire as a whole. Clearing Offices would be established to determine amount of debts and to effect payment. Government of each Dominion would be responsible to British Government for collection of debts due from persons in its territory but in final settlement with Enemy Governments British Government would act on behalf of whole Empire. Such common action is urged on ground that any divergence in treatment of different parts of Empire would introduce difficult complications. From Canadian standpoint following considerations must be taken into account. Proposal involves: First, payment by Canadian Government to Canadian creditors of all debts owing by persons in enemy countries amounting to seven hundred and seventy five thousand dollars approximately. Second, responsibility for the collection of amounts owing by Canadians to persons in enemy countries, amounting to one million six hundred and sixty thousand dollars approximately. Third, payment by Canadian Government to British Government of balance amounting approximately to eight hundred and eighty five thousand dollars, and this without



regard to amount actually collected from Canadian debtors. Great Britain proposes to make a charge of two and one half per cent upon amounts paid by British Government to British creditors which aggregate seventy one and a half million pounds approximately. British Authorities believe that this percentage will produce a sum sufficient to cover any loss in collecting indebtedness of United Kingdom nationals to enemies. Naturally British Authorities favour general proposals because amounts owing to British creditors exceed by approximately fifty five million pounds amounts owing by British debtors. We see great difficulties in applying this scheme to Canada by reason of our Federal system and notwithstanding section one hundred thirty-two British North America Act, and unless Council differs from our own view we shall press for direct settlement between debtor and creditor so far as Canada is concerned. Amount of debt in case of dispute to be ascertained by International Commission and right stipulated in treaty to enforce such debts against German property in Canada generally. Australia has accepted British proposals and France favours them but understand that they have not been otherwise approved by Allied nations. Please cable views of Council.

BORDEN

*94. Minister of Customs and Inland Revenue to Prime Minister*

My dear Sir Robert,

Paris, April 2, 1919

Having received a paper circulated as a note by Mr. Barnes in connection with meeting of the Labour Committee the other day, in which he ignores entirely the real points at issue, I have prepared same from my standpoint in the way of a memo, which I would suggest that you, with such changes or amendments as you feel to be desirable, have circulated to the members of the British Empire Delegation before the meeting which you requested yesterday.

As this meeting when held, will probably be for a short time and the Premier or Mr. Balfour will probably have to leave to attend other business, it would be well if they were given an opportunity before their arrival there to find exactly the important parts, at least, of the trouble in connection with the proposed Permanent Labour Organization. It does not appear reasonable that a matter of vital importance to the British Empire should be side-tracked out of sentimental consideration for the feelings of Mr. Barnes and Sir Malcolm Delevingne.

Yours very truly,  
ARTHUR L. SIFTON

## [ENCLOSURE]

*Memorandum by Minister of Customs and Inland Revenue*

SECRET

W.C.P. 440

THE REPORT OF THE INTERNATIONAL COMMISSION ON LABOUR  
LEGISLATION AND THE DRAFT CONVENTION CREATING A PERMANENT  
LABOUR ORGANIZATION

Regarding the proposal from what might be described as the bureaucratic standpoint, it is well arranged, and most important matters are provided for; but the point of view as to whether it will encourage labour and the public generally to accept the recommendations of the Peace Conference, or induce the countries of the civilized world to become parties to the League of Nations and the Permanent Labour Organization, has been apparently entirely overlooked.

On the question whether the Permanent Labour Organization should, as in this report, be an integral part of the League of Nations, there is of course very great difference of opinion. Personally, I should be willing to accept either solution of this particular question and should favour the one which would induce the greater number of peoples represented in the Peace Conference willingly to enter the League of Nations—always on the assumption that the Permanent Labour Organization shall permit no reservations by individual countries as to their acceptance of the scheme. Slight amendments to a few of the clauses would render the contract much more acceptable.

## Article 3

In this Article it is provided that there shall be two Government Delegates and two other Delegates representing employers and workpeople and appointed by the Government. There are at least two possible objections to this plan. It would appear that one Government Delegate and one Delegate representing employers and one Delegate representing workpeople would be much more acceptable. This view was strongly urged by the French, Italian and American Delegates and opposed by the Delegation from Great Britain and Belgium. The present plan would either increase the present feeling between employers and workpeople and cause more bitter fights for practical control of Governments, or would on the other hand, appeal to workpeople as being so manifestly unfair as to throw discredit on the whole scheme.

## Article 14

There does not appear to be any good reason why suggestions made formally by the parties mentioned should not be placed on the agenda for consideration. It would certainly be more popular if the various countries and organizations could be sure that the Conference would at least pay them

the compliment of placing their suggestions on the order paper. The word "consider" should be struck out and "placed thereon" inserted.

#### Article 15

In order to be perfectly clear, the expression "four months before the meeting" should follow immediately after "reach the High Contracting Parties".

#### Article 19

This Article is very unequal in so far as the responsibility of the different Governments and the possibility of effective results are concerned; but some of the difficulties are inseparable from the Constitutions of some of the countries represented. In so far, however, as the responsibility of each High Contracting Party to exercise the power it has is concerned, all are on equal terms. From the standpoint of having the Permanent Labour Organization accepted in the various countries it would probably help—for instance, in the United States, it would certainly be of great assistance in securing acceptance—to have the legitimate powers of the various States recognized; while in Great Britain I have no doubt the people would much prefer, in the case of a proposed Labour Convention, that their Government should accept the responsibility of placing it before Parliament.

#### Article 35

Whatever this Article may have been intended to mean, it certainly means in its present state that some distinction shall be made between the British Dominions and India as distinguished from the High Contracting Parties. It is probably not necessary to say that there would be a very general objection in all of the countries referred to in this Article, if they are assumed to enter a Labour federation on different terms from other members of the association. A very simple reconstruction of this section would avoid this difficulty and I would suggest the following:

Any state or territory, regardless of its form of government, represented at the Peace Conference, may be a High Contracting Party.

Any colony or possession of any of the High Contracting Parties which on the application of such High Contracting Party is recognized as fully self-governing by the Executive Council of the League of Nations shall have the right to become a High Contracting Party.

The High Contracting Parties engage to apply conventions which they have ratified in accordance with the provisions of the present Convention to their colonies, protectorates and possessions, which are not fully self-governing and for which they have the right to legislate.

1. Except where owing to the local conditions the convention is inapplicable, or
2. Subject to such modifications as may be necessary to adapt the convention to local conditions.

And each of the High Contracting Parties shall notify the International Labour Office the action taken in respect of each of such colonies, protectorates and possessions.

If these changes were made the protocol to Article 7, which provides for the constitution of the Governing Body, should be amended by striking out the words "No High Contracting Party together with its Dominions and Colonies, whether self-governing or not, shall be entitled to nominate more than one member".

It is probably not a question of special importance whether Canada or Australia or the other Dominions should have representatives on the Governing Body or not, and under the proposed Constitution of the Labour Organization it is not likely that for a great many years, if ever, they would be selected; but it is important that they should at least have the right in common with the other members to nominate a representative for the consideration of the Conference. Anything that hints at inequality in connection with an international body would immensely detract from the likelihood of its acceptance.

In regard to the clauses proposed for insertion in the Treaty of Peace, Article 8 conflicts with customs and laws in various Dominions of the British Empire and raises a question which the people of some localities consider of extreme importance.

MEMO. The original of this was handed by me to Mr. Lloyd George, April 3, 1919.

ARTHUR L. SIFTON

95. *British Adviser to Prime Minister*

Dear Sir Robert,

Paris, April 2, 1919

Smuts, as you know, has gone and I should be very grateful if you could see your way to take his place in the League of Nations Section. It is quite true that there is very little left to be done except only—and this is a big exception—the very tiresome question of the Japanese. As to this I cannot help regretting the completely *non possumus* attitude assumed by Hughes. It would be refreshing if that statesman could for once make a constructive suggestion, instead of devoting his great abilities exclusively to destroying every proposal made by others. But it is no use my making any representations to him on the subject, because he regards me as a fanatic or worse. If you think you could in any way help matters I should be very grateful to you. Unless something is done I am afraid that the Japanese will make a

public protest against our attitude on this question and attract a very great deal of European sympathy from those nations who have no Asiatic question to deal with, and this will be all the more regrettable since they are our Allies. Further, it is possible that they may refuse to join the League of Nations—a result which will materially increase the insecurity of Australia, apart from its other disadvantages.<sup>1</sup>

I need not say that if you would care to talk to me about it I am always at your service.

Yours very sincerely,  
ROBERT CECIL

96. *Acting Prime Minister to Prime Minister*

TELEGRAM P. 263

Ottawa, April 3, 1919

From White. Your X.193.<sup>2</sup> I agree with your views and will not so far as I am concerned concur in British Proposal. Canada should hold property of alien enemies as security for claims of Canadian creditors and our own claims for reparation and indemnity. This is view of Council and will not be changed.

<sup>1</sup>Borden throws more light on the difference between the Japanese and the Australians (see Henry Borden, (ed.), *Robert Laird Borden: His Memoirs* (Toronto, 1938), Vol. II, pp. 926-27).

On 31 March General Smuts lunched with me and discussed Japanese proposals which aimed at modifying the preamble to the Covenant. Smuts requested me to submit these proposals to Hughes and to urge him to accept them. This I did; and Hughes then seemed disposed to conditional acceptance of the proposals. There had been several previous conferences on the subject; and on 7 April I conferred with Lord Robert Cecil and Baron Makino; and that evening with Botha. On 9 April I expressed to Viscount Chinda and to Baron Makino the views entertained by the British Empire Delegation; and on the following day Sir R. Garron (representing Hughes, who was ill), Botha, and I again discussed the proposals.

The situation may be summarized as follows: The Japanese had strongly insisted that the preamble of the Covenant should be so modified as to recognize the equality of the nationals of all states which adhered to that Covenant. The proposals which they first submitted were not accepted; and public opinion in Japan was quite excited. An earnest effort was made to find an acceptable formula. The four formulae were as follows:

- (1) Japanese: By the endorsement of the principle of equality of all nationals of states members of the League.
- (2) Sir R. Borden: By the endorsement of the principle of equality between nations and just treatment of their nationals.
- (3) General Smuts: Delete 'By the prescription of open just and honourable relations between nations' and substitute: 'By the recognition of the principle of open equal and honourable relations between nations and just treatment of their nationals within the territories of other nations'.
- (4) Lord R. Cecil: The members of the League agree that they will grant equal treatment to all foreign residents being nationals of other members of the League within their territories.

<sup>2</sup>Document 93.



97. *Extracts from Minutes of Seventeenth Meeting  
of British Empire Delegation*<sup>1</sup>

SECRET

April 3, 1919

INTERNATIONAL LABOUR LEGISLATION  
(Reference B.E.D. 15, Minute 1)

...

Mr. Lloyd George asked Mr. Sifton to state the points which Canada desired to be raised.

Mr. Sifton said that the British Dominions were made subject to the Labour Convention regardless of whether they were willing to agree or not.

Mr. Lloyd George remarked that the Dominions were in the same position as Great Britain.

Mr. Sifton differed. Article 35 provided that the British Dominions and India should have the same rights and obligations under the Convention as if they were separate High Contracting Parties, but there was no power to reject it.

...

Mr. Sifton said that all his points were contained in a memorandum which had been circulated (W.C.P. 440).<sup>2</sup> Suggested amendments were also contained in this memorandum.

Mr. Barnes said that Article 35 might bear the construction mentioned by Mr. Sifton, but that this had not been intended. The British Dominions and India were High Contracting Parties like Great Britain. If there was any doubt the wording could be altered.

Mr. Sifton agreed that if the Dominions and India were made separate Parties, his objection would be met. In regard to Article 3 relating to representation, he proposed that three representatives instead of four should be appointed by the Government—one representing the Government, one the employers, and one the workers.

...

Mr. Lloyd George expressed himself as being in agreement with the grant of full rights to the Dominions as Contracting Parties, but said that he could not agree to a proposal giving trades unions or employers' organizations a parity with the Government in a matter of representation.

...

98. *British Plenipotentiary to Prime Minister*

Dear Sir Robert Borden,

Paris, April 8, 1919

I enclose a copy of the amendments, which have been drafted to meet the points raised by the Dominions at the Meeting of the British Empire Delegation, on Articles XXX, XXXI, and XXXV, and hope they will be acceptable.

GEORGE N. BARNES

<sup>1</sup>Canadian representative present: A. L. Sifton.

<sup>2</sup>Document 94.

[ENCLOSURE]

*Amendments to Articles XXX, XXXI, and XXXV  
of Draft Labour Convention  
(Prepared in accordance with B.E.D. 18, Minute 2)*

SECRET

W.C.P. 383A/1

April 8, 1919

Make Article XXX read as follows:

In the event of any of the High Contracting Parties failing to take the action required by Article XIC with regard to a recommendation or draft Convention, any other of the High Contracting Parties shall be entitled to refer the matter to the Permanent Court of International Justice.

Make Article XXXI read as follows:

The decision of the permanent court of International Justice in regard to a complaint or matter which has been referred to it in pursuance of Article XXIX or Article XXX shall be final.

Article XXXV

Omit the first paragraph.

Make the second paragraph read:

Any Colony or Possession of any of the High Contracting Parties which on the application of such High Contracting Party is recognized as fully self-governing by the Executive Council of the League of Nations shall have the same rights and obligations under this Convention as if it were a separate High Contracting Party.

*99. Extracts from Minutes of Nineteenth Meeting  
of British Empire Delegation<sup>1</sup>*

SECRET

April 9, 1919

...

3. INTERNATIONAL LABOUR LEGISLATION, ARTICLE 7

Mr. Barnes stated that there were still two points outstanding: (1) the question of linking up the draft Covenant with the League of Nations and (2) the inclusion of the Dominions in the Governing Body of the Convention. There being no remarks regarding point 1, Mr. Barnes proceeded to deal with point 2, and stated that it was the original intention that the Dominions should be treated as High Contracting Parties for all purposes, but owing to objections from Representatives of other States on the Labour

<sup>1</sup>Canadian representatives present: Sir Robert Borden and A. L. Sifton.

Commission it was ultimately decided to accept the representation which appeared in the draft. The grounds of opposition to the original proposal were that the British Empire was sufficiently represented and that, under the original proposal, she would be taking too large a part in the organization of the Conference. He pointed out that in a Conference of 100 members under the proposal the British Empire would have some 28 Representatives. A second objection to the original proposal was that some of the Dominions could not be said to be large industrial countries. Further, they found on examining the constitution of the League of Nations that there the British Empire was treated as a single unit on the Executive Council. As the present draft stood, no Dominion could have a Government Delegate.

Sir Robert Borden pointed out that industrial conditions and problems in the various parts of the British Empire were essentially different. The industrial conditions of Canada or of South Africa differed from those of New Zealand or the United Kingdom; in North America, however, the industrial conditions were more or less the same throughout the continent.

The Canadian industrial conditions were similar to those of the United States and if Canada were excluded from direct representation, there might be an unfortunate tendency to seek representation through the United States rather than through the British Empire.

Mr. Long called the attention of the Delegation to the fact that underlying this proposal there was a question of grave constitutional importance to the British Empire, viz., it appeared that the United States were objecting to the representation of the self-governing States of the Empire and seeking to compare them with the 48 States of the United States of America, which stood on a totally different footing. If accepted, this would give rise to great dissatisfaction in the self-governing Dominions.

...

Mr. Balfour said that he quite understood the view of other nations that the British Empire should not receive separate representation for each Dominion. Their point of view was that though the British Empire was a great unit yet at the same time component parts of it desired to claim separate representation. On the other hand, the Dominion point of view was that each Dominion was a self-governing country, with its own labour legislation, its own industrial conditions, its own needs and its own experience. The proposal as now drafted was that the Dominions should be incorporated with the British Empire on the Governing Body. If representation were not granted he feared resentment would be caused and the whole scheme jeopardised. He had been much moved by Sir Robert Borden's argument that if Canada did not receive direct representation on the Governing Body she would be tempted to seek representation through the United States. That would indeed be a most unfortunate position.

Mr. Barnes pointed out that Dominion Governments, as such, could not be represented on the Governing Body, but that the workpeople and the employers of any of the Dominions had the same chance of election to the

Governing Body as the Delegates of any other State. There was nothing in the constitution which prevented the election of a Dominion Delegate on the Governing Body.

(The British Empire Delegation accepted the explanation of Mr. Barnes.)

...

100. *Prime Minister to Acting Prime Minister*

TELEGRAM

Paris, April 9, 1919

(Circulated for the information of the Dominion Prime Ministers.)

The treaties concluded at the Peace Conference will be signed in respect of Canada by Canadian plenipotentiaries. Under international practice their Full Powers are issued by the King but such issuance should be based upon formal action by Canadian Government authorizing it. Order in Council should therefore be passed at once and cabled as well as mailed to Colonial Secretary. In order to provide for any eventuality, such as return of one or more of us before signature takes place, Full Powers should be issued to each Minister here. Order in Council should be in following terms which have been drawn up in conformity with terms of Full Powers usually issued.<sup>1</sup> Begins. Whereas in connection with the Peace Congress it is expedient to invest fit persons with full powers to treat on the part of His Majesty the King, in respect of the Dominion of Canada, with persons similarly empowered on the part of other States;

Therefore His Excellency the Governor in Council, on the recommendation of the Secretary of State for External Affairs, is pleased to order and doth hereby order that His Majesty the King be humbly moved to issue Letters Patent to each of the following named persons:

The Right Honourable Sir Robert Laird Borden, P.C., G.C.M.G., K.C., M.P., Prime Minister of the Dominion of Canada

The Right Honourable Sir George Eulas Foster, P.C., G.C.M.G., M.P., Minister of Trade and Commerce of the Dominion of Canada

The Honourable Arthur Lewis Sifton, K.C., M.P., Minister of Customs of the Dominion of Canada

The Honourable Charles Joseph Doherty, K.C., M.P., Minister of Justice of the Dominion of Canada

naming and appointing him as Commissioner and Plenipotentiary in respect of the Dominion of Canada with Full Power and Authority, as from the first day of January nineteen hundred and nineteen, to conclude with such Plenipotentiaries as may be vested with similar Power and Authority on the part of any Powers or States any Treaties, Conventions, or Agreements in con-

<sup>1</sup>A comment of the Under-Secretary of State for External Affairs on the draft Order in Council reads: "I do not consider that this advice to His Majesty should be couched in this Mandatory form. A sample Minute would be better. However the Prime Minister's cable left no room for any discretion in the matter. J. POPE"

nection with the said Peace Congress, and to sign for and in the name of His Majesty the King, in respect of the Dominion of Canada, everything so agreed upon and concluded, and to transact all such other matters as may appertain thereto.<sup>1</sup> Ends.

101. *Full Power Issued by H. M. the King to Prime Minister*

George, by the Grace of God, of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, King, Defender of the Faith, Emperor of India, etc., etc., etc. To all and singular to whom these Presents shall come, Greeting!

Whereas for the better treating of and arranging certain matters which are now in discussion, or which may come into discussion between Us and the Powers and States in connection with the forthcoming Peace Congress.

We have judged it expedient to invest fit person with Full Power, to conduct the said discussion on Our Part in respect of Our Dominion of Canada: Know ye, therefore, that We, reposing especial Trust and Confidence in the Wisdom, Loyalty, Diligence, and Circumspection, of our Right Trusty and well-beloved Councillor Sir Robert Laird Borden, Knight Grand Cross of our Most Distinguished Order of St. Michael and St. George, one of our Counsel learned in the law, etc., etc., Member of the Parliament of Canada, Prime Minister of the Dominion of Canada, have named, made, constituted and appointed, as We do by these Presents name, make, constitute and appoint him, Our Undoubted Commissioner, Procurator, and Plenipotentiary, in respect of Our Dominion of Canada; Giving to him all manner of Power and Authority to treat, adjust, and conclude with such Ministers, Commissioners, or Plenipotentiaries, as may be vested with similar Power and Authority on the part of any Powers or States as aforesaid, any Treaties, Conventions, or Agreements that may tend to the attainment of the above-mentioned end, and to sign for Us and in Our Name in respect of Our Dominion of Canada everything so agreed upon and concluded, and to do and transact all such other matters as may appertain thereto, in as ample manner and form, and with equal force and efficacy as We Ourselves could do, if personally present.

Engaging and Promising, upon Our Royal Word, that whatever things shall be so transacted and concluded by Our said Commissioner, Procurator, and Plenipotentiary in respect of our Dominion of Canada, shall, subject if necessary to Our Approval and Ratification, be agreed to, acknowledged and accepted by Us in the fullest manner, and that We will never suffer either in the whole or in part any persons whatsoever to infringe the same, or act contrary thereto, as far as it lies in Our Power.

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<sup>1</sup>After the Ministers mentioned had come home, similar procedure was followed in authorizing Sir George Perley and Sir Edward Kemp to sign. (See P.C. 1861, September 6, 1919. Not printed.)



In witness whereof We have caused the Great Seal of Our United Kingdom of Great Britain and Ireland to be affixed to these Presents, which We have signed with Our Royal Hand.

Given at Our Court of St. James, the first day of January, in the Year of Our Lord, One Thousand Nine Hundred and Nineteen and in the Ninth Year of Our Reign.<sup>1</sup>

GEORGE R. I

102. *Acting Prime Minister to Prime Minister*

TELEGRAM

Ottawa, April 11, 1919

From Rowell. In reference to Order in Council appointing Plenipotentiaries, Council assumes terms proposed Treaty and other agreements to which Canada is Party, will be submitted to Council before signature. Council also understands that your view is that Treaty and other conventions should be submitted to Parliament for ratification. It is very desirable that any announcement respecting terms Treaty should be made in Ottawa contemporaneously with announcement in London and Washington. When Armistice signed we had despatch here giving its terms but received intimation from Colonial Office it should not be made public and we were compelled refuse give information to Canadian Press even though we knew hour announcement was to be made at Washington and Canadian papers were compelled to get their news from Washington. This occasioned good deal adverse comment. Hope therefore you can arrange to have publication made at Ottawa at same time as made at Washington and London.

103. *Extract from Minutes of Plenary Session  
of Preliminary Peace Conference<sup>2</sup>*

...

April 11, 1919

Sir ROBERT BORDEN: . . . This Convention is linked in many ways by its terms to the Covenant of the League of Nations, and I think it desirable to make it perfectly plain that the character of its membership and the method of adherence should be the same in the one case as in the other. Probably, after all, in view of the dispositions of the Convention, that is only a matter

<sup>1</sup>The actual date on which the Full Powers were issued is obscure since the document was evidently antedated to conform to the Order in Council based on Borden's telegram of April 9 (Document 100). For text of Order in Council see *Sessional Papers*, 1919, No. 41j.

<sup>2</sup>Canadian representatives present: Sir Robert Borden and A. L. Sifton; C. J. Doherty attended as a member of the British Empire Delegation.

of drafting; but in order to prevent any misapprehension and to make the matter perfectly clear, I move that the following words be added to the motion which has been proposed by Mr. Barnes:

The Conference authorises the Drafting Committee to make such amendments as may be necessary to have the Convention conform to the Covenant of the League of Nations in the character of its membership and in the method of adherence.

...

*104. Extracts from Minutes of Twentieth Meeting  
of British Empire Delegation<sup>1</sup>*

April 12, 1919

SECRET

1. CONVENTION ON INTERNATIONAL LABOUR LEGISLATION

(Reference B.E.D. 19)

...

Sir Robert Borden said that he could not understand why the scheme of membership adopted in the case of the League of Nations Covenant had not been followed in the Labour Convention since it had been decided that the two should be linked together. This suggestion had been made many times in the British Empire Delegation. Furthermore, he could not understand the procedure that had been followed in respect of the nine clauses proposed for insertion in the Peace Treaty. It had been distinctly agreed, at the previous meeting of the British Empire Delegation, that these should not be inserted, and yet at one stage of the Plenary Session it was apparently the intention to proceed with their consideration and adoption. He had been told after he had reached the Quai d'Orsay that President Wilson and M. Clemenceau wished to have these clauses adopted and he had been obliged to take the matter up with President Wilson during the meeting, in order to have the discussion of the clauses postponed. In saying this he intended no reflection whatever on the Foreign Secretary, who had been just as disturbed as himself at the procedure followed.

...

Mr. Barnes stated that there had been some misunderstanding concerning the first paragraph of Article 35. He did not know how the new paragraph had appeared in the Report presented to the Plenary Session. In any case, before any final decision was reached, the article would be changed to suit the Dominions. As for the nine clauses, he had drafted a Resolution that would have excluded them, but there had been no opportunity to present it before the Plenary Session adjourned.

Sir Robert Borden said that, in the circumstances, it would be necessary to have a clear understanding that before any further amendment was made it should be submitted in specific terms to the Dominion Prime Ministers for their approval.

<sup>1</sup>Canadian representatives present: Sir Robert Borden, A. L. Sifton, and C. J. Doherty.

(It was decided that a committee, composed of Mr. Sifton, Sir Robert Garran and Captain Brebner<sup>1</sup> should, in consultation with Mr. Hurst, draw up an amendment to Article 35 in so far as it concerned the participation of the Dominions in the Labour Organisation.)

...

105. *Acting Prime Minister to Prime Minister*

TELEGRAM P. 278

Ottawa, April 12, 1919

From Rowell. Council has considered and approved your suggested amendments to Covenant of League of Nations<sup>2</sup> but suggest that Article VIII be further amended so as to provide that private manufacture of munitions and implements of war be prohibited. Council's approval is given on the assumption that it will be clearly understood by all the Signatories to the Covenant that (1) the right of each nation to regulate and control the character of its own population by restriction of immigration is maintained unimpaired and that such control is recognized as a matter of purely domestic concern and not one in which the League of Nations is concerned; (2) this Covenant does not in any way interfere with the fiscal governance of Canada nor with the control or regulation of its own tariffs. Is there any objection to laying your memorandum with suggested amendments on the table of the House as inquiries are being made in Parliament in reference to matter. Government is being asked as to present position of Peace negotiations and as to when Treaty probably ready for signature. Could you cable such a statement as the Government might give to the House before the Easter adjournment indicating progress of negotiations.

106. *Extracts from Minutes of Twenty-First Meeting  
of British Empire Delegation<sup>3</sup>*

SECRET

April 14, 1919

1. DRAFT CONVENTION ON INTERNATIONAL AIR NAVIGATION

(Reference B.E.D. 20, Minute 3)

General Sykes<sup>4</sup> referred to the amendments (see W. C. P. 516A—Appendix) which it was proposed to put forward in order to cover the conclusions of the British Empire Delegation at the previous meeting, and asked whether these were approved for him to take up with the Inter-Allied Air Commission.

<sup>1</sup>Secretary to Botha.

<sup>2</sup>Document 74.

<sup>3</sup>Canadian representatives present: Sir Robert Borden and A. L. Sifton.

<sup>4</sup>Major-General Sir Frederick Hugh Sykes, Chief of the Air Staff, 1918-1919; Controller-General of Civil Aviation, 1919-1922; Chief of the Aviation Section of the British Delegation at the Peace Conference.

Sir Robert Borden said that, before considering these amendments, he had a serious question to raise in respect of Canada's attitude, not only regarding representation on the proposed permanent International Commission, but regarding the whole draft Convention. The effect of the proposals had been discussed with his colleagues and particularly with the Minister of Customs, who had made strong representations concerning difficulties which might be anticipated in connection with the Customs Administration along the Canadian boundary line. At the previous meeting he (Sir Robert Borden) had pointed out the importance which international flying might assume in the Western Hemisphere, and the difficulties which would ensue if this traffic were in any way regulated by a body on which Canada did not have a voice equal to that of the United States. With a boundary line 4,000 miles in length, more thickly inhabited on the United States side than the Canadian, there were already sufficient difficulties in connection with the Customs and Immigration administration, and these would doubtless be accentuated by the development of commercial flying. The proposed technical regulations had doubtless been carefully considered, but it was impossible for him to anticipate their effects upon the Canadian position, nor would the Canadian Parliament accept an arrangement which empowered a body of people sitting in Europe to make regulations governing traffic between Canada and the United States. After such consideration as he had been able in the short time at his disposal to give to the matter, he therefore had reached the conclusion that the arrangements between Canada and the United States should be determined by a special Agreement or Convention between those countries. That right might be properly reserved to them by this Convention, which should contain a special reservation to that effect. He thought, therefore, that it should be left to Canada and the United States to make between themselves any necessary arrangements governing their own international aerial traffic, since this could be better done by persons on the spot able to understand North-American conditions. It would be admitted that Europe would be unwilling to submit to a Convention drawn up in North America solely with reference to North-American conditions, and from that new point the British Empire Delegation would readily understand what he had in mind. He would be the last person to suggest any course that would delay peace, but no such consideration was involved, since the proposed Convention had nothing to do with the conclusion of peace.

General Sykes pointed out that the regulations to be made by the International Commission under Article 34 could only affect technical details and even in this respect would not be effective unless there were unanimity.

General Sykes explained that there were urgent reasons for concluding the Convention as quickly as possible, since the large industry built up in England during the war would be unable to develop unless some arrangement opening up international traffic were made. He pointed out that this industry had served the Empire as well as the United Kingdom and that it was hoped

that it would form the nucleus of expansion for Imperial Commercial Aviation. As to the point concerning Dominion representation, he thought it could be met if there were an Air Section attached to the League of Nations, Dominion representatives forming a part of it. Their time would not be wholly occupied at the seat of the League, but in the intervals between meetings of the Air Section they might be engaged, as at present, to act at the Air Ministry in a liaison capacity between that Ministry and the respective Dominion Departments which might be set up to deal with the air. These representatives, together with the United Kingdom representatives, might form a panel from which two British Empire representatives on the International Commission could be selected. The legislative power of the International Commission would be limited to purely technical matters and could only be exercised by unanimous vote.

Sir Robert Borden said that he quite understood that this would be so but that it did not meet the difficulty. There was an extremely wide difference between the conditions in Europe and those in North America. There were, for example, great differences in respect of the density of population. Again, between Canada and the United States there existed an intimate relation in respect of social and commercial intercourse and indeed of almost every aspect of national life, so that North America, for flying purposes, became practically indivisible. While he might not be able to criticise specifically the regulations now proposed, he would be unable to present to the Canadian Parliament a convention in the drafting of which there had been so little participation by persons familiar with the special Canadian position. He would therefore suggest that there should be a provision in the Convention reserving it to Canada and the United States to make their own arrangements for international flying in so far as it affected themselves.

...

107. *Note by British Legal Adviser on Labour Convention*

SECRET

W.C.P. 568

Paris, April 16, 1919

At a recent meeting of the British Empire Delegation (B.E.D.20, Min. 1), a Committee was appointed to decide upon the amendments which were necessary to bring the text of the Convention into conformity with the views of the Delegation.

This Committee met in Lord Sinha's room on April 14th, and examined the text of the Convention. The Committee's proposals have all been accepted by the Drafting Committee of the Conference and have been incorporated in the text of the Convention, with the exception of the new wording of Article 1, where the version proposed by the Committee was found to run so badly in French that it became necessary to find a new formula.



The First Article of the Convention now runs as follows:

Article 1

Il est fondé une organisation permanente chargée de travailler à la réalisation du programme exposé dans le préambule.

Les membres originaires de la Société des Nations seront les membres originaires de cette organisation, et, désormais, la qualité de la Société des Nations entraînera celle de membre de ladite organisation.

A permanent organisation is hereby established for the promotion of the objects set forth in the Preamble.

The original members of the League of Nations shall be the original members of this organisation, and thereafter membership of the League of Nations shall carry with it membership of the said organisation.

108. *Prime Minister to Prime Minister of United Kingdom*

SECRET

Dear Mr. Lloyd George,

Paris, April 16, 1919

You may find it useful to have a summary of what took place yesterday in the Council of Five<sup>1</sup>

During the previous afternoon I had a conference extending over two hours with the various experts who had been engaged in the preparation of the British proposals.

Mr. Lansing was afflicted with his usual tendency to defer and refer; hence the progress made was not so great as anticipated.

Several minor matters were disposed of and to these I shall not allude. Otherwise the results were as follows:

1. Maintenance of troops in the occupied German territories. Upon this question I understand the American position is the same as our own. Mr. Lansing raised the point that it was not a military but a political question and should therefore be referred to the Council of Four. As I understand the French attitude it is based upon the consideration that the cost of maintaining the armies of occupation will be paid in priority to claims for reparation. Naturally the French desire to reduce as far as possible this prior charge. I see no reason why the whole cost should not be paid. One is not impressed by the French view that the cost runs into staggering figures, when one recalls the claims which they have advanced. The question now stands for decision by the Council of Four.

<sup>1</sup>On April 15 (and also 17, see Document 111) Borden attended the Council of Five as chief British Empire delegate.

2. Opium Convention. The British and American drafts were referred to the Drafting Committee.

3. The British and American drafts respecting the Belgian Treaties of 1839 were disposed of in the same way.

4. Recognition of British Protectorate over Egypt. Mr. Lansing desired that this, as well as the clauses relating to Morocco, should be absorbed in a general clause dealing with the renunciation of Germany's territorial claims outside of Europe. He told me privately that his attitude was to some extent based on the desire to bring in effectively, the Shantung question. I pointed out the impracticability of including the clauses relating to Egypt and Morocco in a general clause; and I pressed strongly for the acceptance of the British proposal. Lansing stated he had no objection to it in principle. Finally I accepted the proposal of a reference to the Drafting Committee, provided Lansing would agree that such portion of the clauses as could not be effectively included in the general clause should be accepted. I reserved my right to press for the acceptance of the British Clause on Thursday the 17th and to refer the question to the Council of Four if it should not then be accepted.

5. The Morocco question was disposed of in the same way and for the same reasons.

6. The less important of the two British proposals was accepted. Mr. Lansing objected strongly to the main proposal which required Germany to put the Allied Governments in effective possession of all chemical processes employed in the production of poison gases, etc. The Americans and Italians strongly opposed it. The British proposal seems very comprehensive and would, if effectively carried out, result in the disclosure of German commercial secrets. I argued that if such secrets were employed for the destruction of human life by barbarous means during the war, Germany could not complain if their disclosure was compelled. No progress being possible I reserved the question for the Council of Four.

7. Prize Court Decisions. The British proposal validates all decrees and orders made by Prize Courts in any of the Allied and Associated Powers. Lansing proposed a somewhat elaborate amendment which empowers the Five Allied and Associated Powers to examine all decisions and orders of German Prize Courts and to modify them. His proposal is not practicable in its present form as it does not set forth the means by which it shall be carried out or the principle on which any such revision could be effected. It is highly probable that upon the principles in force in the German Prize Courts, the decisions were right. If they are to be revised, upon what principle are we to proceed. Possibly the Drafting Committee will solve the difficulty.

Yours faithfully,

R.L. BORDEN

109. *Prime Minister to Prime Minister of United Kingdom*

Dear Mr. Lloyd George,

Paris, April 16, 1919

I enclose a copy of a telegram<sup>1</sup> which I sent on the 9th instant to the Acting Prime Minister at Ottawa, respecting the authority for the issuance of Full Powers to the Canadian Plenipotentiaries. We considered that Full Powers issued by the King should be based upon formal action by the Canadian Government; and accordingly the Order in Council proposed in the telegram has been passed.

A certified copy of the Order in Council will be sent from Ottawa to His Majesty's Government at London. When it reaches the Foreign Office some appropriate step should be taken to link it up with the Full Powers issued by the King to the Canadian Plenipotentiaries and with the papers connected therewith, in order that it may formally appear in the records that these Full Powers were issued on the responsibility of the Canadian Government.

Yours faithfully,

R.L. BORDEN

110. *Prime Minister to Acting Prime Minister*

TELEGRAM X. 228

Paris, April 17, 1919

For Rowell. Your 275.<sup>2</sup> It is not practicable before signature to have full terms of treaties laid formally before Government of each nineteen States. Treaties will contain usual stipulations that ratifications are to be exchanged within a definite period. In all treaties signature is in effect provisional until ratifications have been so exchanged. In short the necessity of ratification enables each Government to examine fully the provisions of any treaty before effectively adhering thereto. The treaties will not be submitted to Parliament for ratification as that is an executive act. They should, however, be submitted to Parliament before ratification in order that Government may be advised and instructed as to desire of Parliament with respect thereto. If Parliament should be opposed to ratification of Peace Treaty or any of the ancillary treaties, the Government would necessarily be bound by Parliament's desire. Parliament is, of course, the only authority which can render operative any provisions of the various treaties requiring Legislative sanction to make them effective. We shall give careful attention to your suggestions as to publicity.

BORDEN

<sup>1</sup>Document 100.

<sup>2</sup>Document 102.

111. *Prime Minister to Prime Minister of United Kingdom*

Dear Mr. Lloyd George,

Paris, April 18, 1919

I attended again at a meeting of Foreign Ministers yesterday afternoon and the results were somewhat more satisfactory than at the previous meeting.<sup>1</sup> The British proposals with respect to Egypt and the French proposals with respect to Morocco were accepted as part of the general clause providing for Germany's renunciation of territorial and other interests in various parts of the world. There was a good deal of difficulty in bringing about this result as at first Mr. Lansing seemed desirous of a further reference to the Drafting Committee. That reference was made as to some other matters, but the proposals with respect to Egypt and Morocco stand with amendments which are not important from the British standpoint.

There was a considerable discussion with respect to the article declaring the validity of judgments pronounced by the Prize Courts of Allied Nations during the war. The draft proposals of the United States are sent herewith for your information.<sup>2</sup> At the meeting on Tuesday Mr. Lansing stated that he did not press the third paragraph of his draft. On Thursday, however, his attitude was changed and he pressed for it strongly. Mr. Hurst informs me that the real question at issue relates to the proposal of the United States Government that the German ships in their possession but not yet condemned by the Prize Courts shall be held and appropriated by the United States free from any claim of other Allied Nations. The Americans base this claim on the fact that ships condemned are thus disposed of and that they should not be prejudiced by the fact that under their constitution the Prize Courts of the United States cease to have jurisdiction upon the conclusion of peace.

Mr. Lansing inquired specifically as to the nature and reason of the British objection to the third paragraph of his draft. I informed him that he would receive a reply, and he asked that it should be given in writing.

As to the third paragraph, I took the ground that the subject was under consideration by the Reparation Commission, that provision for liquidation of Enemy Property has been recommended by the Economic Commission, and that upon the view put forward by Mr. Lansing himself in connection with other questions the subject should be disposed of by a general article.

Faithfully yours,

R. L. BORDEN

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<sup>1</sup>See Document 108.

<sup>2</sup>Not printed.

112. *Prime Minister to President of Privy Council*

PRIVATE AND CONFIDENTIAL

My dear Rowell,

Paris, April 21, 1919

I have your letter of 27th March. You have already received no doubt, the amended draft of the Covenant of the League of Nations which, in form at least, is greatly superior to that which was made public in the Plenary Conference several weeks ago.

This morning the amended draft was under consideration at a meeting of the British Delegations. Article X remains as it was in the original draft. Mr. Doherty made a very strong attack upon its provisions and I am clearly of opinion that it would be of great advantage to omit this Article. However, it appears that some of the nations, and particularly France, demand much more and are hardly satisfied with its provisions which are regarded as affording no adequate security. Apparently the omission of this Article would wreck the proposal as a whole. At our meeting, Lord Robert Cecil in his discussion of this Article (of which, as I understand, he does not personally approve) put forward the considerations which I have indicated and also said that any member of the League, although not permanently represented in the Council, would have the right to such representation when the means of fulfilling the obligation expressed in Article X was under consideration. That seems a rather extensive interpretation of the fifth paragraph of Article IV. Probably Article X in practice will not carry the responsibility of Canada beyond the limit fixed by Articles XV to XVII inclusive. On the other hand, however, it puts in the forefront an obligation of a character and in terms that may create considerable difficulty in the attempt to secure adherence of countries like the United States and Canada, not closely interested in territorial disputes in Central and Western Europe.

I deeply regret being detained here so long. More than once I have been on the point of taking my departure; but some condition always arose which pointed to the inexpediency of abandoning my work in the Conference at that particular juncture.

Yours faithfully,

[R. L. BORDEN]

113. *Extracts from Minutes of Twenty-Sixth Meeting of British Empire Delegation<sup>1</sup>*

SECRET

Morning session, April 21, 1919

. . .

2. REVISED DRAFT OF LEAGUE OF NATIONS COVENANT<sup>2</sup>

Lord Robert Cecil, introducing the revised draft of the League of Nations Covenant (see P. 106 Revise) as it had been settled by the League of

<sup>1</sup>Borden in the Chair. Other Canadian representatives present: A. L. Sifton and C. J. Doherty.

<sup>2</sup>The text here referred to appears to be that which emerged from the Commission on the League of Nations, April 21. Some verbal changes were made later, especially the omission of "States which are", before "Members of the League. . ." in Article IV which met the point raised by Borden and Sifton. See D. H. Miller, *The Drafting of the Covenant* Vol. I, Chap. XXXIV.



Nations Commission, said that there was no great difference in principle between the old and new drafts. Certain valuable alterations in arrangement and otherwise had been made in pursuance of the papers presented by Sir Robert Borden and Mr. Hughes. (See W.C.P. 245<sup>1</sup> and W.C.P. 346.) The word "Council" had been accepted instead of "Executive Council," and care had been taken to avoid the impression that a super State was being created. The new Article 1 introduced a substantial change by providing that the original members of the League should be determined by reference to an annex instead of by reference to the signatures to the Treaty. This was necessary in order to exclude Germany from the League, since the Covenant was to form a part of the Treaty of Peace.

#### Article 4

Mr. Sifton pointed out that, as Article 4 now stood, the Dominions were not eligible for election to the Council of the League, and that this disability would have unfortunate effects in Canada.

\* \* \*

Mr. Barnes said that he had always understood that there should be only one representative from the British Empire on the Council.

Sir Robert Borden pointed out that the position was difficult, and in some respects delicate. On the one hand we wished to be regarded as a unit for particular purposes, such as Imperial preference, and on the other hand we wanted to secure for the Dominions the right of separate representation in the Council and Assembly of the League. There was some danger of arousing the sensibilities of other nations.

\* \* \*

Lord Robert Cecil said that there had been no intention to exclude the Dominions, and that he had been advised by the drafting authorities that the Article would admit them. By explicitly recognizing the Dominions as eligible for membership in the League, Article 1 clearly contemplated that, in addition to the representative of the mother country, there might be separate Dominion representation. Throughout the whole discussion in the Commission there had never been a suggestion that the Dominions should be treated differently from other members.

Mr. Sifton suggested that the point could be met by striking out the words "States which are" in the first sentence of Article 4, so that it would read:

The Council shall consist of representatives of the United States of America, of the British Empire, of France, of Italy and of Japan, together with representatives of four other Members of the League.

Lord Robert Cecil agreed. It had been intended to change the word "State" throughout the document and to substitute the phrase "Member of the League". He thought that this had been done, but in any case it could well be done, since it was merely a consequential drafting amendment and involved no change in substance.

<sup>1</sup>Document 74.

(The British Empire Delegation agreed that the words "Member of the League" should be used throughout the Covenant instead of the word "State".)

. . .

#### Article 10

Sir Robert Borden referred to the observations which he had made in his memorandum (W.C.P. 245) concerning Article 10 of the original draft Covenant, which was still retained as Article 10 of the present draft.

Lord Robert Cecil said that an effort had been made to alter this Article, but no other formula could be found which was acceptable to all and the Commission had therefore been obliged to return to the original form. It should be remembered that Article 10 was in effect qualified to some extent by Article 19, which provided for the reconsideration by members of the League of Treaties which have become inapplicable. Most of the territorial boundaries of the world were already embodied in Treaty provisions and could therefore be reconsidered under Article 19.

Mr. Doherty was opposed to Article 10. Whatever the effect of Article 19, Article 10 pledged every member of the League to preserve the territorial integrity of all the members. Article 19 contemplated careful enquiry before anything was done, but what inquiry have we made at the present time before assuming this pledge? Article 10 amounted to saying that whatever is, is right. It might be appropriate to guarantee the territorial integrity of the new States created by the Peace Conference, since the frontiers of these have been examined.

There was another aspect to the matter; the proposal constituted in effect a system of mutual insurance, but was it fair to cast the same liability upon all? The risks to which different members of the League were subject were by no means equal. In Canada, for instance, the risk of invasion was remote, while in France or in some Balkan States it might be great. Accordingly the element of consideration in the contract was vitiated by unfairness. Nor was it just to throw the same obligation upon young, undeveloped countries as upon long-established and wealthy States. This consideration had its practical aspect in Canada. Before the war there had been murmurings at the doctrine that when Britain was at war, Canada was at war. Now Canada was to be asked under this Covenant to accept even greater liabilities.

Sir Joseph Cook said that his view was that the Dominions had not half paid for the protection and privileges which they had received from Great Britain.

Sir Robert Borden pointed out that this contention in view of the Articles in the Covenant, would mean in effect that Canada should not join the League. He thought still that Article 10 should be omitted, as its purpose was covered by other Articles less open to criticism.

Lord Robert Cecil said that the whole Covenant rested upon the propositions that all nations were interested in the preservation of peace and that it was impossible to foretell how far a conflagration once lighted would spread.

Article 10 was merely one of the safeguards. It should be emphasised that it bound the members of the League to preserve the present territorial arrangements simply against "external aggression." In other words it meant that these arrangements, whether just or unjust, should not be upset by force. Whatever other remedies should be taken, no State should be allowed to take the law into its own hands. On the other hand, everyone recognised that it would be impracticable and unwise to attempt to bind every nation to go to war on issues remote from its interests. Hence, it was left to the Council to advise upon the means by which the obligation should be fulfilled, while the Council must not only be unanimous but must include under Article 4 a representative of any member of the League interested in any question under consideration. Consequently, if there was at any time a question of asking Canada to embark upon a military expedition for the purposes of the League, a Canadian representative must be invited to attend the Council, and if he disagreed there was an end of the matter. For himself he thought it a fair and proper obligation to undertake to preserve other members of the League "against external aggression." Not only President Wilson wanted this Article, but the French were very insistent upon it, and had, indeed, pressed for a much more stringent provision.

. . .

Sir Robert Borden said that if we were unwilling to restrict ourselves, we could not expect to restrict others. Hence the only alternative to some such provision as Article 8 would be to arm to the teeth. The chief objection to Article 8 was its futility. He found it impossible to believe that it would be effective.

Lord Robert Cecil said that there was nothing in the article to prevent any two or more States from making an agreement providing for a greater reduction of armaments than the article itself contemplated. He doubted whether the time had come when any far-reaching universal agreement for the reduction of armaments could be brought about.

. . .

114. *Extracts from Minutes of Twenty-Seventh Meeting  
of British Empire Delegation*<sup>1</sup>

SECRET

Evening session, April 21, 1919

1. REVISED DRAFT OF LEAGUE OF NATIONS COVENANT

Article 8

Mr. Massey, continuing the discussion on Article 8 of the revised draft of the League of Nations Covenant (see B.E.D. 26, Minute 2), was apprehensive lest the word "action" in the second paragraph meant that the several Governments would be bound by the plans for a reduction of armaments

<sup>1</sup>Borden in the Chair. Other Canadian representatives present: A. L. Sifton and C. J. Doherty.

formulated by the Council. In the future the meaning of the article might be left to some court of international lawyers, whose decision might place us in an awkward position.

Lord Robert Cecil replied that, on the contrary, the document would be interpreted by the Governments themselves. Each State must adopt the plans formulated before any would be bound; there must be unanimity not only in the Council but as between the Governments, that is, unless all the members of the League adopted the plans none of them was committed. The whole document was subject to the principle that unless there was something to take away the sovereignty of a Government in a particular matter sovereignty remained.

Lord Sinha and Sir Robert Borden pointed to the word "consideration", and said that the word "action" simply meant that each Government would have to determine whether to adopt the plans or not. This power was clearly reserved to the Governments, and the word "action" could not be tortured into implying an obligation.

Mr. Massey enquired what then became of the League of Nations.

Sir Robert Borden agreed that this might well be considered the real criticism of the article. If reduction of armaments throughout the world must wait upon the operation of this article we might wait till Doomsday.

#### Article 11

Lord Robert Cecil said that the second sentence of the first paragraph of Article 11 had been added to the original draft at the suggestion of the French. It authorised the Secretary-General, on the request of any member of the League in time of emergency, to summon a meeting of the Council, and it clearly added to the effectiveness of the League.

#### Article 15

Lord Robert Cecil pointed out that Article 15 had been largely redrafted in order to make it clearer. In the sixth paragraph of the article a clause had been added reserving to the members of the League, where the Council failed to reach a unanimous report, the right to take such action as they should consider necessary for the maintenance of right and justice. Such a provision was clearly desirable in order to meet the possibility of an unjust combination of many States directed against some small country. The last paragraph of the article had been proposed by M. Veniselos<sup>1</sup> and the provision for majority voting had been necessary in order to prevent some small State in the Assembly from holding up the proceedings.

#### Article 16

Sir Robert Borden pointed out that in the original draft the provisions of this Article became operative if any country should "break or disregard its covenants," while in the present draft they became operative only when a country should "resort to war in disregard of its covenants."

<sup>1</sup>President of the Council of Ministers of Greece, 1917-1920; Plenipotentiary of Greece at the Peace Conference.

Lord Robert Cecil said that it was felt that the extreme measures contemplated in the Article should only be brought into force in an extreme case. He also pointed out that in the beginning it had been proposed that all the other Members of the League should be deemed to be at war with a covenant-breaking State, but that this had been altered and now the covenant-breaking State would be deemed to have committed an act of war against the other members of the League. The distinction was perhaps difficult to apprehend, but it had been made at the instance of the United States Delegation to meet the difficulties of their Constitution in respect of the war-making power of Congress. The Article now left it to Congress to declare war on the covenant-breaking State. It should further be pointed out that the economic penalties contemplated by the Article could be imposed without naval or military action.

...

#### Article 18

Sir Robert Borden enquired whether a State not being a member of the League might take advantage of Article 18 to evade an obligation entered into with a member.

Lord Robert Cecil admitted that this might be so, but said that the Commission had considered the provision as on the whole desirable.

...

#### Article 20

...

Sir Robert Borden suggested that, on the face of Article 20, there was some inconsistency between the first and second paragraphs.

Lord Robert Cecil replied that while this might be so, the second paragraph was intended to deal with cases where both parties were not Members of the League; under this paragraph a Member must get rid of all obligations not covered by the first paragraph.

#### Article 21

...

Lord Robert Cecil said that different members of the Commission had pressed the President very strongly for a clear definition of the Monroe Doctrine, but that even after long debate the position was not entirely clear. The general object of the Doctrine was to prevent European intrigue in America, and it had its genesis in a design to forestall the Holy Alliance from interfering in the Western Hemisphere. The Commission had, time after time, asked the President about the meaning of the Doctrine and had got his answers on record. The Czech Representative, for instance, had put the case of a war or threat of war between Chile and Peru and had enquired whether the effect of this article would be to prevent interference by the League. The President had said that this would not be so, since in such a case the interference would



constitute a beneficent action on the part of the whole world to prevent a conflagration. Of course everyone knew that the real object of the Article was to secure the assent to the Covenant of the United States Senate, who were very sensitive and had in mind such contingencies as the acquisition by Japan of Magdalena Bay in Mexico. The Senate feared that without such an article Japan might suddenly acquire this region by purchase and then, if any question were raised, the League might sanction the step.

...

Sir Robert Borden pointed out that the Monroe Doctrine was really no part of international law, but was merely a principle of United States foreign policy, and had indeed been formulated in the first instance at the instigation of Great Britain when Canning was Foreign Secretary. At the outbreak of war, there had been in the United States Press much discussion and agitation concerning the bearing of the Doctrine in the event of a German invasion of Canada. The Americans had asked themselves whether they would be obliged to intervene to protect Canada. This had caused much anger and resentment in Canada, and he had found it necessary to take notice of the discussion in public. It was, of course, in the circumstances, a somewhat delicate task, but he had found a formula. He had explained in a speech that the Monroe Doctrine was not to be found in any article of international law, that it was simply a principle of the foreign policy of the United States enunciated as such by their own statesmen, and that its validity was dependent upon the extent to which the United States were willing to enforce it. As a part of the policy of a friendly country promulgated for its own guidance, it was entitled to such respect as other countries usually paid in such circumstances. It was for the United States under these conditions to define the limits of their own policy. But, on the other hand, it would be understood that in the event of any foreign invasion Canada did not rely on the Monroe Doctrine but upon her own intention and capacity to protect herself.

Sir Joseph Cook thought that, in the circumstances, the President ought to take occasion to interpret the Doctrine for the benefit of other members of the League.

Lord Robert Cecil said that it might be possible to suggest to the President that he should do this in a speech, which he might make in presenting the revised draft.

Sir Robert Borden said that it would be inadvisable to attempt any further definition in the Article itself. To do so would only be to stir up the United States Senate and make matters worse.

Mr. Massey was still of the opinion that it was objectionable to grant a special favour to the United States.

Lord Robert Cecil replied that the President had admitted that the Article neither added to nor detracted from the League, but simply left the thing where it was before. Such influential Americans as ex-President Taft and Senator Root, whose international purposes were above reproach, were anxious for the Article, and in all the circumstances it did not seem to be

harmful, or to injure us. It ought to be remembered that a special position had been granted to the British Empire in the constitution of the League. The recognition of the Dominions and India as entitled to distinctive representation was desirable and justifiable, but, nevertheless, this arrangement did constitute a special concession to the British Empire. In conclusion, he would ask whether the British Empire Delegation desired that there should be a further Plenary Session of the Peace Conference to discuss the revised Covenant.

(It was agreed that a further Plenary Session for this purpose should be asked for, in accordance with the undertaking given by M. Clemenceau at the previous Plenary Session, and Lord Robert Cecil undertook to communicate with President Wilson to this effect.)

115. *Prime Minister to British Legal Adviser*

CONFIDENTIAL

Paris, April 22, 1919

Dear Mr. Hurst,

In connection with the proposed amendments in the Covenant of the League of Nations I have a letter from Mr. Sifton of which I enclose a copy, as embodying views which he put forward at yesterday's meeting of the British Empire Delegations and which I think commanded the approval of the representatives of the Dominions.

A copy has been forwarded to Lord Robert Cecil and General Smuts.

Yours faithfully,  
R. L. BORDEN

[ENCLOSURE]

*Minister of Customs and Inland Revenue to Prime Minister*

My dear Sir Robert,

Paris, April 22, 1919

In the new draft Covenant in regard to League of Nations and Annex thereto shown to us in the meeting yesterday, the words "British Empire" in the Annex and in Article 4 are apparently sometimes used as a designation for conveniently describing the aggregation of Great Britain with its Colonies and the various Dominions, and sometimes for some purposes apparently meaning only Great Britain and the territory for which its Parliament legislates. I notice that the same words are used in Article 3 of the original Covenant as laid on the table of the Peace Conference. Possibly it was drafted by the President of the United States or the Emperor of Japan and nobody cared to object. Such things have happened.

While this description may be convenient and has been used for a great many years as a sentimental designation, I have not yet heard of any formal documents in any portion of that vast territory being so signed. Without

discussing the question, which is unnecessary here, of the jurisdiction of the Parliament of the United Kingdom, it is hardly conceivable at the present day that Parliament would endeavour to legislate for or in the name of the British Empire, and I would assume that the Government thereof would only appoint officials or delegates, whether permanent or temporary, in the name of and for the United Kingdom and the territory for which its Parliament usually legislates.

If this be correct I think it would be well to bring the matter immediately to the attention of the Prime Minister because it would certainly be placing him in a rather curious position if, as appears likely, a document of this kind should be adopted by the full Peace Conference on Thursday next, which will necessarily have to be revised thereafter and signed in a very different way.

I tried at the meeting yesterday to have the ordinary legal description of the United Kingdom inserted in Article 4 and placed just above Canada in the Annex, but was informed that it would be entirely too long and cumbersome. This argument, I am afraid, would not appeal to the legal advisers of the Government of Great Britain when they come to place the Treaty in legal form for signature.

If you can prevent them committing this error perhaps they would make the slight amendment which interferes with no one else and is strictly in accordance with your motion at the last meeting of the Peace Conference to the Protocol to Article 7 in the Labour Convention which is now a part of the League of Nations. This could be done very simply by inserting after the word "Dominions" where it occurs in said Protocol, the words "not being members".

Yours very truly,  
ARTHUR L. SIFTON

116. *British Legal Adviser to Prime Minister*

My dear Sir Robert,

Paris, April 23, 1919

My best efforts to get the objectionable passage in Article 7 of the Labour Convention—the passage which formerly appeared in the Protocol—relating to the constitution of the Governing Body cut out, have failed.

I tried hard to persuade my colleagues that the Drafting Committee might with the acquiescence of their delegations treat the change as a matter of drafting authorized by the amendment which you carried at the Plenary Conference—but the U.S.A. refuse definitely so to regard it.

The only course seems to be for you to take the matter up with the Labour Commission or in the full Conference on the 28th.

Very sincerely yours,  
C. J. B. HURST

117. *British Delegation Amendments to Covenant  
of League of Nations*

[n.d.<sup>1</sup>]

## MEMORANDUM FROM THE SECRETARIAT

The British Delegation proposes the following corrections in the present draft of the Covenant.

To substitute the words "Members of the League" for the word "States" in Articles IV, V, VIII, XV, XVI and XXVI where that word is used to indicate States which are members of the League; and in Article IV paragraph 1 for the words "States which are members of the League".

As it will be necessary to circulate the Covenant to the Conference during the next few days, it is proposed unless objection is taken to the above suggestions, to include them in the text as circulated. If, however, any Member of the Commission takes such objection, he is requested to ask the President of the United States to call a meeting of the Commission to discuss them.

118. *Extract from Minutes of Twenty-Eighth Meeting  
of British Empire Delegation<sup>2</sup>*

SECRET

April 23, 1919

8. PLENARY SESSION OF THE PEACE CONFERENCE

Sir Robert Borden agreed with Mr. Hughes, and expressed the view:

(a) That the British Empire Delegation should know the exact form in which the Covenant of the League of Nations would be laid before the Plenary Session;<sup>3</sup>

(b) That the British Empire Delegation should know the precise terms of the Labour Convention which was, in pursuance of his amendment, proposed at the previous Plenary Session, to conform to the Covenant of the League;

<sup>1</sup>Evidently circulated by the Commission April 24. The following interesting covering note to the above memorandum appears in the Department's records:

British Embassy, Paris, 24.4.19

Dear Jones,

Here's the paper we have got the Americans to send around. No objection appears to have been recorded up to this evening. The Covenant will be printed with this *Change* on Saturday if all goes well.

Yrs,  
J. P. WATERS

<sup>2</sup>Canadian representatives present: Sir Robert Borden, C. J. Doherty and A. L. Sifton.

<sup>3</sup>For the revised draft of the Covenant, as approved by the Peace Conference, see *Sessional Papers*, 1919, No. 93b.

(c) That the British Empire Delegation should have this information sufficiently in advance to enable them to study and, if need be, debate the questions involved, before the Plenary Session was held.<sup>1</sup>

(The British Empire Delegation concurred in Sir Robert Borden's views, and it was agreed that they should be recorded.)

119. *Prime Minister to Prime Minister of United Kingdom*

SECRET

Dear Mr. Lloyd George,

Paris, April 27, 1919

I have had several interviews with the labour representatives of the United States, Belgium and Japan, and after much discussion they have agreed to accept the accompanying amendment to the nine articles for insertion in the Treaty of Peace. It is largely, almost altogether, founded on Mr. Balfour's draft, which we were prepared to accept, but I think that the form now enclosed is an improvement from the standpoint of the British Dominions, as it altogether omits Article 8. The Japanese delegate gave a somewhat qualified assent, but his objection was not in respect of the omission of Article 8. The point which he made related to the Fifth Article, as in Japan some of the labouring population have only two days rest in each month. We explained to him that it was impossible for us to give way on that point; and I think we convinced him that the qualifying clauses at the commencement, together with the word "practicable" in the Fifth Article, afford sufficient safeguards from his standpoint.

I should add that Mr. Barnes was present at the final interview this morning and expressed his entire concurrence in the accompanying draft.

Faithfully yours,

[R. L. BORDEN]

[ENCLOSURE]

W.C.P. 383E

Paris, April 27, 1919

AMENDED TEXT OF CLAUSES ON INTERNATIONAL LABOUR ORGANISATION  
PROPOSED FOR INSERTION IN TREATY OF PEACE

The High Contracting Parties, recognising that the well-being, physical, moral and intellectual, of industrial wage-earners is of supreme international importance, have framed a permanent machinery associated with that of the League of Nations to further this great end.

They recognise that differences of climate, habits and customs, of economic opportunity and industrial tradition, make strict uniformity in the conditions of labour difficult of immediate attainment. But, holding as they do

<sup>1</sup>The following footnote appears on a copy of the Minutes, No. 28, found in the (Borden) Peace Conference Papers:

Plenary Session held April 28th, at 3 p.m.

(a) Document not distributed, only seen on morning of 28th April.

(b) Document not ready till 29th April.

(c) No meeting called for such purpose, or held.



that labour should not be regarded merely as an article of commerce, they think that there are methods and principles for regulating labour conditions which all industrial communities should endeavour to apply, so far as their special circumstances will permit.

Among these methods and principles, the following seem to the High Contracting Parties to be of special and urgent importance:

First. The guiding principles above enunciated that labour should not be regarded merely as a commodity or article of commerce.

Second. The right of association for all lawful purposes by the employed as well as by the employers.

Third. The payment to the employed of a wage adequate to maintain a reasonable standard of life as this is understood in their time and country.

Fourth. The adoption of an eight hours day or a forty-eight hours week as the standard to be aimed at where it has not already been attained.

Fifth. The adoption of a weekly rest of at least twenty-four hours, which should include Sunday wherever practicable.

Sixth. The abolition of child labour and the imposition of such limitations on the labour of young persons as shall permit the continuation of their education and assure their proper physical development.

Seventh. The principle that men and women should receive equal remuneration for work of equal value.

Eighth. The standard set by law in each country with respect to the conditions of labour should have due regard to the equitable economic treatment of all workers lawfully resident therein.

Ninth. Each State should make provision for a system of inspection in which women should take part, in order to ensure the enforcement of the laws and regulations for the protection of the employed.

Without claiming that these methods and principles are either complete or final, the High Contracting Parties are of opinion that they are well fitted to guide the policy of the League of Nations; and that, if adopted by the industrial communities who are members of the League, and safeguarded in practice by an adequate system of such inspection, they will confer lasting benefits upon the wage-earners of the world.

120. *Extracts from Minutes of Twenty-Ninth Meeting  
of British Empire Delegation*<sup>1</sup>

SECRET

April 28, 1919

\* \* \*

2. CABLING THE PEACE TREATY SUMMARY

The Secretary referred to the proposals for cabling the Peace Treaty summary throughout the world, put forward by Sir George Riddell<sup>2</sup> (see W.C.P. 667), and enquired whether the British Empire Delegation approved.

<sup>1</sup>Canadian representatives present: Sir Robert Borden and A. L. Sifton.

<sup>2</sup>Represented the British press at the Peace Conference.

General Smuts pointed out that it was proposed that there should be one summary for all the world, and that it should be distributed through Reuters who had a very effective organisation for the purpose.

Sir Robert Borden pointed out that the proposals were still incomplete so far as Canada was concerned. The arrangements in connection with the Armistice had been imperfect. The Canadian Government had had a copy of the Armistice terms at Ottawa, but had been exhorted not to publish it until further advised, yet it had been given out at Washington in the meantime, with the result that Canadian papers were obliged to take it second-hand from the Americans. This had created an unfortunate feeling, and a similar occurrence must not happen again. He could only agree to the present proposals on condition that an arrangement was made which would absolutely ensure the Canadian papers getting the summary simultaneously with the American papers.

(It was agreed that the proposals for cabling the Peace Treaty summary should be approved, subject to an arrangement being made whereby the Canadian Press should receive the summary simultaneously with the American Press.)

### 3. LABOUR CLAUSES FOR INSERTION IN PEACE TREATY

Sir Robert Borden said that at a previous meeting of the British Empire Delegation the Labour clauses for insertion in the Peace Treaty as drafted by Mr. Balfour (see W.C.P. 383 D.) had been accepted, and it had been understood that they would be moved at the Plenary Session of the Peace Conference (see B.E.D. 25, Minute 5). The other Delegations, particularly the American and the Belgian, had, however, objected, and so Mr. Balfour had asked him to endeavour to bring about an agreement. He had accordingly seen the American, Belgian, and Japanese Representatives, and, after several meetings, an agreement had been reached on the draft now submitted for consideration (see W.C.P. 383 E.; Appendix II).<sup>1</sup> This draft did not constitute any substantial departure from the former one. The preamble and the concluding paragraph of Mr. Balfour's draft were preserved practically intact; an effort had been made to cast the remainder into the form of nine numbered clauses, since it was in that form that the proposals had been first submitted to the Plenary Session by the Labour Commission and it appeared that the Labour Representatives attached importance to this form. The words "habits and customs" had been substituted in the preamble as appearing less invidious than the former reference to racial characteristics. The Belgian Representative wished to strike out in the preamble the words "so far as their special circumstances will permit," but the Japanese would not agree, and he understood that India also wanted these words and they had accordingly been retained. The Japanese had resisted the fifth clause, since in Japan there are only two regular rest days each month, although, in addition, they have a number of public holidays which possibly bring the average up to four

<sup>1</sup>Enclosure to Document 119.

rest days each month. The Japanese had finally accepted the clause in view of the words "wherever practicable." It had been agreed that, in view of the importance attached to its subject by the women, the seventh clause should be given a distinct place. The eighth clause was the one which had previously made the greatest difficulty for the British Empire Delegation. It was proposed in its present form in order to secure the assent of the United States Delegation, since it had been drafted by President Wilson. It did not appear to hurt our interests, and since it would command the assent of the other Delegations, he (Sir Robert Borden) hoped that the British Empire Delegation might now accept it.

\* \* \*

General Smuts said that clause 8 simply amounted to an admonition or piece of advice to each Parliament; there was no impairment of the sovereignty of the different countries.

Sir Robert Borden said that this clause had been produced by the President as the result of an effort to find a formula that would be acceptable to the United States. The United States Delegation had found a difficulty in accepting the clause as it stood in Mr. Balfour's draft because of the position resulting from the custom of Italian immigrant labourers who, coming to the United States without their families, would return to Italy after a number of years with the money they had accumulated from their labours in the United States. At the same time, they tried to get the benefits of the accident and death insurance schemes provided by the American Labour Unions for their families still resident in Italy. The American Unions objected to this, and accordingly the clause had been redrafted. He (Sir Robert Borden) entirely agreed that Mr. Balfour's draft was preferable, but the other Delegations had raised objections, and, if trouble was to be avoided at the Plenary Session, he thought it best to accept the present proposal. It would have been better to omit the clauses altogether, but the labour world apparently attached importance to them, and, after all, they were simply the enunciation of principles.

(It was agreed that the labour clauses for insertion in the Peace Treaty should be accepted in the present form (see W.C.P. 383 E.), and that at the Plenary Session of the Peace Conference in the afternoon, following the presentation by Mr. Barnes of the original nine clauses, Sir Robert Borden should move the present draft as an amendment.)

#### 4. LABOUR CONVENTION

Sir Robert Borden, with reference to the previous discussion of the Labour Convention (see B.E.D. 19, Minute 3)<sup>1</sup> said that he had had a conference with Mr. Lloyd George that morning concerning the provision in Article 7 to the effect that any member of the Labour Organisation, together with its Dominions, Colonies, and Protectorates, should be entitled to nominate only one Government representative on the Governing Body. From the point of

<sup>1</sup>Document 99.

view of the Dominions, this provision was unfortunate, and there was a particular danger in the case of Canada that the result of the provision would be to drive Canadian labour into the arms of the United States for the purpose of securing representation on the Governing Body.

Mr. Barnes said that he would have no objection to making the Dominion Government delegates eligible for election to the Governing Body, but the other countries might not agree to this. He was under the impression that the Dominions were not eligible in the case of the Council of the League of Nations. If they were eligible he would have no objection to making the Labour scheme the same.

Sir Robert Borden and General Smuts pointed out that the League of Nations Covenant, as now amended, accorded this right to the Dominions.

. . .

#### 7. PEACE TREATY ARTICLES ON PUNISHMENTS, AND REPORTS OF COMMISSION ON RESPONSIBILITY FOR THE WAR

General Botha referring to the draft articles for the insertion in the Peace Treaty providing for the punishment of the former German Emperor and other enemy persons guilty of violation of the laws of war (see W.C.P. 655), said that he regretted that the consideration of this subject by the British Empire Delegation had been postponed to so late a date. They had been sitting here for weeks discussing such matters as international aerial navigation, labour legislation, etc., while matters such as this, which were really connected with the peace, had received no attention.

The Secretary, in answer to an enquiry as to the origin of these draft articles said that they had been prepared by the Drafting Committee of the Peace Conference on instructions received from the Council of Four, after consideration of the Report of the Commission on the Responsibility of the Authors of the War and on Enforcement of Penalties (see W.C.P. 622).

Mr. Barnes said that he objected to some of the articles, and thought they should not be accepted at the afternoon Plenary Session without further discussion by the British Empire Delegation. He was in favour of punishing the ex-Kaiser, but thought it a strong order to ask Germany to give up without specification a large number of her nationals to the mercy of the Allies.

General Botha agreed. The effect of these articles would be that for a year or more after we had made peace with Germany, we should have a court-martial sitting and administering punishment to large numbers of her people. It would be impossible to have a real peace in such conditions. We must pick out the most flagrant cases, specifying the names of the guilty persons, and demand their surrender. So far as the ex-Kaiser was concerned, he ought to be punished, but the rest of the proposals were wrong. We were now making peace and it was wrong to continue the conditions of war into the state of peace. He instanced the position in respect of the question of amnesty after the South African War.

General Smuts agreed. We were proposing to ask the Germans to sign a blank cheque, to give up their nationals on demand, and to furnish evidence that we might punish them. We would never sign such an article in respect of our own people.

Sir Robert Borden said that there was another side to the case. Hundreds of thousands of our men who had fought in the war knew that the Germans had been guilty of the most shocking barbarities; they had seen them committed. Were we going to pass these over? Was there nothing that we could do to vindicate the principles of humanity that had been so flagrantly violated? During the war our military courts were entitled to try to punish any enemy person guilty of violation of the laws of war who fell into their hands; the effect of these articles was to extend this jurisdiction into the time of peace and to provide a method of getting the guilty persons into our hands.

. . .

121. *Private Secretary of British Secretary to Prime Minister*

Sir Robert Borden,

Paris, April 28, 1919

I have received a message from Sir Maurice Hankey who is at the meeting of the Council of Four, to the effect that the Prime Minister would be glad if you would get in touch with Mr. Barnes, Mr. Robinson (an American), and M. Colliard<sup>1</sup> (a Frenchman), in regard to the question about which you spoke to him this morning,<sup>2</sup> and if you can get them to agree, then the Council of Four will agree to your point of view.

A. J. SYLVESTER

122. *Prime Minister to Prime Minister of United Kingdom*

SECRET

Dear Mr. Lloyd George,

Paris, April 29, 1919

I had an interview this morning with Mr. Robinson who is the chief American expert on labour conditions and to whom I was referred by your letter of yesterday. We discussed the question very amicably but I found him quite immovable in his opposition to my proposal that Canada and the other Dominions should not be barred from selection for representation on the Governing Body. He based his view upon supposed public opinion in the United States which regards the British Empire as exercising too much influence in the League of Nations and in the Labour Convention. Apparently public opinion is so ill-informed in that country as to believe that in matters affecting the peace of the world or labour conditions, the Governments of the various Dominions do not exercise a thoroughly independent judgment. The

<sup>1</sup>Minister of Labour and Social Security for France; Adviser on Labour Questions of the French Delegation at the Peace Conference.

<sup>2</sup>See next document.



same opinion fails to comprehend that labour conditions and problems in the various Dominions are essentially different from those which prevail in the United Kingdom.

As to the influence of the British Empire, may I venture to point out that the nation capable of exercising the greatest influence both in the League and under the Convention, is the United States. If we examine the list of original members and of States invited to accede, one observes Cuba, Haiti, Liberia, Nicaragua, Panama, Salvador, Colombia, and Venezuela. Out of these States one could easily select at least six over whom the United States can exercise a more effective control in such matters than can be exercised by the British Government over Canada, Australia, South Africa or New Zealand.

The Peace Treaty must be signed and ratified and the Labour Convention for the time being. But it is quite clear that Parliament may qualify this by a direction to the Government that the notice specified in the third paragraph of Article I of the Covenant, shall be immediately given in order that Canada, by withdrawal from the League of Nations, may also withdraw from the Labour Convention and thus avoid the continuance of a condition which her people will naturally regard as humiliating. The Dominions have maintained their place before the world during the past five years through sacrifice which no nation outside Europe has known. I am confident that the people of Canada will not tamely submit to a dictation which declares that Liberia or Cuba, Panama or Hedjaz, Haiti or Ecuador must have a higher place in the international labor organization than can be accorded to their country which is probably the seventh industrial nation of the world, if Germany is excluded from consideration.

Unfortunately I shall be obliged to relate to Parliament my efforts to have this condition changed and to disclose the source from which the opposition came. Otherwise I cannot justify myself to the people whom I have served throughout this war.

Yours faithfully,  
[R. L. BORDEN]

123. *Minister of Customs and Inland Revenue to Prime Minister*

Dear Sir Robert,

Paris, April 29, 1919

I enclose you memo in regard to League of Nations, Labour Convention and Air Convention. The principle in regard to the latter is even more prominently set forth as it is made applicable to Dominions particularly. It makes no difference whether we sign or not.

You may make whatever use you wish of this memo, and if it is of any interest to anyone you may express my decided opinion that the signing of these documents on behalf of your Government or their acceptance by the

British Government in their present state, without the consent of Canada, would result in the immediate breaking up of your Government as at present constituted.

The inclusion of Spain and Brazil in Governing Body yesterday emphasizes the danger not only to Canada but to Great Britain. Sometimes a rapier is an effective weapon; occasionally you need an ax or a club.

Yours very truly,  
ARTHUR L. SIFTON

[ENCLOSURE]

*Memorandum by Minister of Customs and Inland Revenue*

Paris, April 29, 1919

Before it is too late I would like to call your attention to the matter of the British Dominions, incidentally thereto, the British Empire, and with special reference to Canada.

It may be assumed probably that all the representatives of the various governments of the Dominions are enthusiastic over the preservation intact of the British Empire, or at least were when they came here, and that the people of their various countries were interested in the same way having shown their interest to the best of their several abilities both in the expenditure of money and men, and that the various representatives were willing to the extent of their ability to devote their time to assisting the representatives of Great Britain, working with and even under the direction of the permanent officials of Great Britain, in connection with the many details necessary. So far as I know they have all done this contentedly and are still so doing and would be quite satisfied if Peace were finally made satisfactory to Great Britain on terms that were equal for the various people engaged on the side of the Allies in the war, so far as peace terms in themselves are concerned; even to put a strong case, if the larger nations more immediately concerned decided that we should now forgive and try to forget, asking nothing from our enemies and simply expressing the pious hope that they would go and sin no more, we could at least return home unashamed and adopt the idealistic pose now so fashionable in certain places (especially noticeable where there has been no suffering but rather a gain).

This refers to the Peace Treaty with enemies and the fact of making any kind of a peace that would look to be fairly permanent would be in itself a justification for agreeing to whatever might be necessary to that end.

But none of these conditions apply to conventions between alleged friends such as a League of Nations or a Labour Convention which now appear to be inextricably involved with each other, nor to an International Air Convention which is the latest and probably the worst case in which an effort is being made to take advantage of the presence of representatives of different countries here to foist on them an absurd, poorly drawn document, evidently

prepared by people without the slightest knowledge of the subject of which they are dealing, aside from the actual flying and that under war conditions when the rights of non-flyers and even states remained in abeyance. The whole subject of air traffic from a commercial standpoint is so utterly unknown, that for anyone to sit down and attempt to draw a treaty for the civilized world is a manifest absurdity, and to attempt without consultation to include a country like Canada where if commercial air traffic is a success it will be of vastly more importance than it is likely to be in any of the countries who are assuming to settle the matter, is a blunder that would generally be called a crime. The only excuse that I have yet heard for the haste is that a factory in Great Britain is very anxious to start work making airships.

From my standpoint, the worst thing about these various matters is the inequality and injustice; anything might be acceptable which has hitherto been untried, an International League of Nations, Labour Convention or even Air Convention, but no convention in my estimation can prove satisfactory if based on inequality between members. I recognize as a matter of course the expediency of the larger and more important nations of the world having a permanent voice, in accordance with their importance, in the management of such affairs for the purpose of ensuring stability, but beyond that I can see no reason for a difference and when it comes to the point of saying that Japs and Italians shall have permanent representation; Portugal, Cuba, Uruguay or Liberia shall have the right to have their representatives elected; even the new States which will be recognized by the Peace Treaty and for the assistance of which the British Dominions have suffered and will for generations suffer, will have the right to have their representatives elected; but Canada shall not have the right to have a representative of its government even nominated. I can conceive of no greater insult being offered a self-respecting people.

So far as the League of Nations is concerned if alone, being unknown, idealistic and not of much daily interest to the general run of men, it might although I doubt it pass comparatively unnoticed; but in regard to the Labour Convention every clause of which will be discussed and debated in the meetings of every labour union in Canada, when the men whose lives have been devoted to labour and who have devoted much of their time to trying to improve conditions find these inequalities and the only explanation is that the Japs and Italians wanted them and Great Britain's representatives did not like to object too strongly, or perhaps preferred no change, I rather anticipate that disregarding some views of theology they will say in their somewhat frank manner that they will see the Japanese and Italian delegates and their respective governments individually and collectively sizzling in the lowest depths of Hell before they will agree to accept a standing inferior to the negroes of Liberia.

I have no personal reason for setting forth these views other than the desire of having them before someone in authority here. So far as I am

concerned, I am willing until Peace is finally concluded to either sign or refuse to sign anything at the request of the Prime Minister of Canada that is necessary to assure its speedy conclusion, but the privilege of signing conventions here, unnecessary to a peace treaty, is at best only a flattery of individuals, who will in the particular cases to which reference has been made probably be signing their own political death warrants. This is a matter of no particular importance to the world and might be a blessing in disguise to their countries.

The various parliaments of the Dominions will however, have to be consulted later when far away from the atmosphere of a Peace Conference, and as the members of Parliament in Canada can all read, all that will in my opinion be necessary is to lay the documents on their desks, give them time to read them over and watch their smiles becoming more and more bitter. The best for which I could hope would be that no motion would be made and that the members would content themselves with thinking that a long and serious step had been taken toward the dismemberment of the British Empire.

Parliaments, however, sometimes do curious things and, while I personally doubt it, it might be conceivable that a Canadian Parliament elected during the war, in session when Peace was concluded, in the glamour of Peace after years devoted to the consideration of war measures, might pass almost anything even remotely connected with the Peace Treaty. If this should occur, the Lord help any one of its members, who has future political ambitions in his own country, when he gets back to the people. Better would it be for that man that he had not been born, also better, far better, for his country.

With regrets for troubling you at such length on a matter apparently of such slight interest to the Government of Great Britain as the future status of the Dominion of Canada.

124. *Minister of Customs and Inland Revenue to Prime Minister*

Dear Sir Robert,

Paris, April 29, 1919

In regard to the constitutional matter which I raised in reference to the signature and membership of the League of Nations and other documents aside from the Peace Treaty proper, it is not of course, important to us at present as a constitutional matter but only as to its working out in connection with these particular documents practically. For instance, in Article 7 of the Labour Legislation, there is no apparent doubt that one of the eight states or members, as the case may be, referred to as being of chief industrial importance, would be the British Empire. Whether there be such a state or member which has Dominions or not, is a constitutional point which I am quite willing, temporarily, to leave with the constitutional advisers of the

Government of Great Britain. Whether the King has or will authorize the Premier of Great Britain to sign documents on behalf of the British Empire or not, is not for us temporarily an important point.

What is important is that this clause, whatever it may mean, should be so clearly drafted that there will be no doubt as to the intention, and it apparently has never received any consideration from that standpoint.

As there is no other of the eight chief industrial powers which has self-governing Dominions, this clause is plainly intended to refer to Great Britain and its Dominions and if the actual meaning of the clause is stated plainly it would be that the United Kingdom of Great Britain and Ireland with four other members, namely, Canada, Australia, South Africa and New Zealand (leaving India out of consideration for the present) shall be entitled to one member and no one of these five members shall be entitled to either be nominated or take any part in the election of the other four members of the Governing Body.

If this is the desire of the Government of Great Britain I would say that it would be only fair that they should say so clearly. If they are compelled to take this position by other nations, that should be made clear. It is much too serious a matter to leave in an indefinite state.

It has apparently been the trend of mind of those dealing with the question to compare in size and importance the so called British Empire with the United States. They have apparently for this purpose overlooked the fact that the United Kingdom of Great Britain and Ireland with its colonies and dependencies, and without any self-governing Dominions, would compare extremely favourably with Belgium, Switzerland or Holland who may possibly be three members of the Governing Body without any election and entitled to absolute equality. The fetish of sovereignty has been used to accomplish many absurd things and I hope that it will never be necessary for this.

There appears to be a question on the part of most of the people with whom these matters have been raised to consider that I am raising them for the purpose of making trouble. I gather this from apparently no doubt joking remarks about Canada or parts of it declaring war on the British Empire. I am not referring to this in regard to you, as I have no doubt of your appreciation of the circumstances, but simply to make clear that my only desire is to have these documents so fixed, if possible, as to make everyone in Canada an enthusiastic advocate for continuing some kind of connection with the United Kingdom. I had not even thought that this was the time for considering the question of my own action in regard to the matter. You are quite at liberty to use this or any other letters as you see fit—even to publishing in the newspaper.

Yours very truly,

ARTHUR L. SIFTON



125. *Minister of Customs and Inland Revenue to Prime Minister*

My dear Sir Robert,

Paris, April 29, 1919

The protocol has apparently in this copy been added directly to Clause 7 and if anything, made worse. Leaving the words "eight states mentioned above" instead of "eight members" specifically excludes us even from voting for let alone being nominated as one of the additional members of council. I notice in the only protocol left, the one fixing the first meeting at Washington, the draftsman had no difficulty in inserting Great Britain for the members of the International Organization Committee.

Yours very truly,

ARTHUR L. SIFTON

[ENCLOSURE]

*Protocol to Article 7*

The word "Member" in this Protocol means a member of the organization established by the foregoing Convention unless it otherwise appears from the context.

The Governing Body of the International Labour Office shall be constituted as follows:

Twelve representatives of the Governments,

Six Members of the said Governing Body elected by the delegates to the Conference representing the employers,

Six Members of the said Governing Body elected by the delegates to the Conference representing the work people,

Of the twelve Members of the said Governing Body representing the Governments eight shall be nominated by the Members which are of the chief industrial importance, and four shall be nominated by the Members selected for the purpose by the Government delegates to the Conference, excluding the delegates of the eight Members mentioned above. No Member together with its Colonies, shall be entitled to nominate more than one Member of the said Governing Body.

Any question as to which are the Members of the chief industrial importance shall be decided by the Executive Council of the League of Nations.

The period of office of Members of the Governing Body will be three years. The method of filling vacancies and other similar questions may be determined by the Governing Body subject to the approval of the Conference.

126. *Prime Minister to Prime Minister of United Kingdom*

SECRET

Dear Mr. Lloyd George,

Paris, May 2, 1919

First. With regard to the interpretation of the League of Nations Covenant, so far as it affects the representation of the Dominions, Lord Robert Cecil, General Smuts and Mr. Hurst, all agree that under the Covenant as it has been adopted, the representatives of the Dominions are eligible under Article IV for election by the Assembly to the Council of the League. On the other hand, two of my colleagues, Mr. Doherty, the Minister of Justice, and Mr. Sifton, entertain the opposite view. The question is doubtless arguable; but as it will not be determined upon a purely technical or narrow construction I am inclined to disagree with my colleagues. Yesterday afternoon at the Quai d'Orsay I took occasion to speak to President Wilson on the subject, and he entirely agreed with the view that representatives of the Dominions are so eligible. I think it important that this understanding should be brought up in some way and confirmed by President Wilson and the first delegates of the other Great Powers, either in the course of the conversations in the Council of Four or otherwise.

Second. The above question is quite distinct from although related to the difficulty with respect to the Labour Convention upon which I wrote you fully a few days ago. This difficulty I also discussed yesterday at the Quai d'Orsay with President Wilson and I found him quite sympathetic. So far as Canada is concerned he would have no difficulty whatever; but he explained that there was considerable difficulty with respect to some other Dominions and especially India. In reply I told him that we could not ask to be placed in a different position from them. As our position has been conceded (in the view above indicated) with respect to the League of Nations, there is a far weightier reason why it should apply also to the Labour Convention having regard to three principal considerations; (a) the essential and striking differences in labour conditions, (b) our great industrial development, and (c) the larger representation of the Governing Body under the Labour Convention (twenty-four) as compared with that on the League of Nations Council (nine).

Unless the offending paragraph in the Labour Convention is suppressed I shall be obliged to make a public reservation when the Peace Treaty is presented to the Plenary Conference. The motion which I proposed and which was unanimously accepted at the second last Plenary Conference affords ample ground, in my judgment, for its suppression. A direction from the Council of Four to the Drafting Committee would effect its suppression.

Yours faithfully,

[R. L. BORDEN]

*127. Minister of Customs and Inland Revenue to Prime Minister*

My dear Sir Robert,

Paris, May 3, 1919

Enclosed please find memorandum in regard to Air Traffic Report W.C.P. 516.

Yours very truly,

ARTHUR L. SIFTON

[ENCLOSURE]

*Memorandum by Minister of Customs and Inland Revenue*

[Paris, n.d.]

I have just received revised draft of Aeronautical Commission, W.C.P. 516, relating to international air navigation. It has apparently been considerably improved in some respects, and on the ground of equality which we have raised in connection with this and other matters, is much better than any of the other conventions. The portion of clause which made us specifically liable whether we signed or not has been removed and a clause has been inserted making a Dominion a State for the purposes of this convention, so that there is an apparent intention of giving us at least the satisfaction of not accepting unless we are willing. This, however, is still slightly ambiguous owing to the habit which has been adopted of using 'British Empire' as an entity when they really should use 'Great Britain'.

Notwithstanding these changes, I could hardly credit the fact that a country like Canada for instance with a boundary line of four thousand miles over a large portion of which air-craft could start or land without any assistance from an aerodrome and which would be largely interested in air traffic, could ever agree to be governed even in regard to technical matters by a Commission meeting in Paris, as is suggested for the first meeting, and having one representative out of probably fifty. And it still has the radical objection which would probably apply to any attempt at the present time, that it is an attempt to deal with a subject by people who can have no possible personal knowledge of the subject under discussion.

So far as an International Convention for world wide navigation is concerned, I should say that a simple one, similar to the one annexed hereto, would be all that would be safe for any nation to sign at the present time.

If the experts who have been engaged in connection with this matter, would devote their time, attention and experience to drafting regulations to put in Annex of suggested draft, they would be doing a very valuable work. If it is important, as has been said, to furnish profitable employment for men

engaged in the air-craft industry in Great Britain, and if it is important, as has been said, immediately to make arrangements for air traffic from London to Egypt, it would probably be much simpler for Great Britain to make special arrangements with the countries between Great Britain and Egypt for that purpose, and probably very much more satisfactory arrangements could be made for that kind of a service with the few countries interested than could possibly be made in a world wide convention.

In addition to these statements it is quite conceivable that even with the present stage of development in air traffic, and with the large expense in connection therewith, it might be very important for the commercial interests of Great Britain to have speedy communication for passengers and letters or small parcels with countries comparatively close by, such as France, Italy, Spain, Belgium, Switzerland, Holland, Denmark, Norway and Sweden. There does not appear to be any reason why an effort should not be made for immediate arrangements with those countries, which doubtless could easily be done on a reciprocal basis, without worrying about the opinion of the United States, or Japan, or any of the other numerous Allies gathered together in Paris for a very different purpose.

In regard to air traffic regulations, whether national or international, very much more care will have to be taken than is yet apparent in the parties interested in this convention. I noticed in a report of a meeting held in London the other day that Lord Balfour<sup>1</sup> expressed the opinion that a man might be equally injured by something falling from an aeroplane whether it was flown for pleasure or profit. While another case was also reported, April 21st, of an air-man flying over Chester causing damage to telegraph wires, and flying at such a low altitude as to endanger the public. It would therefore look as if there was ample room for work and experience in connection with domestic flying, while international flying should be left until some experience is gained in connection with the matter. For example, the attempt to settle legal rights in this Convention would in practice, be an absurdity. Possibly some of the principal difficulties arise from the evident attempt to make the laws and usages in regard to ships which can come only to the shore, apply to air-craft which can pass over a country or land therein. No possible punishment can follow the passengers of an unknown or unrecognized air-craft for anything that they may do contrary to the local laws or against the nationals of the territory over which they pass. This Convention also has the same fault as some others, in that the Federal Government or Congress of the United States has no criminal jurisdiction in the various states of which it is composed.

The parties interested in this Convention have made the error of endeavoring to first make rules for an International Convention which the people of Great Britain would practically have to accept for their domestic air traffic or

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<sup>1</sup>Balfour of Burleigh, Chairman of Commercial and Industrial Policy after the War, 1916-1917

have an entirely separate style of airships for domestic traffic with different rules, instead of first seeing what the people of Great Britain would accept and then endeavoring to have other people follow their example.

Suggested draft International Convention, if any, attached hereto.

[SUB-ENCLOSURE]

*Suggested Draft International Convention  
Relating to Air Navigation*

Article 1

The Contracting Parties recognize that every State or Dominion has complete and exclusive jurisdiction in the air space above its territories or territorial waters.

Article 2

The Contracting Parties recommend to the Governments of their respective States or Dominions the adoption of the regulations set out in Annex hereto, with such variations as may be considered necessary to meeting local conditions.

128. *Prime Minister to Prime Minister of United Kingdom*

Dear Mr. Lloyd George,

Paris, May 5, 1919

In connection with the conversation now going on about the disposition of the German submarine cables I wish to recall to your attention the conditions which my colleagues and myself have felt it necessary to put forward as the basis of our acceptance of President Wilson's proposal. They are set out in the enclosed memorandum which I think I have already shown to you.

Yours faithfully,

R. L. BORDEN

[ENCLOSURE]

*Memorandum by Canadian Ministers*

While we would prefer the original arrangement, we shall not object to this subject to following conditions:

First. The cable in which we are interested is not to be diverted from Halifax.

Second. In respect of cables touching Canadian territory either on the Atlantic or on the Pacific, Canada shall have the same representation in the determination of any rights or privileges pertaining thereto and in the



proposed system of administration and control as may be accorded either to Great Britain or to the United States in respect of cables touching the territory of either of those countries.

Third. That Canada shall have adequate representation in the proposed International Congress.

129. *Prime Minister to Acting Prime Minister*

TELEGRAM X. 293

MOST SECRET

Paris, May 5, 1919

Your P.312. Situation with regard to Peace Treaty seriously complicated by crisis created through withdrawal of Italian representatives. I insisted upon seeing Lloyd George this morning with respect to my early return. Informed him that I proposed to leave Paris about the end of this week and to sail for Canada about end of following week, say 17th May. He begged me to postpone decision until next Thursday when according to present arrangements Peace Treaty will be submitted to German Plenipotentiaries, at Versailles. He urged further that I should remain until Treaty is signed but I replied that this is impossible because I believe that delay in signature will be much greater than now anticipated. Italian troops occupy Fiume and there is grave reason to believe that Italy has an understanding with Bulgaria. Italians have not demobilized any portion of their army. They have thirty thousand troops in Bulgaria and considerable forces in Asia Minor. Bulgarian Army has not been disarmed. It is believed that Italians are encouraging Bulgarians to attack Greeks. Out of twenty-five minutes with Lloyd George twenty minutes were taken up in discussing dangers of situation with Sir Henry Wilson, Chief of General Staff, and his assistants. You can thus realize that the situation is extremely tense and difficult.

BORDEN

130. *Prime Minister to Acting Prime Minister*

TELEGRAM X. 295

MOST SECRET

Paris, May 5, 1919

Situation still very difficult and confused, Italian delegates telegraphed this afternoon that they are returning on Wednesday but no one knows what course they will then take. Meantime German delegates have threatened to leave for home and presentation of Peace Treaty to them has now been fixed for Wednesday instead of Thursday. Plenary Conference called for tomorrow afternoon to consider Treaty as a whole. I have served notice that Canada cannot accept Labour Convention unless clause debarring Dominion representatives from election to Governing Body is eliminated. Opposition to our demand comes from United States.

BORDEN

131. *Extracts from Minutes of Thirtieth Meeting  
of British Empire Delegation<sup>1</sup>*

SECRET

May 5, 1919

\* \* \*

1(e) LABOUR CONVENTION: DOMINION REPRESENTATION

Sir Robert Borden referred to the clause in Article 7 of the draft Labour Convention, which rendered Dominion Government delegates ineligible for election to the Governing Body of the International Labour Organization. It would be impossible for Canada to accept this position and he would be obliged to object in the Plenary Session. Canada's rejection of the Labour Convention would mean that immediately after signing the Treaty she would have to give notice of withdrawal from the League of Nations, with which the Labour Convention was linked. President Wilson had expressed his sympathy with Canada's attitude, but the clause still remained. The position was really eminently unfair, since the United States, for instance, could exercise much greater influence on the votes of many South American Republics than Great Britain could exert on the Dominions.

Mr. Barnes said that at the time when the Labour Commission were considering the draft Convention, the Dominions were not eligible for election to the Council of the League of Nations, but he understood that this had been altered; therefore the Dominions ought to be eligible for the Governing Body of the Labour Organization, in pursuance of the resolution of the Plenary Session of the 11th April.

\* \* \*

Sir Robert Borden said that the immediate point at issue concerned the objectionable clause in the Labour Convention. Regarding the League of Nations Covenant, although doubts had been raised, yet he had felt it necessary to accept the opinion of the legal advisers concerned that the Dominions were eligible under Article 4 for election to the Council and, having secured President Wilson's acquiescence to this construction, he had been prepared to agree to the Covenant. At the same time, he had written to Mr. Lloyd George, asking that if possible a definite understanding, confirming this view, should be reached in the conversations among the principal Allied Powers. Regarding the Labour Convention, there could be no doubt whatever. The objectionable clause definitely barred the Dominions from the Governing Body. It would be impossible for him to take such a Convention back to Canada. Canada had led the democracies of the Western Hemisphere in the war and yet, in respect of this Labour Convention which, in view of her industrial importance, was of great concern to her, it was proposed to place her on a lower level than countries such as Liberia, Siam, Nicaragua, Panama, etc.

The resolution of the Plenary Session of the 11th April was ample authority for the elimination of the objectionable clause, but the Drafting Committee would not accept this view.

<sup>1</sup>Canadian representatives present: Sir Robert Borden, A. L. Sifton, and C. J. Doherty.

Mr. Hurst said that he had urged this upon his colleagues of the Drafting Committee, and when they would not agree he had asked them to put the point to their political chiefs, who might quite properly give them instructions which would bring about the desired result. The United States representative, however, had declined.

...

1(f) ARMY OF OCCUPATION: GUARANTEE TO FRANCE  
IN EVENT OF GERMAN AGGRESSION

Mr. Lloyd George said that in connection with the articles in the Peace Treaty providing for the Army of Occupation, it had been necessary, in order to satisfy the French, to endeavour to reach an arrangement guaranteeing France against a further attack from Germany. After consultation with colleagues of his own Government, he was prepared to accept the responsibility of recommending to the House of Commons that Great Britain should say to France that, if she were wantonly attacked by Germany, Great Britain would come to her rescue. President Wilson had agreed to a similar guarantee, but, of course, he would be obliged to submit it to the United States Senate. The guarantee was for a period of fifteen years, co-terminous with the period during which the Army of Occupation would exist. He was apprehensive lest the United States Senate might refuse the guarantee. A clause had been added providing for reconsideration of the length of the period of occupation. The guarantee would take the form of a supplementary treaty outside the Peace Treaty.

...

Sir Robert Borden said that, so far as Canada was concerned, it was difficult at this moment to say what the effect of a proposal of this kind would be. He feared that Canadians would be reluctant to accept such a commitment.

...

132. *Prime Minister to Acting Prime Minister*

TELEGRAM X. 296

Paris, May 5, 1919

MOST SECRET. United States has signed an engagement to enter into a treaty with France to the following effect. Begins. First. Any violation by Germany of the engagements taken by her according to Articles forbidding fortifications or armed forces within fifty kilometers of Rhine to be regarded as an hostile act against the signatories to the Treaty and as calculated to disturb the peace of the world. Second. A pledge to be taken by the United States of America to come immediately to the assistance of France as soon as any unprovoked movement of aggression against her is made by Germany. Third. This pledge to be subject to the approval of the Executive Council of the League of Nations and to continue until it is agreed by the contracting powers that the League itself affords sufficient protection. Ends. We were also informed that Lloyd George has undertaken to give the same engagement on behalf of Great Britain and the Dominions are asked to enter into

similar agreement. Australia and New Zealand have signified their willingness. Canada and South Africa have reserved answer. The explanation is that French Prime Minister has had a terrific fight against Foch and military party in France, who desire insertion of a provision in treaty that France should occupy German Bank of Rhine during indeterminate period. French Government has little confidence in League of Nations and requires this specific agreement for protection against German aggression which crushed her in eighteen seventy and would have repeated the process more thoroughly in nineteen fourteen except for British and eventually American aid. Without such an agreement French Prime Minister will find himself helpless against the military party. It is urged that engagement carries us no farther than our undertaking under League of Nations, but French Government believe that France would be crushed while League of Nations is getting under way in case of a sudden German attack. Please telegraph your views immediately as situation here is very critical.

BORDEN

133. *Memorandum from Prime Minister to Prime Minister  
of United Kingdom*

Paris, May 6, 1919

1. The accompanying letters dated respectively April 29th and May 2nd, are again brought to the attention of Mr. Lloyd George, as the subject is to be discussed today at the Conference of the First Delegates.

2. Since the letter of 2nd May was written I find that Mr. Hurst's opinion on the subject is not as strong as I was led to believe. I therefore make the following proposals as to amendments which are of vital importance from the standpoint of Canada.

3. *League of Nations*. In order to set all doubt at rest, it is necessary to amend Article 4;

(a) by striking out the words "British Empire" in the second line thereof and by substituting therefor the words "The United Kingdom of Great Britain and Ireland";

(b) by inserting the words "The United Kingdom of Great Britain and Ireland" immediately after the words "The British Empire" in the annex to the Covenant.

4. *Labour Convention*. For the same reason it is of vital importance to Canada that Article 7 shall be amended as follows:

(1) Strike out the words "States" where it occurs immediately after the word "eight" in the twenty-third line and substitute the word "Members".

(2) Strike out in lines twenty-four to twenty-seven, the following sentence:—"No Member together with its Dominions and Colonies, whether self-governing or not, shall be entitled to nominate more than one Member", and substitute therefor the following: "No Member together with its Colonies shall be entitled to nominate more than one Member".

5. The reasons for these amendments are, in our judgment, overwhelming and conclusive. So far as Canada is concerned they are set forth briefly in the annexed letters. It is not necessary to elaborate them. As to Canada's effort in this struggle for democracy it speaks for itself. She has not asked for representation on the Council or in the Governing Body unless it is accorded by the voice of the other members of the League and of the Convention. She has raised no objection to the nomination of Spain and Brazil, of whom one was at least neutral and the other took no active part in the war. But she cannot admit disqualification or accept a position inferior to that of the smaller states alluded to in the letter of April 29th.

6. It is now proposed that Canada should become a party to a treaty by which she shall undertake to engage in active warlike operations against Germany in case that country at any time in the future should be guilty of aggression against France. I am not aware that any similar undertaking is proposed for Spain or Brazil or Greece or Belgium, or for any of the smaller States whose representatives are not debarred from election to the Council of the League or to the Governing Body of the Labour Convention. Canada is asked to make way for all these States except when effort and sacrifice are demanded; then, but not till then, she is accorded full and even prior representation. She is to be in the first line of the battle but not even in the back seat of the Council. The submission of such a proposal to our Parliament would, in my opinion, be wholly futile. Indeed I am convinced that it would be bitterly resented not only by Parliament but by the vast majority of the Canadian people.

*134. Declaration on the Status of the Self-Governing Dominions  
under the Covenant of the League of Nations<sup>1</sup>*

Paris, May 6, 1919

The question having been raised as to the meaning of Article IV of the League of Nations Covenant, we have been requested by Sir Robert Borden

<sup>1</sup>The following note by Sir Robert Borden under date of July 30, 1919, is attached to the original document:

The following paper is an original document signed at the Quai d'Orsay, Paris, on May 6, 1919, by the First Delegates of the three Principal Powers at the Paris Peace Conference, viz., M. Georges Clemenceau, President of the Council of the French Republic, the Hon. Woodrow Wilson, President of the United States, and the Rt. Hon. David Lloyd George, Prime Minister of the United Kingdom. It declares that upon the true construction of Article 4 of the League of Nations Covenant, representatives of the self-governing Dominions of the British Empire may be selected or named as members of the Council of the League.

This document was signed and handed to me in the course of the secret Plenary Session of the Peace Conference, held at the Quai d'Orsay on May 6, 1919, when the draft Treaty of Peace with Germany was submitted to the Delegates of the Allied and Associated Powers.

A true copy was taken on the same day by Sir Maurice Hankey, British Secretary of the Peace Conference, and by him transmitted to M. Dutasta, Secretary-General of the Peace Conference archives; while a copy was also incorporated in the minutes of the proceedings of the Council of Four for the day, it being recorded in each case that the original signed copy had been retained by myself.

This document (together with this memorandum) should be deposited for record and safe keeping in the archives of the Department of External Affairs.

R. L. BORDEN



to state whether we concur in his view, that upon the true construction of the first and second paragraphs of that Article, representatives of the self-governing Dominions of the British Empire may be selected or named as members of the Council. We have no hesitation in expressing our entire concurrence in this view. If there were any doubt it would be entirely removed by the fact that the Articles of the Covenant are not subject to a narrow or technical construction.

G. CLEMENCEAU  
WOODROW WILSON  
D. LLOYD GEORGE

135. *British Secretary to Prime Minister*

Dear Sir Robert,

Paris, May 6, 1919

I enclose a copy of a letter I have just sent to the Secretary-General.

Yours sincerely,

M. P. A. HANKEY

[ENCLOSURE]

*British Secretary to Secretary-General of Peace Conference*

My dear Colleague,

[Paris], May 6, 1919

At a meeting between M. Clemenceau, President Wilson, and Mr. Lloyd George this morning the following decisions were reached in regard to the Labour Convention:

1. That the necessary alterations should be inserted in the Labour Convention to place the Dominions in the same position as regards representation on the Governing Body of the Labour Convention as she [*sic*] was already in as regards representation on the Council of the League of Nations.
2. That the form in which this should be incorporated in the Treaty of Peace should be left to the Drafting Committee.

*Note:* At the end of the meeting Sir Maurice Hankey received a note from Mr. Hurst to say that the decision would be carried out by suppressing the following sentence in Article 393 (Labour Convention): "No Member together with its dominions and colonies, whether self-governing or not, shall be entitled to nominate more than one Member."

Verbal instructions, in the above sense, were given to the Drafting Committee, who were present.

Yours very sincerely,

M. P. A. HANKEY

136. *Prime Minister to Acting Prime Minister*

TELEGRAM X. 300

Paris, May 6, 1919

SECRET. At secret session of Plenary Conference to-day terms of Peace Treaty were made known. Enormous length of Treaty made any real discussion impossible within limited time available. Much to astonishment of all present Marshal Foch made strong attack upon dispositions of Treaty from military point of view. He declared that there was an entire absence of military safeguards and that France could only be secured by military occupation of Germany up to Rhine. His speech produced great sensation and at its close Clemenceau declared session adjourned. Subsequently Clemenceau engaged Foch in exceedingly animated conversation in Conference Hall. It was announced by French Government during secret session that President Wilson and Lloyd George had undertaken to recommend to their respective legislatures a treaty guaranteeing France against unprovoked aggression by Germany. This announcement was made practically in terms cabled to you last evening. No further request has been made for us for adherence to any such treaty and possibly it will not be made. After long fight we succeeded in eliminating from Labour Convention obnoxious clauses which prevented selection of Dominion representatives for place on Governing Body. President Wilson has acted extremely well in this respect as he overrode advice of his Labour experts. I also secured signed statement from Clemenceau, Wilson and Lloyd George removing any possible doubt as to qualification of Dominion representatives to be selected or named as members of Council under Article four of League of Nations Covenant.

BORDEN

137. *Minister of Customs and Inland Revenue to Prime Minister*

Dear Sir Robert,

Paris, May 6, 1919

As a result of the meeting this morning with representatives of the Government of Great Britain in connection with Aeronautical Convention in which you suggested the possibility of drafting a clause which would leave the traffic between the United States and the Dominion of Canada outside the rules of this suggested convention, some of the representatives who were at the meeting called on me with a clause which we then fixed up slightly and which I informed them would in my opinion be reasonably satisfactory to Canada if inserted as a special clause in the world convention.

They left with the understanding that they were to submit it at the international meeting this afternoon and try and secure its adoption. They were not overly favourable themselves to the clause as they thought it would spoil the principle of their convention, and they apparently had very little hope of getting it accepted by the United States representatives. Copy of clause below:

The present Convention does not apply to the passage between the United States and the Dominion of Canada of aircraft owned by their citizens respectively.

The passage of such aircraft shall be subject to a special convention to be concluded between the United States and the Dominion of Canada provided that such convention shall not apply to the aircraft of any other contracting State which passes into or crosses the territory or territorial waters of the United States or the Dominion of Canada.

Yours very truly,

ARTHUR L. SIFTON

138. *Prime Minister of United Kingdom to Prime Minister*

Dear Sir Robert,

Paris, May 9, 1919

I have carefully considered what you said to me about the urgency of returning immediately to Canada. I fully understand the importance of the reasons which are influencing you and your colleagues in desiring your immediate return, but I do attach the very utmost value to the presence here in Paris of all the Prime Ministers of the Empire until we know whether or not the Germans are going to sign Peace. We may be faced with very grave decisions in the next few weeks, and I think it is almost essential that all the heads of the responsible governments of the Empire should be here if they have to be taken. I, therefore, most earnestly trust that you will see your way to remaining here until we know what the Germans are going to do about Peace.

Yours sincerely,

D. LLOYD GEORGE

139. *Prime Minister of United Kingdom to Prime Minister*

Dear Prime Minister,

Paris, May 10, 1919

With reference to our recent discussions in the B.E.D., I beg to enclose for your information a copy of an agreement which Mr. Balfour and I signed and handed to M. Clemenceau, that we should recommend to Parliament that Great Britain should give an undertaking to come to the assistance of France in the event of a renewal of unprovoked aggression by Germany. I would call your special attention to the last clause which relates to the Dominions. I also enclose a copy of a similar agreement signed by President Wilson.<sup>1</sup> Will you be so kind as to keep these documents confidential for the present?

Yours sincerely,

D. LLOYD GEORGE

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<sup>1</sup>Not printed.

## [ENCLOSURE]

*Prime Minister and Foreign Secretary of United Kingdom  
to President of France*

[Paris], May 5, 1919

Monsieur Clemenceau  
Président du Conseil de la République Française.

The stipulations relating to the left bank of the Rhine contained in the Draft Treaty of Peace with Germany are as follows:

(1) Germany is forbidden to maintain or construct any fortifications either on the left bank of the Rhine or on the right bank to the west of a line drawn fifty kilometers to the east of the Rhine.

(2) In the area defined above the maintenance and the assembly of armed forces, either permanently or temporarily, and military manoeuvres of either kind, as well as the upkeep of all permanent works for mobilization are in the same way forbidden.

(3) So long as the present Treaty is in force Germany undertakes to co-operate in any enquiry which the Council of the League of Nations, acting if need be by a majority, may deem necessary.

As these conditions may not at first provide adequate security and protection to your country, H.M.G. agree to ask Parliament to authorise a treaty with France by which Great Britain shall be bound to come immediately to her assistance in the event of any unprovoked movement of aggression against her being made by Germany.

The Treaty will be in similar terms to that entered into by the United States and will come into force when the latter is ratified.

The Treaty must be recognized by the Council of the League of Nations as being consistent with the Covenant of the League, and will continue in force until on the application of one of the parties to it the Council of the League agrees that the League itself affords sufficient protection.

The obligation imposed under this Treaty shall not be binding on the Dominions of the British Empire until the Treaty is ratified by the Parliament of the Dominion concerned.

D. LLOYD GEORGE  
ARTHUR JAMES BALFOUR

*140. Memorandum by Canadian Plenipotentiaries respecting  
Draft Convention on International Air Navigation*

Paris, May 10, 1919

The Canadian Plenipotentiaries, after careful consideration of the final amendments to the Proposed Air Convention, are prepared to sign the same subject to the following reservations:

1. This acceptance is not to be regarded as a withdrawal of such objections raised by the Canadian Plenipotentiaries as have not been met

by recent amendments. The further disposition of such objections is, therefore, reserved absolutely for the consideration of the Canadian Government and the Canadian Parliament.

2. The signature of the Convention by the Canadian Plenipotentiaries must thus be regarded as wholly tentative and provisional, and as not committing the Government of Canada to its acceptance or as imposing upon the Government of Canada any obligation to submit the Convention to the Canadian Parliament for ratification.

141. *Prime Minister to Prime Minister of United Kingdom*

Dear Mr. Lloyd George,

Paris, May 11, 1919

I have your letter of the 9th instant and after receiving it, I first reached the conclusion that it would be possible to comply with your request. Accordingly I communicated by cable with my colleagues in Canada. However, before they could have received my message, information reached me from the Acting Prime Minister which makes it imperative that I shall leave for Canada at the earliest possible moment. As to this I shall explain to you more fully at the earliest opportunity. Accordingly Mr. Sifton and I are leaving Wednesday morning for London and we expect to sail from Liverpool on Saturday next, the 17th instant.

Yours faithfully,

[R. L. BORDEN]

142. *Prime Minister to Minister of Trade and Commerce*

Dear Sir George Foster,

Paris, May 12, 1919

I am sending herewith to you and to Mr. Doherty, a memorandum respecting the future work of the Peace Conference and I should be glad to discuss these matters with you and with him at any convenient time before my departure.

Yours faithfully,

[R. L. BORDEN]

[ENCLOSURE]

*Memorandum with respect to further work of Peace Conference*

CONFIDENTIAL

Paris, May 12, 1919

1. It is most important that the status which has been secured for Canada at the present Conference should be maintained and that any proposal whether made through design, inattention or misconception, which might detract therefrom should be resisted and rejected.



2. It will be recalled that the effort to win this position has been prolonged, insistent and continuous. It began in London before the arrival of the French and Italian Prime Ministers; it continued during the conferences held while they were in London; and it persisted during the visit of President Wilson before the British Plenipotentiaries had left for Paris.

3. After the Conference began the effort was maintained and it eventually resulted in the arrangement by which the Dominions were accorded the status of nations other than the Five Great Powers.

4. In the constitution of Commissions and Committees for the work of the Conference, it was felt that the Canadian Ministers should appear as representatives of the whole Empire. In this way they filled important positions as members of Committees charged with the duty of considering and reporting upon matters of the highest moment.

5. The question of the method by which the nations of the Britannic Commonwealth should signify their adhesion to the Treaty was then taken up and proposals put forward by Canada were eventually accepted in most respects.

6. Then arose the questions recently under discussion with regard to the status of the Dominions in the League of Nations and in the organization to be established under the Labour Convention. In this respect also, the view which the representatives of Canada initiated and insisted on, was eventually accepted.

7. In all this insistence upon due recognition of the nationhood of the Dominions, Canada has led the way; and in most cases her representatives have made the fight without active assistance from, although with the passive support of, the other Dominions.

8. The decisions thus reached should make the course comparatively simple for the future; but it is necessary to bear in mind an inevitable tendency on the part of officials and sometimes of Ministers, to forget that the United Kingdom is not the only nation in the British Empire.

9. A separate memorandum has been prepared with respect to the International Air Convention.<sup>1</sup> Apart from that there are the proposed treaties of peace with Austria, Hungary, Turkey and Bulgaria. At present it cannot be foreseen that these treaties will involve any questions touching the status or interests of Canada which have not already been under consideration. If, however, any such questions should arise, it is desirable that they should be referred to the Government at Ottawa and that full and explicit information by cable as to the position should be given and a reply received, before Canada is committed in any way.

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<sup>1</sup>Presumably Document 140.

10. There has also been some discussion of a Treaty between the Allied Nations for the regulation of certain fiscal matters. For example, it has been proposed that the Allied Nations should engage with each other by Treaty that any trade advantage hereafter given by any of the Allied Nations to Germany should *ipso facto* be accorded to each of the other Allied Nations. Questions have also been raised as to the supply of raw materials, etc. The Canadian Ministers remaining in Paris should communicate by cable to the Government at Ottawa, full information as to any such proposals before signifying their acceptance by Canada. The same course should be pursued with respect to any proposals not hitherto under consideration which might by any possibility affect the status or interests of Canada.

143. *Prime Minister to Prime Minister of United Kingdom*

Dear Mr. Lloyd George,

Paris, May 13, 1919

I hope you will permit me before my departure for Canada to express on behalf of my colleagues and myself, our profound appreciation of the broad outlook and remarkable foresight which have always characterised your attitude in respect of the British Dominions. On all questions of importance we have always had your strong sympathy and powerful support. During the past six months some notable pages have been written in the constitutional development of our Empire. That development began in December 1916 when you summoned Dominion Ministers to sit for the first time in a great Council of the Empire on terms of perfect equality with the Ministers of the United Kingdom. In recalling these great events, the vast significance of which has sometimes escaped us in the turmoil of war through which we have passed, you of all men have the best, and indeed the only right to say *Quarum magna pars fui*.

Yours faithfully,

[R.L. BORDEN]

144. *Prime Minister of United Kingdom to Prime Minister*

My dear Sir Robert,

Paris, May 13, 1919

Thank you very much for your most kind letter which I value very highly. It has been a source of the greatest satisfaction to me that Canada and Great Britain have been able to co-operate with such complete harmony both during the war and the negotiations of peace. I am certain that the work of

the Imperial War Cabinet and the British Empire Delegation has not only left a deep and beneficent impress upon the terms of peace, but has opened the way for a new and more intimate era in Imperial relations.

I should like also to say how much I have valued your personal assistance and advice. I have always felt that in you I have a colleague to whom I could confidently turn in any crisis for sagacious counsel. On many difficult occasions your support has been of the utmost value and I am sincerely grateful for it.

I am deeply sorry that it is necessary for you now to go back to Canada, but I look forward to your early return, as there are matters of great importance both to the Empire and to the world in the settlement of which I shall rely upon your counsel and aid.

Ever sincerely,

D. LLOYD GEORGE

145. *Extracts from Minutes of Thirty-Third Meeting  
of British Empire Delegation<sup>1</sup>*

SECRET

June 1, 1919

1. GERMAN OBSERVATIONS ON THE PEACE TREATY

. . .

Mr. Lloyd George said that he wished to put two questions to each individual member of the Delegation:

1. Was he in favour of standing on the terms proposed in the Present Draft Treaty, or was he in favour of making some concessions, the nature of which could be considered at a later stage?

2. If any concessions should be made, should they be communicated in a written statement, naming a period within which the Germans must reply, or should verbal negotiations be encouraged?

. . .

Sir George Foster said that the Allies had made a very distinct enlargement of the Fourteen Points and, bearing that enlargement in mind, it was difficult to see where the Treaty went much beyond the Points, plus the extensions thereof laid down in the Associated speeches.

He thought that President Wilson could justify the main part of the Treaty on the Fourteen Points and his speeches. The Fourteen Points were summary

<sup>1</sup>Canadian representatives present: Sir G. Foster and C. J. Doherty.

propositions and not detailed statements. The guiding principle was that the Treaty should be just and permanent, and he was of opinion that it was not intended that the Allies should confine themselves strictly to the Fourteen Points summary if they could not thereby get a Treaty which was both just and permanent. He thought that it was essential to ensure permanence by a proper regard to questions of nationality and strategic and economic frontiers.

He did not like the provisions relating to the Saar Valley. It was a question of reparation for coal losses, but the provisions of the Treaty went beyond that when they gave control over the territory for fifteen years. The French would have abundant opportunities of creating trouble. He thought the German proposition entitled to consideration as a fair one, if by it the coal which was required could be assured for French reparation.

On the question of the Eastern Boundaries, Germany's case was well put, and the proposal of plebiscites for East Silesia should meet the case.

As to reparations and the Economic terms—it was impossible to undertake to carry out a system of administration by a foreign Power in a country containing 60,000,000 inhabitants for a long period of years. No people would stand it. The very men who now were pressing their leaders to demand the whole costs of the war and occupation till it was obtained would be the men who in six or twelve months would denounce the Governments because they had not carried out reparation in a practical way. It was impossible for an individual to get credit if his liabilities were indefinite. The case of a nation was the same, especially when the determination of the liability rested on the will of a foreign Commission.

He would make the sum as moderate as possible, in view of Germany's capacity to pay, with the idea of getting the Peace signed. If the Peace were not signed at once, the Allies would find themselves in a sea of difficulties.

If the Allies really believed all that the Germans said, the Allies would agree that the documents showed a genuine desire to sign an Agreement which they wanted to carry out. The Allies would have to consider how long they were going to allow their war prejudices to influence them in disbelieving all that the Germans said. He thought that the Allies should try to meet them—if possible, take a smaller sum and get the Treaty signed. He, like all present, hated the Germans, but it was necessary to meet practical questions in a practical way. It was impossible to get anything adequate from the Germans unless they were given a chance to get raw materials and re-establish their industries.

He had never heard a good reason given for the exclusion of Germany from the League of Nations. If Germany were admitted to the League of Nations, the solution of many of these problems would be greatly assisted.

. . .

146. *Minister of Trade and Commerce to Prime Minister*

TELEGRAM M. 8

Paris, June 3, 1919

Our assent asked to final draft convention control arms traffic whereby in substance parties bind themselves prohibit generally export small arms and munitions war save under licenses to meet their own requirements and those other contracting parties and prohibit export other arms and ammunition to States not parties or to defined zones in Africa and Asia and maritime zone; also defined with licensing power for special cases and subject supervision. On examination we see no objection to Canada joining in it. Do you approve our assenting to it? Understand this convention was communicated you and reported on by Christie and considered at meeting delegation April 23rd, presided by you.

FOSTER

147. *Prime Minister to Minister of Trade and Commerce*

TELEGRAM W. 4

Ottawa, June 4, 1919

Your M. 8. We see no objection to proposed convention respecting arms traffic provided it does not prevent export between the Mother Country and the self-governing Dominions.

BORDEN

148. *Minister of Justice to Prime Minister*

TELEGRAM M. 18

Paris, June 22, 1919

Germans have consented sign on condition they not held solely responsible for war and not obliged to deliver individuals for trial. Allies reply unless unconditional consent sign received, troops will advance seven tomorrow. Text duplicated to Washington and Ottawa.

DOHERTY

149. *Colonial Secretary to Governor General*

PARAPHRASE OF TELEGRAM  
URGENT

London, June 23, 1919

Foreign Office has received intimation today from Paris that Germans have agreed to sign Treaty unconditionally. News may be published.

MILNER



150. *Extract from Preamble to Treaty of Peace with Germany*<sup>1</sup>

Paris, June 28, 1919

The United States of America, The British Empire, France, Italy and Japan,

These Powers being described in the present Treaty as the Principal Allied and Associated Powers,

Belgium, Bolivia, Brazil, China, Cuba, Ecuador, Greece, Guatemala, Haiti,

The Hedjaz, Honduras, Liberia, Nicaragua, Panama, Peru, Poland, Portugal, Roumania, The Serb-Croat-Slovene State, Siam, Czechoslovakia, Uruguay.

These Powers constituting with the Principal Powers mentioned above the Allied and Associated Powers, of the one part;

And Germany, of the other part;

Bearing in mind that on the request of the Imperial German Government an Armistice was granted on November 11, 1918, to Germany by the Principal Allied and Associated Powers in order that a Treaty of Peace might be concluded with her, and

The Allied and Associated Powers being equally desirous that the war in which they were successively involved directly or indirectly and which originated in the declaration of war by Austria-Hungary on July 28, 1914, against Serbia, the declaration of war by Germany against Russia on August 1, 1914, and against France on August 3, 1914, and in the invasion of Belgium should be replaced by a firm, just and durable Peace.

For this purpose the High Contracting Parties represented as follows: The President of the United States of America, by:

The Honourable Woodrow Wilson, President of the United States, acting in his own name and by his own proper authority;

The Honourable Robert Lansing, Secretary of State;

The Honourable Henry White, formerly Ambassador Extraordinary and Plenipotentiary of the United States at Rome and Paris;

The Honourable Edward M. House;

General Tasker H. Bliss, Military Representative of the United States on the Supreme War Council;

His Majesty the King of the United Kingdom of Great Britain and Ireland of the British Dominions Beyond the Seas, Emperor of India, by:

The Right Honourable David Lloyd George, M.P., First Lord of His Treasury and Prime Minister;

The Right Honourable Andrew Bonar Law, M.P., His Lord Privy Seal;

The Right Honourable Viscount Milner, G.C.B., G.C.M.G., His Secretary of State for the Colonies;

<sup>1</sup>The full text of the treaty and the ancillary treaties are printed in *Sessional Papers*, 1919 (Special Session) Nos. 41, 41a, 41b and 41c.

The Right Honourable Arthur James Balfour, O.M., M.P., His Secretary of State for Foreign Affairs;

The Right Honourable George Nicoll Barnes, M.P., Minister without portfolio;

And

for the Dominion of Canada, by:

The Honourable Charles Joseph Doherty, Minister of Justice;

The Honourable Arthur Lewis Sifton, Minister of Customs;

for the Commonwealth of Australia, by:

The Right Honourable William Morris Hughes, Attorney General and Prime Minister;

The Right Honourable Sir Joseph Cook, G.C.M.G., Minister for the Navy;

for the Union of South Africa, by:

General the Right Honourable Louis Botha, Minister of Native Affairs and Prime Minister;

Lieutenant-General the Right Honourable Jan Christian Smuts, K.C., Minister of Defence;

for the Dominion of New Zealand, by:

The Right Honourable William Ferguson Massey, Minister of Labour and Prime Minister;

for India, by:

The Right Honourable Edwin Samuel Montague, M.P., His Secretary of State for India;

Major-General His Highness Maharaja Sir Ganga Singh Bahadur, Maharaja of Bikaner, G.C.S.I., G.C.I.E., G.C.V.O., K.C.B., A.D.C.;

The President of the French Republic, by:

Mr. Georges Clemenceau, President of the Council, Minister of War;

Mr. Stephen Pichon, Minister for Foreign Affairs;

Mr. Louis-Lucien Klotz, Minister of Finance;

Mr. André Tardieu, Commissary General for Franco-American Military Affairs;

Mr. Jules Cambon, Ambassador of France;<sup>1</sup>

. . .

Who having communicated their full powers found in good and due form have agreed as follows:

From the coming into force of the present Treaty the state of war will terminate. From that moment and subject to the provisions of this Treaty official relations with Germany, and with any of the German States, will be resumed by the Allied and Associated Powers.

<sup>1</sup> Signatures to the Peace Treaty did not indicate the states represented but were in the order listed in the Preamble. See text of Treaty, *Sessional Papers*, 1919, No. 41.

151. *Extract from Covenant of the League of Nations*<sup>1</sup>

## ANNEX.

1. ORIGINAL MEMBERS OF THE LEAGUE OF NATIONS  
SIGNATORIES OF THE TREATY OF PEACE.

United States of America.	Haiti.
Belgium.	Hedjaz.
Bolivia.	Honduras.
Brazil.	Italy.
British Empire.	Japan.
Canada.	Liberia.
Australia.	Nicaragua.
South Africa.	Panama.
New Zealand.	Peru.
India.	Poland.
China.	Portugal.
Cuba.	Roumania.
Ecuador.	Serb-Croat-Slovene State.
France.	Siam.
Greece.	Czecho-Slovakia.
Guatemala.	Uruguay.

## STATES INVITED TO ACCEDE TO THE COVENANT

Argentine Republic.	Persia.
Chili.	Salvador.
Colombia.	Spain.
Denmark.	Sweden.
Netherlands.	Switzerland.
Norway.	Venezuela.
Paraguay.	

<sup>1</sup> This Annex to the Covenant does not appear in the records of the Peace Conference before its approval at the Fifteenth or Final Meeting of the Commission of the League of Nations on April 11, 1919 (Minutes and Draft Covenant). The origin of the 'British Empire' is obscure. The listing does not appear to have been discussed in the Commission, in the Council of Ten or in the Plenary Conference. In the British Empire Delegation the only reference is that found in Document 113. Professor J. T. Shotwell, who was assisting David Hunter Miller (substitute delegate for Col. House on the Commission), claims that he invented the formula more or less on the spur of the moment as a draft of the Covenant was being rushed to the printer on the night of February 12, and that the formula was not challenged in later meetings (J. T. Shotwell, *At The Paris Peace Conference*, New York, (The Macmillan Company) 1937. pp. 174 and 414). But if Shotwell's account is otherwise accurate, the date is incorrect.

152. *Colonial Secretary to Governor General*

TELEGRAM

London, June 28, 1919

Peace Treaty with Germany signed by representatives of Allied and Associated Powers and by representatives of Germany to-day at four o'clock; concluding article of Treaty provides that first *procès verbal* of deposit of ratification will be drawn up as soon as Treaty has been ratified by Germany on one hand and by three of principal Allied and Associated Powers on the other hand; that from date of this first *procès verbal* Treaty will come into force between high contracting parties who have ratified it; that for determination of all periods of time as provided for in Treaty this date will be date of coming into force of Treaty and that in all other respects Treaty will enter into force for each Power at date of deposit of its ratification.

Date of ratification, i.e., of coming into force of Peace Treaty cannot be stated yet.

153. *Colonial Secretary to Governor General*

TELEGRAM

London, July 1, 1919

My telegram June 28th, cypher. German delegates Versailles have been notified Allied and Associated Governments ready to raise blockade as soon as officially advised of regular and complete ratification of Peace Treaty by Germany.

MILNER

154. *Colonial Secretary to Governor General*TELEGRAM<sup>1</sup>

London, July 1, 1919

Referring to my telegram of 28th June Peace Treaty. Following Proclamation issued here today. Begins. George R. I. Whereas a Definitive Treaty of Peace between Us and the Associated Governments and the German Government was concluded at Versailles on the Twenty-eighth day of June last: In conformity thereunto We have thought fit hereby to command that the same be published in due course throughout all Our Dominions: And We do declare to all Our loving subjects Our Will and Pleasure that upon the exchange of the Ratifications thereof the said Treaty of Peace be observed inviolably as well by sea as by land and in all places whatsoever: strictly charging and commanding all Our loving subjects to take notice hereof and to conform themselves thereunto accordingly.

<sup>1</sup>Sent to all Dominions, Colonies and Protectorates.

Given at Our Court at Buckingham Palace, this First day of July, in the year of our Lord One thousand nine hundred and nineteen, and in the Tenth year of Our Reign. God save the King. Ends. Please arrange for publication as soon as possible.

MILNER

155. *Colonial Secretary to Governor General*

PARAPHRASE OF TELEGRAM

SECRET

London, July 2, 1919

Following for Sir Robert Borden from Mr. Lloyd George. Begins. July 2nd. In answer to your telegram June 26th it is not possible to give you more than very provisional estimates to most of the questions you ask. The answers are as far as I can judge, as follows. (One). Within two months all treaties except Turkish ought to be signed. (Two). Properly authenticated copies of treaties ought to reach you in less than a fortnight. (Three). I am submitting Germany treaty and treaty of guarantee to France on Thursday to Parliament, after which there will probably be a period for debate and consideration. (Four). It is the general expectation that treaty will be ratified and come into force within six to eight weeks but on this point it is impossible to be definite.

Owing to movements from Paris much regret delay in reply. Ends.

MILNER

156. *Prime Minister to High Commissioner in United Kingdom*

TELEGRAM B. 230

CONFIDENTIAL

Ottawa, July 9, 1919

For Sifton. Following passage in telegram from Colonial Secretary dated July 4th. Begins. Hoped German Treaty may be ratified by three of the principal Allied and Associated Powers and by Germany before end of July. Ends. To this I have replied as follows. Begins. Your message July 4th respecting ratification of Peace Treaty with Germany. I am under pledge to submit the Treaty to Parliament before ratification on behalf of Canada. No copy of Treaty has yet arrived and Parliament has been prorogued. Kindly advise how you expect to accomplish ratification on behalf of whole Empire before end July. Ends. Does Great Britain expect to ratify on behalf of whole Empire? If so our attendance at Paris and our signature to the Treaty was an utterly idle formality. On the other hand if she intends to ratify without including Dominions then Great Britain will technically be at peace with



Germany while the Dominions are technically at war with that country. Please see Prime Minister immediately as Milner's proposal is very disturbing.

BORDEN

157. *Minister of Customs and Inland Revenue to Prime Minister*

TELEGRAM

London, July 12, 1919

Saw Colonial Minister at his request. He said Premier had received your message to him and Foreign Minister. Advised him cable you exactly what Government here arranging, with copy their Bill which does not ratify. Gave strong personal opinion against Government here advising King ratify for British Empire. Said Governments Great Britain and each(?) Dominion should advise King separately, he concurring. Only see two alternatives to overcome serious constitutional point you mention: First, your Government advise King ratify without waiting for Parliament and submit similar Bill later; Second, Summon Parliament shortly. If this done, same difficulty will arise later with other Treaties requiring practically continuous session. They are finding now trouble of confusing terms Great Britain and British Empire, when too late, as I said.

SIFTON

158. *Colonial Secretary to Governor General*

PARAPHRASE OF TELEGRAM

London, July 23, 1919

URGENT. SECRET. Following for your Prime Minister. Begins. I have now consulted with Prime Minister and the Cabinet with reference to your most secret telegram of July 9th<sup>1</sup>. Our view is that early ratification, especially now that Germany has ratified, is of the highest importance. In the British constitution there is nothing which makes it necessary for the King to obtain the consent of Parliament before ratifying Treaty. With perfect constitutional propriety the King can ratify on the advice of his Ministers. For a treaty of this far-reaching importance, and one embracing the whole Empire, the King certainly ought only to act at the instance of all his constitutional advisers—the Dominion [Prime] Ministers as well as that of the United Kingdom. But inasmuch as Dominion Ministers participated in peace negotiations, and side by side with Ministers of the United Kingdom signed preliminaries of Treaty, we hold that His Majesty if he now ratified the Treaty for the whole Empire would have the same constitutional justification in doing so in respect of

<sup>1</sup>Not printed separately. Text quoted in Document 156.

Dominions as he has in respect of the United Kingdom. The King by a single act would bind the whole Empire, as it is right that he should do, but that act would represent the considered judgment of his constitutional advisers in all the self-governing States of the Empire, because it would be merely giving effect to an international pact which they had all agreed to.

We realise at the same time the difficulty in which you are placed by your pledge to Parliament. We are willing, in order to meet this difficulty, to delay ratification (which if we alone were concerned we should desire to effect immediately) as long as we possibly can in order to give you time to lay Treaty before your Parliament. The question is how long will this take. At an early date could you not have a special meeting of Parliament, solely for the submission of the Treaty, and if so how soon might its approval be expected. It would be impossible in our opinion without the gravest consequences to delay ratification until the late autumn.

I am communicating with the Governments of South Africa, New Zealand and Australia explaining urgency, and begging them to submit Treaty to their Parliaments without delay, if they feel bound to do so before assenting to its ratification. Ends.

MILNER

159. *Governor General to Colonial Secretary*

TELEGRAM

Ottawa, July 29, 1919

SECRET. Following from my Prime Minister. Begins. Your secret telegram of July 23rd has been carefully considered by Cabinet, and it seems to us that there is considerable doubt whether under modern constitutional practice the King should ratify without first obtaining the approval of Parliament. We think that in accordance with recent practice and authorities such approval should be obtained in the case of treaties imposing any burden on the people, or involving any change in the law of the land, or requiring legislative action to make them effective or affecting the free exercise of the legislative power, or affecting territorial rights.

On the other point we fully agree that the King in ratifying the Treaty ought only to act at the instance of all his constitutional advisers throughout the Empire but we do not entirely understand the suggestion that in the case of the Dominions the signature of the Dominion plenipotentiaries is equivalent to the tendering of advice to ratify. Do you regard this as holding good in the case of the signature of United Kingdom plenipotentiaries?

We propose to call special session on September 4th for purpose of presenting Treaty to Parliament, and I am confident we can ratify within a week thereafter. Please cable whether this meets your views.

160. *Governor General to Colonial Secretary*

TELEGRAM

Ottawa, August 1, 1919

URGENT. Following from my Prime Minister. Begins. As we must give thirty days notice of summoning of Parliament I hope we can have immediate reply to my cypher telegram of July 29th, respecting ratification of Peace Treaty. Ends.

DEVONSHIRE

161. *Colonial Secretary to Governor General*

PARAPHRASE OF TELEGRAM

London, August 2, 1919

CLEAR THE LINE. Summoning of Parliament. I strongly advise your giving notice to summon immediately. In view of severe pressure being put upon us from Paris to ratify at earliest possible date, it is impossible to promise that we shall be able to keep back ratification till the eleventh of September. But I will certainly do my best, and I feel pretty confident that the argument for that amount of delay would be irresistible if we could count on Canadian approval by that date.

MILNER

162. *Governor General to Colonial Secretary*

PARAPHRASE OF TELEGRAM

Ottawa, August 4, 1919

Following message from Prime Minister for you. Begins. Your message reached me yesterday afternoon and this morning Parliament has been summoned for Monday, first September. I cannot emphasize too strongly the unfortunate results which would certainly ensue from ratification before Canadian Parliament has had an opportunity of considering Treaty. Ends.

163. *Colonial Secretary to Governor General*

DESPATCH 632

My Lord Duke,

Downing Street, August 11, 1919

As Your Excellency's Ministers are aware it is provided under Part VIII, section 1, Article 233 and Annex 11 of the Peace Treaty with Germany that there shall be set up in Paris an Inter-Allied Commission, to be called the Reparation Commission, to determine the amount of damage for which compensation is to be made by Germany and deal with other matters connected with reparation.

2. The organization which will be necessary in connection with this Commission is at present under consideration, but it is proposed that the Delegate

of Great Britain on the Commission should be advised by a Committee in London containing representatives of the various Departments of His Majesty's Government which are concerned. It is not possible to constitute this Committee formally, pending the ratification of the Peace Treaty and the appointment of the Delegate of Great Britain on the Reparation Commission, but His Majesty's Government are anxious that the Governments of the self-governing Dominions should be associated with the Committee's work and accordingly when the Committee is formally established, it is proposed to ask your Government to nominate a representative to serve on it.

3. I will inform you by telegraph as soon as the Committee can be constituted; in the meantime your Ministers may wish to consider whom they desire to nominate as representative of the Canadian Government.<sup>1</sup>

I have etc.

MILNER

164. *Colonial Secretary to Governor General*

PARAPHRASE OF TELEGRAM

London, August 12, 1919

URGENT. SECRET. Re your cypher telegram of August 4th. The Government of Union of South Africa has convened special session of Parliament to consider Peace Treaty with Germany. They are of opinion that it will be very desirable to secure uniformity in dealing with this question, and have asked me to submit suggestions as to form in which Peace Treaty should receive in Dominions Parliamentary approval, that is whether motion should be submitted to Parliament for that purpose, or whether approval should take form of bill on lines of that submitted to Parliament here. I have answered to the effect that matter is, of course, one for decision of local Government, but that best course, in my opinion, would be to obtain approval of Treaty by resolution of both Houses and that if, as is probable, legislation on lines of British bill is required in order to give effect to Treaty, this could follow later.

British bill, it is important to bear in mind, is not a bill to ratify Treaty, but to empower the Government to take necessary steps to carry out those provisions of Treaty which require legislative authority.

Paris is putting severe pressure upon us to ratify at the earliest possible date, and ratification by the French expected September 2nd or 3rd.

I should be grateful if you will inform me what procedure will be adopted by your Government. My reason for suggesting resolution of both Houses is that this procedure might enable ratification to take place without the delay that might be involved in obtaining parliamentary power for carrying out Treaty.

<sup>1</sup>Sir George Perley nominated.

If as I hope procedure by resolution will be adopted I assume that on receiving cable to the effect that such resolution has been passed, there will be no objection to His Majesty immediately ratifying.

Other Dominions I have telegraphed in the same sense.

MILNER

165. *Governor General to Colonial Secretary*

PARAPHRASE OF TELEGRAM

Ottawa, August 12, 1919

SECRET. Following from Sir Robert Borden to Mr. Lloyd George. Begins. I should be glad to know what agreement if any has been reached in pursuance of Article 237 of Treaty of Peace respecting the division between Allied and Associated Governments of the reparation payments due from Germany. If not yet reached what are the prospects of agreement? Ends.

166. *Governor General to Governor General of South Africa*<sup>1</sup>

PARAPHRASE OF TELEGRAM

Ottawa, August 13, 1919

Following message from my Prime Minister to your Prime Minister. SECRET. Kindly inform me by cable whether you propose to submit to your Parliament for approval the Anglo-French Treaty providing for the defence of France against German aggression.<sup>2</sup> Also whether you propose granting amnesty to military defaulters; also whether you propose to disfranchise military defaulters and if so for what period.

167. *Chargé d'Affaires in United States to Governor General*

PARAPHRASE OF TELEGRAM

Washington, August 14, 1919

SECRET. VERY URGENT. Repetition of my telegram No. 1263 (?) to Foreign Office of August 14, is as follows: With reference to International Convention for Aerial Navigation recently concluded in Paris, Assistant Secretary of State informs me that United States Government have not yet come to a decision as to their attitude. They would like to know before doing so views of Canada, with whom their interests in this matter are at present almost exclusively concerned. They would not like to do anything out of harmony with Canada's attitude. Is Canada making any reservations to Con-

<sup>1</sup>Similar telegrams sent to Australia and New Zealand.

<sup>2</sup>See *British Treaty Series*, 1919, No. 6.



vention? Air Attaché here, if necessary, and if you approve, could be utilised to ascertain views of both Governments and if in any way divergent to reconcile them.<sup>1</sup>

LINDSAY

168. *Governor General of Australia to Governor General*

PARAPHRASE OF TELEGRAM

Melbourne, rec'd August 18, 1919

SECRET. Following from my Prime Minister for your Prime Minister, regarding your telegram August 13th. Begins. SECRET. Anglo-French Treaty I propose to submit to Parliament for approval. As we did not have Con-scription disfranchisement question hardly arises. With regard to Amnesty, I cannot answer until I have consulted colleagues.

169. *Governor General of South Africa to Governor General*

PARAPHRASE OF TELEGRAM

Pretoria, August 20, 1919

SECRET. Following for your Prime Minister from my Prime Minister, regarding your telegram of August 13th. Begins. SECRET. Anglo-French Treaty. I do not propose submitting this for approval of Union Parliament. What course do you intend pursuing? Points regarding military defaulters do not arise, as we have no such defaulters.

BUXTON

170. *Colonial Secretary to Governor General*

TELEGRAM

London, August 21, 1919

Please communicate following from Organizing Committee of International Labour Conference to your Government. Begins.

Article 393 of the Peace Treaty provides that of the twelve persons representing Governments on Governing Body of International Labour Office, eight shall be nominated by members of chief industrial importance and four by members selected by Government delegates of remaining members. Any questions as to who are eight members of chief industrial importance must be decided by Council of the League of Nations. Unless question

<sup>1</sup>Note by Christie on file copy:

I have spoken to Col. Biggar about this and he will put the matter in train. It would seem better to deal with the U.S. Government direct without the intervention of the Air Attaché at the Embassy. Col. Biggar agrees with this view.

of the eight members is settled before Washington Conference, remaining four members cannot be selected at Conference which would result in serious delay in constituting Governing Body and Labour Office. Organizing Committee have accordingly drawn up following list of nine states on information available though owing to war and formation of new states, statistics very uncertain and compilation of list difficult. Question of admitting Germany to the Labour Organization after the Washington Conference will come before Conference in accordance with decision of Supreme Council of Allied Associated Powers. If admitted Germany will be entitled to seat on Governing Body and last named State would lapse. If Germany not admitted last named State will be included. List is as follows:

United States; Great Britain; France; Germany;

Italy; Belgium; Japan; Switzerland; Spain.

Committee respectfully suggest any objections should be communicated to Secretary Organizing Committee, 53 Parliament Street, London, before September 10. Objections will be referred to Council of League for decision before meeting of Conference. Fontaine<sup>1</sup>—President.

MILNER

### 171. *Colonial Secretary to Governor General*

PARAPHRASE OF TELEGRAM

London, August 21, 1919

SECRET. Following from my Prime Minister to your Prime Minister, regarding your telegram August 13th. Begins. No formal agreement signed, except one under which Belgium assigned first one hundred million pounds received from Germany. Apart from this, informal understanding is that sums received are to be divided in proportion to approved claims at dates of distribution, first distribution taking place May 1st, 1921. Ends. See my despatch August 11th, Dominions No. 632, as regards reparation arrangements generally.

MILNER

### 172. *Governor General to Colonial Secretary*

PARAPHRASE OF TELEGRAM

Ottawa, August 23, 1919

Your telegram of August 12th respecting parliamentary approval of Treaty of Peace with Germany. Canadian Government propose to proceed by way of Resolution of both Houses in order to expedite the matter. Legislation giving effect to the Treaty will be introduced later.

<sup>1</sup>Presumably M. Arthur Fontaine, Director in the Ministry of Labour and Social Security; Technical Expert on Labour Questions of the French Delegation at the Peace Conference.

173. *Governor General to Governor General of South Africa*

PARAPHRASE OF TELEGRAM

[Ottawa], August 24, 1919

SECRET. Following from my Prime Minister to your Prime Minister. Begins. Your telegram August twentieth. After much consideration I intend to submit Anglo-French Treaty for approval of Canadian Parliament for following reasons. First. It is a necessary complement of the Peace Treaty, which could not have been consummated without it. Second. It does not materially extend obligations under League of Nations Covenant, although it may demand prompter action. Third. Its moral influence will be a strong safeguard against further German aggression. Fourth. That moral influence would be lessened if the Empire did not maintain a united front. Fifth. Its effects in bringing about closer co-operation and indeed a virtual alliance between the British Empire and the United States. Sixth. The unfortunate effect upon United States Congress if Canada should refuse to ratify. Ends.

DEVONSHIRE

174. *Governor General to Governor General of South Africa*

PARAPHRASE OF TELEGRAM

Ottawa, August 26, 1919

Following from my Prime Minister for your Prime Minister. Begins. It is probable that we shall not submit the Anglo-French Treaty for approval of Parliament until the regular session which will commence about February next. It is thought desirable that our people should be afforded ample time for consideration of that Treaty and the responsibilities which it involves. Ends.

DEVONSHIRE

175. *Colonial Secretary to Governor General*

TELEGRAM

London, August 27, 1919

General Peace settlement will probably include Conventions relating to Spitzbergen, arms traffic, liquor traffic in Africa, revision of Berlin and Brussels Acts. In accordance with precedent adopted in regard to Polish Treaty, etc., proposed that these Conventions as part of general settlement should be entered into in name of British Empire and should be signed by representatives of Dominions and India. Negotiation of arms and liquor Conventions began before Dominion representatives left Paris. This however not the case as regards Spitzbergen Convention and Convention for revision of Berlin and Brussels Acts. As to Spitzbergen Convention further telegram will be sent. As to arms Convention see my separate telegram. As to liquor

Convention this subjects liquor traffic throughout Africa other than Algeria, Tunis, Morocco, Lybia, Egypt and Union of South Africa, to rigorous control, prohibits importation of trade spirits, prescribes minimum import duties on other spirits, prohibits local manufacture of distilled beverages except in Italian Colonies. As regards revision of Berlin and Brussels Acts, draft brings up to date so much of provision of those two instruments as dealing with questions other than arms and liquor. It provides for commercial equality throughout Conventional Basin of Congo, for trade of all members of League of Nations, but removes present restrictions on amount of import duties which have been found in practice to be contrary to interests of good administration. Convention applies only to Conventional Basin of Congo except as regards provision as to navigation of Niger and certain humanitarian provisions applicable to Africa generally. Similar telegram sent to other Dominions.

MILNER

176. *Governor General of New Zealand to Governor General*

PARAPHRASE OF TELEGRAM

Wellington, N.Z., August 29, 1919

SECRET. Following for your Prime Minister from my Prime Minister, with reference to your cypher telegram August 13th. Begins, I. It is not considered necessary by Government of New Zealand to submit Anglo-French Treaty for the approval of the New Zealand Parliament, but is satisfied that very large majority is in favour of it. II. To *bona fide* religious objectors to military service and all objectors who are serving a second sentence amnesty is being granted. Other classes are being held for future consideration. III. Under Section 13 of the Expeditionary Forces Act 1918 military defaulters disfranchised for ten years. List of such defaulters has been published in *The Gazette*.

LIVERPOOL

177. *Governor General to Chargé d'Affaires in United States*

TELEGRAM 46. A

Ottawa, August 30, 1919

Your telegram August 14. International Convention relating to International Air Navigation. My Ministers state that Air Board are of opinion that as Canada is interested in International Air Navigation almost exclusively with reference to the United States, before question of adherence to Convention is decided steps should be taken to arrange conference between representatives of two Governments. My Ministers request that the United States Government be informed to this effect and desire their views on matter and any suggestion as to proposed conference. Despatch follows by mail.

DEVONSHIRE

178. *Order in Council*<sup>1</sup>

P.C. 1907

September 12, 1919

Whereas, at Versailles, on the twenty-eighth day of June, nineteen hundred and nineteen, a Treaty of Peace (including a protocol annexed thereto) between the Allied and Associated Powers and Germany, was concluded and signed on behalf of His Majesty, for and in respect of the Dominion of Canada, by plenipotentiaries duly authorized for that purpose by His Majesty on the advice and recommendation of the Government of the Dominion of Canada;

And whereas the Senate and House of Commons of the Dominion of Canada have by Resolution approved of the said Treaty of Peace;

And whereas it is expedient that the said Treaty of Peace be ratified by His Majesty for and in respect of the Dominion of Canada;

Now, therefore, the Deputy Governor General in Council on the recommendation of the Secretary of State for External Affairs, is pleased to order and doth hereby order that His Majesty the King be humbly moved to approve, accept, confirm and ratify the said Treaty of Peace, for and in respect of the Dominion of Canada.

179. *Chargé d'Affaires in United States to Governor General*

Washington, September [n.d.], 1919

SECRET. Following is repetition of telegram from Washington to Foreign Office No. 1355 dated September 16th.<sup>2</sup> My telegram No. 1342 of September 10th. Point not yet reached by United States Government in their consideration of Air Convention where a conference with Canada would be useful; also Canadian Government prefer awaiting till some time in November at the earliest. It seems, in the circumstances, unlikely that anything can be done as regards action by either Government, at present. Please inform Air Ministry.

LINDSAY

180. *Colonial Secretary to Governor General*

TELEGRAM

London, September 19, 1919

Most satisfactory to know that Treaty of Peace with Germany has been approved by Canadian Parliament. As matters have turned out and owing to unforeseen delays on the part of other Powers, British Empire will probably

<sup>1</sup>Telegraphed the same day to the Colonial Office.

<sup>2</sup>Received by post in Ottawa, September 19.



be in position to ratify as soon as any other two of the principal Allied and Associated Powers. Parliaments of the Union of South Africa and New Zealand have also approved and I hope soon to receive telegram announcing that Australian Parliament has approved.

MILNER

181. *Extracts from Instrument of Ratification of Treaty of Peace with Germany*

George, by the Grace of God, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas King, Defender of the Faith, Emperor of India, etc., etc., etc. To all and singular to whom these Presents shall come, Greeting!

Whereas a Treaty between Us and the Powers and States therein specified, providing for the termination of the state of war existing between the Allied and Associated Powers on the one part and the German Empire on the other part, was concluded and signed at Versailles on the twenty-eighth day of June, in the year of Our Lord One Thousand Nine Hundred and Nineteen, by the Plenipotentiaries of Us and of the aforesaid Powers and States duly and respectively authorized for that purpose, together with a Protocol indicating the conditions in which certain provisions of the Treaty are to be carried out, which Treaty and Protocol are, word for word, as follows . . .

And whereas a Treaty was also concluded and signed at the same time and place between Us and the other Principal Allied and Associated Powers on the one hand and Poland on the other hand, providing for the recognition of Poland as an independent and Sovereign State, which Treaty is, word for word, as follows . . .

And whereas an Agreement between Our Plenipotentiaries and those of the Governments of the United States of America, Belgium, and France of the one part and the Plenipotentiaries of the Government of Germany of the other part, regarding the military occupations of the territories of the Rhine, was also concluded and signed at Versailles on the date afore-mentioned, which Agreement is, word for word, as follows . . .

We, having seen and considered the Treaties, Protocol, and Agreement aforesaid, have approved, accepted, and confirmed the same in all and every one of their Articles and Clauses, as We do by these Presents approve, accept, confirm, and ratify them for Ourselves, Our Heirs and Successors; engaging and promising upon Our Royal Word that We will sincerely and faithfully perform and observe all and singular the things which are contained and expressed in the Treaties, Protocol, and Agreement aforesaid, and that We

will never suffer the same to be violated by any one, or transgressed in any manner, as far as it lies in Our power. For the greater testimony and validity of all which, We have caused Our Great Seal<sup>1</sup> to be affixed to these Presents, which We have signed with Our Royal Hand.

Given at Our Court of St. James, the eighth day of October, in the year of Our Lord One Thousand Nine Hundred and Nineteen, and in the Tenth year of Our Reign.<sup>2</sup>

George R.I.

### 182. *Order in Council*

P.C. 2247

November 7, 1919

Whereas at Saint Germain-en-Laye on the tenth day of September, nineteen hundred and nineteen, a Treaty of Peace between the Allied and Associated Powers and Austria<sup>3</sup> was concluded and signed on behalf of His Majesty for and in respect of the Dominion of Canada by plenipotentiaries duly authorized for that purpose by His Majesty on the advice and recommendation of the Government of the Dominion of Canada;

And whereas the Senate and House of Commons of Canada have by resolution approved of the said Treaty;

And whereas it is expedient that the said Treaty be ratified by His Majesty for and in respect of the Dominion of Canada;

Now therefore, His Excellency the Governor General in Council, on the recommendation of the Acting Secretary of State for External Affairs, is pleased to order and doth hereby order, that His Majesty the King be humbly moved to approve, accept, confirm, and ratify the said Treaty for and in respect of the Dominion Canada.

### 183. *Colonial Secretary to Governor General*

PARAPHRASE OF TELEGRAM

SECRET

VERY URGENT

IMMEDIATE

London, November 8, 1919

Following for your Prime Minister, Begins. Peace Treaty ratification by America still hangs in the balance. Great play is being made by opponents of

<sup>1</sup> The usual form used here is "the Great Seal of Our United Kingdom of Great Britain and Ireland". This change in wording is the only indication that the treaty was ratified on behalf of the whole Empire, including Canada.

<sup>2</sup> The instrument of ratification was not deposited with the French Government until January 10, 1920.

<sup>3</sup> Printed in *Sessional Papers*, 1919 (Special Session), No. 411.

ratification with the argument that if under Article 15 a "dispute likely to lead to a rupture", between a foreign Power and the United Kingdom, or any one of the four Dominions or India, were brought before the Assembly of League, although the number representing the part of Empire (so?) affected could not vote, all the other five votes could be cast in its support. This is a wrong interpretation in our opinion. We hold that in this particular case, that is a "dispute likely to lead to a rupture" between a foreign Power and any State of Empire, the representatives of all parts of the Empire would be debarred from voting.

Our Ambassador at Washington, Viscount Grey, is most strongly urging us to make declaration to this effect, which he believes would have a decisive influence on the decision of the American Senate. But we have refused to sanction this course without the assent of the Dominion Governments. At the earliest possible date I should be glad to know whether your Government would approve of such a declaration being made? It would, of course, be made perfectly clear that the declaration only referred to particular case just explained, which might arise under Article 15, and that in all other respects the rights of the United Kingdom and the Dominions and India as six original members of League were not affected.

I ought to add that in the United States it has also been contended that British Empire should not have more than one Member at the same time on Council of League, but His Majesty's Government has definitely refused to accept any reservation which would prejudice eligibility of a Dominion or of India to be selected as one of the "Four other Members of League" whose representatives are to sit on the Council. The question was raised in Paris and President Wilson, Monsieur Clemenceau and the Prime Minister gave a written assurance to you that in their view on true construction of the first two paragraphs of Article four of the Covenant representatives of the Dominions might be selected or named as members of Council.

We are determined to adhere to this. Ends.

MILNER

184. *Governor General to Colonial Secretary*

TELEGRAM

Ottawa, November 11, 1919

Following from Doherty, Acting Premier in reply to your urgent and secret telegram of November 8th. Begins. Prime Minister absent. Other Ministers considered your message immediately after prorogation and they are unanimously of opinion that proposed declaration would be not only unwise but entirely ineffective for purpose mentioned. They will confer with Prime Minister in New York. Ends.

185. *Colonial Secretary to Governor General*DESPATCH 819<sup>1</sup>

My Lord Duke,

Downing Street, November 11, 1919

With reference to my despatch Dominions No. 805 of the 29th October I have the honour to request Your Excellency to inform your Ministers that His Majesty's Government would be glad to be informed as soon as possible by telegraph whether they see any objection to ratification by His Majesty of The Arms Traffic Convention and Protocol signed at St. Germain on September 10th, 1919.

I have etc.

MILNER

186. *Ambassador in United States to Foreign Office*

PARAPHRASE OF TELEGRAM

Washington, November 14, 1919

Referring to my telegram No. 1569. Sir Robert Borden agrees that the following question should be put in the House of Commons:

To ask what upon a fair construction of the League of Nations Covenant are the voting rights of the different parts of the British Empire under Article 15.

The reply which Sir Robert Borden thinks should be made and in which I entirely concur would be as follows:

Under Article 15 of the Covenant members of the League do not vote upon a 'dispute likely to lead to rupture' to which any of them are parties. All parts of the British Empire will be parties to any such dispute in which any one of them is involved. While therefore H.M. Government of the United Kingdom in common with H.M. Governments in other parts of the Empire firmly maintains the right of the United Kingdom, of the self-governing Dominions and of India, as members of the League to equal status with other members of the League, it is not understood or contended that in case 'of a dispute likely to lead to a rupture' arising between any portion of the Empire and a foreign Power either the United Kingdom or any of the self-governing Dominions or India would be entitled to vote therein in the Assembly.

The reasons which still make an announcement desirable are that though such an announcement would not apparently have any effect at this juncture upon the fortunes of the Treaty and the League in the Senate, it is possible

<sup>1</sup> Similar despatches sent same day about revision of the Berlin and Brussels Acts and the Liquor Traffic in Africa Convention and Protocol, all of which were signed September 10, 1919. (See *British Treaty Series*, 1919, Nos. 12, 18 and 19.)

that after the present stiff reservations are passed a deadlock may arise on the point of ratification which may lead to a compromise on milder reservations as an alternative to complete failure of the Treaty in the Senate. In such a contingency if the announcement now suggested had been made by H.M. Government it might then help to ease the situation.

Sir Robert Borden feels and I entirely agree that the complete failure of the Treaty in the Senate followed by a separate peace between the United States and Germany would be a calamity and that nothing however slight the chance should be omitted which might help to avert it. I also feel that after such men as President Lowell, of Harvard, the Secretary of State, and Senator Hitchcock have urged privately that such an announcement would be helpful they will not understand our refusal to make it.

Supporters of the League in America have to defend the British six votes in the Assembly and considerable odium is being however unfairly fastened on them by their political opponents on this ground both in the Senate and their constituencies. Whether they succeed or fail in their fight for the League they will feel if we withhold this announcement that we have not played up to help them and their soreness will probably be even more in the event of failure than if they had won in the Senate.

I have given a copy of this telegram to Sir Robert Borden who concurs in it.

187. *Prime Minister to High Commissioner in United Kingdom*

TELEGRAM

Ottawa, November 26, 1919

On reaching Ottawa this evening I find Lord Milner's telegram of 20th November respecting signature of Aerial Navigation Convention. He urges that it should be signed by you tomorrow. We authorize its signature subject to complete reservation as to further action by this Government inasmuch as we have no copy of the Convention in its present form and Lord Milner's despatch gives no definite information. Please inform Lord Milner.

BORDEN

188. *Governor General to Colonial Secretary*

TELEGRAM

Ottawa, November 29, 1919

My Advisers concur in proposed ratification of Austrian, Czecho-Slovak and Serb Croat Slovene Treaties. Necessary Orders in Council will be approved today or Monday.

DEVONSHIRE



189. *Report of Minister of Public Works to Governor General  
in Council*<sup>1</sup>

P.C. 2481

December 5, 1919

The Undersigned has the honour to direct attention to the constitutional limitation whereby the operation of Canadian legislation does not extend beyond the territorial boundaries of Canada, and to the express provision of the Air Board Act, which, in recognition of this constitutional limitation, authorizes the Air Board, subject to the approval of your Excellency in Council, to regulate and control aerial navigation only "over Canada and the territorial waters of Canada".

The proposed Convention relating to International Air Navigation on the other hand imposes upon States which become parties to it an obligation (Art. 26) to "adopt measures to insure that every aircraft under its flag, wherever it may be, shall comply" with certain Rules of the Air and other regulations contained in Annex D to the Convention, and that "it will punish all persons who do not observe these regulations".

Having regard to the existing constitutional limitations, it is impossible for Canada to perform this obligation, and the Air Board is of opinion that it is expedient, and indeed necessary, that it should be made possible for Canada to do so.

A like difficulty in the case of the land and air forces in any colony has been met by a provision (Army Act, s.177) whereby a colonial law applying to any force raised in the colony, may extend to the officers, non-commissioned officers and men belonging thereto, whether the force is within or without the limits of the colony.

The undersigned has consequently the honour to recommend that a humble address be presented to His Majesty asking that like provision may be made in the case of the laws of Canada relating to Air Navigation, and that a statute be passed by the Imperial Parliament, providing that any law of Canada relating to aircraft registered in Canada, and to personnel licensed in Canada, may extend to such aircraft and personnel as well without as within the territorial limits of Canada.

Respectfully submitted,

ARTHUR L. SIFTON

Chairman

190. *Colonial Secretary to Governor General*

TELEGRAM

London, December 6, 1919

My telegram 20th November Aerial Navigation Convention, please inform your Prime Minister that his telegram to Perley<sup>2</sup> authorising signature did

<sup>1</sup>The Privy Council received the report on December 10 and referred it to the Minister of Justice for "consideration of a general amendment".

<sup>2</sup>Document 187.

not reach latter till after signing of Bulgarian Treaty, and consequently it could not be acted upon; it is anticipated, however, that opportunity for signature of Aerial Convention on behalf of Canada will occur when Hungarian Treaty ready for signature, probably after about two months. In the meantime text of Convention as signed is being sent by mail.

191. *Colonial Secretary to Governor General*

TELEGRAM

London, December 9, 1919

MATTER MOST URGENT. Certain modification has been made in Agreement signed at St. Germain, September 10th, regarding contribution to cost of liberation of territory of former Austro-Hungarian Monarchy.<sup>1</sup> See Paragraph One (5) my despatch of the 17th October, Dominions No. 786. Declaration accepting this modification now ready for signature of representatives of Allied and Associated Powers and will remain open until December (10th or 22nd?). As original Agreement signed by representatives of Dominions, necessary that modification should be also signed on their behalf. Whom would your Ministers wish to appoint as their representative? Sir Eyre Crowe, present head of British Peace Delegation, Paris, has already authority to sign on behalf of India and if your Ministers see no objection it might be convenient for him to sign above declaration on behalf of Dominions also. If your Ministers agree to same, arrangements might be made in respect of Roumanian Minorities Treaty<sup>2</sup> now ready for signature and any other documents of similar minor character requiring signature on behalf of Dominions, which might arise at the Peace Settlement. Telegraph reply with least possible delay.

192. *Governor General to Colonial Secretary*

TELEGRAM

Ottawa, December 11, 1919

Your telegram December 9th, respecting signature of declaration modifying agreement signed at St. Germain, September 10th. My Ministers would prefer that signature on behalf of Canada be affixed by Canadian High Commissioner. To this end they are communicating with him and requesting him to see you. They also desire the same arrangement for documents referred to in concluding part of your telegram.

DEVONSHIRE

<sup>1</sup>*British Treaty Series*, 1919, No. 12 and 1920, No. 7.

<sup>2</sup>*Ibid.*, 1920, No. 6.

193. *Governor General to Colonial Secretary*

TELEGRAM

Ottawa, December 11, 1919

Your despatch November 11, Dominions No. 819. Arms Traffic Convention. Order in Council passed December 9th authorizing ratification of Treaty on behalf of Canada. Despatch follows by mail.

DEVONSHIRE

194. *Governor General to Colonial Secretary*

TELEGRAM

Ottawa, December 11, 1919

Your despatch November 12th, No. 539. Convention regarding Liquor Traffic in Africa. Order in Council passed December 9th authorizing ratification of Treaty on behalf of Canada. Despatch follows by mail.

DEVONSHIRE

195. *Colonial Secretary to Governor General*

TELEGRAM

[London], December 15, 1919

URGENT. Under Protocol to be signed by Government of Germany, Germany undertakes to hand over to the Allies as reparation for warships sunk Scapa 400,000 tons naval material including floating docks, harbour-craft, cranes and dredgers. For purpose of negotiation with other Allies as to distribution could your Government state whether they would wish to obtain any of the material in question and if so approximately the amount likely to be useful. Particulars of floating docks in Germany being sent by mail. They include about 60 docks with lifting capacity from about 300 tons to 40,000 tons. Particulars of remaining material will be sent as soon as possible.

196. *Colonial Secretary to Governor General*

TELEGRAM

London, December 16, 1919

MOST SECRET. URGENT. Following from Prime Minister for your Prime Minister. Begins. International Conference of the last three days of last week have passed off satisfactorily. Difficulties between France and Great Britain in regard to Syria have I think been satisfactorily adjusted by arrangement

inaugurated in November whereby British troops withdraw to Palestine, French occupy coastal region of Syria and Arabs interior, pending final peace with Turkey.

In regard to Turkish Peace, decided that it was impossible to wait any longer for America, and French and British Foreign Officers are now exchanging views with the object of formulating proposals for discussion at an International Conference at Paris at which Italian Prime Minister will be present in a few weeks time. This conference will also attempt to settle Adriatic question, and France, America and Great Britain have now presented to Italian Government a statement of their views as to a reasonable settlement, couched in most conciliatory language. As regards Russia, Conference was agreed that none of the European Powers could enter into further Commitments for supporting the anti-Bolshevik forces beyond those to which they are already committed. They would, however, continue to maintain their missions with various independent or autonomous Governments who are fighting for their liberty and with armies which are fighting for a democratic Russia.

Siberia was left to be dealt with by agreement between United States and Japan. Conference was agreed that no useful purpose could be served by summoning a general conference of anti-Bolshevik communities at the present time.

It was further decided that the formal Peace Conference should be brought to an end within a fortnight of exchanging ratifications with Germans, and that the rest of the work of the Peace Conference for instance conclusion of Turkish and Hungarian Peaces should be dealt with by occasional conference between principals supplemented by a (pro?) Ambassadorial conference in Paris to deal with questions in detail. Finally the Conference considered situation in America as regards League of Nations. We were advised by Lord Grey<sup>1</sup> that any expression of opinion by Allies against reservations would stiffen attitude of Senate, while any declaration of our willingness to consider reservations would be regarded as a rebuff by the President. In view of fact that Lord Grey is returning to this country in a few weeks time it was decided to postpone action in regard to attitude of America towards the League of Nations until after his report has been received. At the Conference, however, we made it clear we could do nothing in regard to American objections to the voting power of the British Dominions without the consent of the Dominion Governments thereto. Monsieur Clemenceau fully approved of this position.

Conference also dealt with financial and economic questions. With most of these matters I need not trouble you as they concern only Great Britain and France. Most important was that British Government agreed in order to remedy the fall in the exchange to the issue of a French loan in England on conditions to be agreed later. But there is one other point on which I must

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<sup>1</sup>Viscount Grey of Falloden, Ambassador in United States, 1919-1920.

ask your immediate attention and co-operation. I took occasion of Clemenceau's visit to endeavour to again reach settlement of the difficult question of respective shares of France and British Empire in German reparation payments. You will remember that in Paris we offered to accept proportionately, France two, British Empire one, but this was refused by the French. After prolonged and difficult negotiation we have now agreed to recommend for your acceptance proportion France eleven, British Empire five. This is less than we think we are entitled to, but I am bound to say that French made strong case for even larger share, destruction of property in France proving even greater and more costly to replace than was expected.

Difference in amount receivable by us not very large and His Majesty's Government feel failure to reach settlement in advance of meetings of Reparation Commission would involve French and British delegates in constant criticism of each others claims and render harmonious working of Commission in face of Germans almost impossible. Friendly settlement between two countries, leading as we hope to similar arrangements with other Allies appears to His Majesty's Government so important as to justify slight alteration in terms we proposed in Paris and His Majesty's Government and I earnestly hope that you will concur in arrangement now proposed.

A very early reply is solicited. Most important terms should not be allowed to leak out before British and French delegates have completed negotiations with other Powers. Ends.

197. *Governor General to Colonial Secretary*

PARAPHRASE OF TELEGRAM

Ottawa, December 19, 1919

MOST SECRET. URGENT. Following from my Prime Minister for Prime Minister. We concur that the proportion France eleven and British Empire five in distribution of German reparation payments should be accepted and we agree with the proposed arrangement.

198. *Prime Minister to High Commissioner in United Kingdom*

TELEGRAM B. 271

Ottawa, December 26, 1919

Your P. 474. We have concluded to postpone decision as to signature Air Convention. Meanwhile we are ascertaining position of United States Government respecting signature and ratification of the Convention and respecting possibility of a special arrangement between Canada and United States. This delay need cause no difficulty since the Convention itself expressly provides that it may be signed at any time up to 12th April, 1920.

BORDEN



199. *Colonial Secretary to Governor General*

TELEGRAM

London, December 27, 1919

My telegram 18th November. Roumanian Peace Delegation signed Treaty of Peace with Austria and Bulgaria and the Roumanian Minorities Treaty on 19th [10th] December.

200. *Colonial Secretary to Governor General*

TELEGRAM

London, December 30, 1919

CONFIDENTIAL. My telegram 19th December, Spitzbergen Treaty. It is proposed when notifying Government of France of intention to sign, to add formal declaration that His Majesty's Government will not recognize any limit of territorial waters other than three mile limit. Matter is one to which Admiralty attach great importance from naval point of view.

## ANNEX

### GENERAL MEMORANDA

On January 6, 1919, a general memorandum on the recent activities of Canadian Ministers in London was sent under covering letter from Sir Robert Borden to Sir Thomas White, the Acting Prime Minister, authorizing him to communicate the contents to Council. This began a series of some twenty-three numbered secret reports,<sup>1</sup> each entitled "General Memorandum", covering activities of the Canadian Delegation at the Peace Conference for specific days. Although going forward under cover of Borden's name, they were evidently prepared by, or under the direction of a member of the staff, presumably J. W. Dafeo until his departure for Canada on March 6, and thereafter possibly by his successor, L. Trepanier.

It is felt that these reports materially supplement the official record, in that they fill certain gaps or provide useful background information, or add some life and colour to the documentary record. But they cover much more than strictly Peace Conference activities, as, for example, a visit of the Delegation to the battlefields, activities of certain officials on the Delegation in search of markets for Canadian produce, disorder among Canadian troops awaiting transport home, visits of Canadian businessmen, and so on. The reports have been reduced drastically to eliminate such extraneous material, as well as material that merely duplicates the more formal documents already selected. Care, however, has been taken to retain any material that might throw light on Canadian views and policies or Canadian activities at the Peace Conference.

*Prime Minister to Acting Prime Minister*

SECRET

Dear Sir Thomas White,

London, January 6, 1919

I am enclosing a memorandum descriptive of our work here during the past two or three weeks. It is for your information as Acting Prime Minister and for Council to whom you are quite at liberty to communicate it. A copy has been forwarded to the Governor General.

Yours faithfully,

R. L. BORDEN

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<sup>1</sup>The last three are not printed as they contain nothing of interest for this volume.

*Number 1*SECRET<sup>1</sup>

London, January 6, 1919

## 1. PEACE CONFERENCE

. . . .

(c) *Russia*. Sir Robert Borden has pointed out to the Imperial War Cabinet the utter futility of signing Treaties of Peace in Paris while conditions in Russia continue as at present. He pointed out that a definite policy must be decided upon without delay and that there seemed to be but two alternatives; (1) Intervention by the Allied nations with a military force sufficient to restore order and establish stable government. He regarded this as undesirable and as practically impossible as no one could foresee the enormous extent of military power necessary for the purpose or the length of time during which it would have to be made available. Moreover the disorders in Russia would probably break out afresh upon the withdrawal of the Allied forces at however distant a date. In addition the people of the Allied nations are absolutely opposed to any such proposal. (2) The other alternative is to summon delegates from the various Russian Governments to Paris, to insist that hostilities between them shall cease and to exercise such economic pressure as will compel any recalcitrant government to fall into line. After prolonged discussion the second proposal was accepted and it has been submitted for the consideration of the other Allied nations.

. . . .

*Number 2*

Paris, January 15, 1919

1. This memorandum covers the period from arrival in Paris on the evening of Saturday 11th January to the afternoon of Wednesday the 15th January.

2. Sir Robert Borden was accompanied to France by Mr. Christie, Colonel Biggar, Mr. Dafoe, Major Asselin<sup>2</sup> and Mr. Boyce.<sup>3</sup>

3. The circular memorandum received from the Imperial War Cabinet indicated that the other Ministers should proceed to Paris at a somewhat later date, as arrangements for their reception had not been completed; but on arriving in Paris Sir Robert Borden reached the conclusion that there was no reason whatever why they should not have accompanied him. Accordingly he sent a telegram on Monday desiring that the other three Ministers with necessary staffs should come to Paris at their earliest convenience.

4. On Sunday [January 12] there was an informal conference between representatives of the five Great Powers. Great Britain, France and Italy

<sup>1</sup>Most of these reports are classified as secret, and probably all were meant to be so classified. The classification is, however, omitted here from the later reports.

<sup>2</sup>Secretary to the Canadian Military Mission in Paris.

<sup>3</sup>Assistant Private Secretary to Borden.

were represented by their respective Prime Ministers and Foreign Ministers or a representative of the Foreign Office; the United States was represented by the President and by the Secretary of State; Japan was represented by the Japanese Ambassador and another delegate. This meeting was held for the purpose of considering proposals with respect to procedure, representation and subjects to be discussed and determined at the approaching Peace Conference. A discussion as to the terms upon which the Armistice should be extended was brought forward and consumed a good deal of time but was eventually referred to the Supreme Allied Council at Versailles. The question of representation was discussed at some length and strong objection was taken on behalf of the United States to the proposed representation of the British Dominions. President Wilson took a somewhat decided stand but spoke with every respect for the Dominions and with much appreciation of their war effort. His objection was based on the view that if Canada and the other Dominions had the same representation as Belgium and the other small Allied nations they would stand in a much better position than Belgium as they would be backed by the British Delegation of five, the most powerful in the Conference as he expressed it. Moreover the result would be to give the British Empire five chief delegates entitled to sit at every meeting of the Conference and twelve delegates from the Dominions, making a representation of seventeen in all. President Wilson was, however, willing to agree that each of the British Dominions should be entitled to one representative whose status should be the same as that of the representatives of Belgium. Secretary Lansing was somewhat arrogant not to say offensive and desired to know why Canada should be concerned in the settlement of European affairs. Mr. Lloyd George replied that they believed themselves to have that right because some hundreds of thousands from the Dominions had died for the vindication of public right in Europe and that Canada as well as Australia had lost more men than the United States in this war. Clemenceau was very sympathetic with the attitude of the Dominions. Lloyd George declined to withdraw his proposal for representation of the Dominions and announced that he would consult the Dominion Ministers on the following day.

5. The foregoing incidents were reported to Sir Robert Borden on Sunday evening and he called a meeting of the Dominion Ministers at 10.15 preparatory to a meeting of the Imperial War Cabinet which was fixed for eleven on Monday morning. At this meeting of the Dominion Ministers it was agreed that they should stand together and insist upon representation equal to that of the smaller Allied nations. It was considered that this was a real test of their status as autonomous nations of the British Commonwealth.

6. At 11 o'clock [January 13] such members of the Imperial War Cabinet as were present in Paris assembled: Mr. Lloyd George, Mr. Balfour, Mr. Bonar Law, Mr. Montagu and the Prime Ministers of the Dominions together with Sir Joseph Cook and General Smuts. Mr. Lloyd George reported in detail the discussion at Sunday's Conference of the Allied Powers. Sir Robert Borden took strong ground in maintaining that the decision of the Imperial

War Cabinet should be carried out. He emphasized the strong insistence of public opinion in Canada upon this recognition as the very lowest that could be expected; and he declared himself unable to give any satisfactory explanation to the Canadian people if Canada should be put on a lower level in point of representation than Belgium or Serbia. He was at first supported by the other Prime Ministers but eventually they yielded ground with the net result that a decision was noted to the effect that the Dominions would each accept one representative subject to further arrangements as to the establishment of a panel from which the five delegates representing the British Empire should be selected. Sir Robert Borden did not conceal his belief that this arrangement would have serious consequences to Canada and he emphasized this view in a subsequent conference with Mr. Lloyd George at luncheon.

7. A further conference of the five Great Allied Powers was held on Monday afternoon at which the discussion on this subject was resumed. Mr. Lloyd George renewed his argument on behalf of the Dominions and emphasized their extreme disappointment at the proposals which had been put forward on Sunday. He quoted certain remarks made by Sir Robert Borden at the meeting of the Imperial War Cabinet. In the end President Wilson proposed that Canada, Australia and South Africa should each have two representatives and that New Zealand should have one. This proposal was accepted. Newfoundland is not to have any special representative but its Prime Minister may be included in the panel with the other Dominion Prime Ministers.

8. On Monday evening Mr. Dafoe drew up a despatch which was cabled to Canada on Tuesday morning and which embodied the arrangement above set forth. It is anticipated that at least one and sometimes two or three Dominion Prime Ministers will be members of the Delegation representing the Empire at all meetings of the Peace Conference. Sir Robert Borden would prefer that not more than two or at the outside three British Ministers should be named delegates upon the total representation of five, leaving the remaining two or three delegates as the case may be to be selected from the panel. This question has not yet been finally determined.

9. Mr. Lloyd George fought strongly for adequate representation of the Dominions and his vigorous efforts to that end are thoroughly appreciated.

10. Sir Robert Borden attended this morning [January 15] a meeting of the Committee which is settling the proposals on behalf of the British Empire with respect to the League of Nations. A question arose as to the representation of the British Empire in the International Council which is to be established in connection with that League; this Council is to have a permanent Secretariat and which [*sic*] is to meet annually. It was proposed by Sir Robert Borden that the representation of the Empire (which is confined to two members) should be selected from a panel upon which a Minister from each Dominion or from each of the Chief Dominions should have a place. He further proposed that the representation of the British Empire on that



Council should be so defined as to accord with the development of constitutional relations from time to time. In other words the scheme of representation must be made so elastic as to conform at every stage with constitutional development.

. . .

*Number 3*

Paris, January 18, 1919

1. This memorandum covers the period from the afternoon of Wednesday 15th January to the afternoon of Saturday 18th January.

2. Sir George Foster, Hon. Mr. Sifton and Mr. Doherty arrived in Paris on the evening of Thursday 16th January.

3. The conversations between the five Allied Powers, each represented by two delegates, have continued throughout the week, and the procedure to be adopted at sessions of the Conferences was finally settled on the afternoon of Friday [January 17]. A copy of the printed regulations thus settled will be forwarded as soon as it is available.

4. There has been a tremendous pressure from the press of all the Allied Powers for admission to the sessions of the Conferences (i.e. the smaller Conference in which only the five Great Powers are represented and the larger Conference in which all the nations are represented). It was realized that this would lead to greatly protracted sessions, to premature public controversy and to the intensifying of differences which are sufficiently difficult and delicate even when the discussion is conducted within the confidence of the Conference Chamber and without any publicity before conclusions are reached. Finally a full statement of the reasons for denying admission to the press was approved by the Conference of the five Allied Powers and was made public. The conclusions which it embodies are as follows:—First, that publicity for the preliminary conversations now proceeding must be subject to the limitations necessarily imposed by the difficult and delicate nature of the task. Second, that representatives of the press shall be admitted to the meetings of the full Conference (i.e., the Conference at which representatives of all the nations are present), but upon necessary occasions the deliberations of the Conference must be held in camera.

5. With respect to the representation of the British Empire upon the Council of the proposed League of Nations, Sir Robert Borden and Mr. Doherty had a conference this morning [January 18] with the Secretary of the Committee, Mr. Lionel Curtis, and they agreed to accept a resolution for submission to the Imperial War Cabinet to the effect that representatives of the British Empire should be selected by the Imperial War Cabinet or the Imperial War Conference until the holding of the Constitutional Conference to define the relations between the United Kingdom and the Dominions, which was provided for by resolution of the Imperial War Conference in

1917.<sup>1</sup> In other words the Dominions shall have a voice in the selection of such representatives through their membership in the Imperial War Cabinet or the Imperial Conference (as the case may be) until some other method is established by the Constitutional Conference above referred to.

6. The first meeting of the full Conference was held this afternoon [January 18] at three o'clock. It was anticipated that the Prime Minister of Canada would be a member of the Delegation representing the British Empire on that occasion; but as Newfoundland has no direct representation it was suggested that the Prime Minister of Newfoundland should be named with four British delegates as representatives of the Empire at the first meeting which was purely for formal purposes. While this proposal was not regarded by the Canadian representatives as desirable or even satisfactory, Sir Robert Borden did not feel disposed under the circumstances to press for alteration of this arrangement. Indeed, he was asked to permit the substitution of his name for that of the Prime Minister of Newfoundland, but as the matter had already been dealt with he did not feel it desirable under the circumstances that any alteration should be made. Accordingly he carried out his previous intention of naming Sir George Foster and Mr. Sifton as the Canadian representatives at the first meeting of the Conference, which they attended.

7. A somewhat embarrassing situation has been created by the decision of the five Great Powers at the conversations yesterday afternoon [January 17] to give an additional representative to Belgium and to Serbia. This alteration was effected without any communication or consultation with the representatives of the Dominions. The fact that a semi-official telegram from Mr. Dafoe to Mr. Nicholls had dwelt with some particularity upon the advantages of the previous arrangement renders the change still more embarrassing. It should be said that Mr. Lloyd George protested strongly against the alteration, but doubtless he felt himself constrained by the sympathetic considerations which were advanced with great earnestness by the other Powers on behalf of Belgium and Serbia. The difficulty has really arisen from the anomalous conditions within the British Empire with regard to international relations. It is to be hoped that a satisfactory arrangement will be made as to the selection of the panel representing the whole British Empire, as the present difficult situation might in that way be relieved in some measure.

#### *Number 4*

Paris, January 22, 1919

1. This memorandum covers the period from the afternoon of Saturday 18th January to the afternoon of Wednesday 22nd January.

2. The conversations between representatives of the five Great Powers have continued and up to the present time there has been no announcement of any other meeting except as mentioned below.

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<sup>1</sup>For Resolution IX, see Vol. 1, Document 476, pp. 308-309.

4. On Monday afternoon [January 20] a meeting of the British and Dominions Delegations was held at the Villa Majestic at which the principal subject under consideration was the attitude of the Allied Powers to Russia. Sir Robert Borden on behalf of Canada reaffirmed his opinion that it was impracticable to undertake the establishment or the overthrow of any Government in Russia by military force. Public opinion in Canada did not justify the Government of the Dominion in participating in such an undertaking. Moreover any proposed military operations would necessitate an enormous force which might be required for an indefinite period and upon the withdrawal of such force the present disorder would probably break out again. He persisted in the view that the Allied nations should devote themselves to the task of bringing together if possible, the various *de facto* governments, of insisting that their differences should be composed and of utilizing the economic powers of the Allied nations to the full against any government which might prove recalcitrant. The French Government is very strongly opposed to this course and firmly refuses to have any communication whatever with the Bolshevik Government. The French policy apparently aims at military intervention as France is specially interested in establishing a government which will recognize Russia's national debt and pay regularly the interest thereon. French investors are interested in Russian national securities to an enormous amount and Sir Robert Borden understands that the French Government is paying the interest to French investors. The view put forward by Sir Robert Borden was practically accepted after much discussion but Mr. Lloyd George was invested with a certain discretion for the purpose of reaching an agreement. His own view is absolutely against military intervention; and according to him public opinion in Great Britain is as strong as in Canada on the subject.

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#### *Number 5*

Paris, January 28, 1919

1. This memorandum covers the period from the afternoon of Wednesday, 22nd January, to the afternoon of Tuesday, 28th January.

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3. In the afternoon [January 24] there was a meeting at the Quai d'Orsay for the purpose of granting a hearing to the representatives of Australia, South Africa and New Zealand with respect to the retention of the German colonies. The hearing lasted about two hours and the case was presented from every standpoint. Sir Robert Borden explained that Canada had no territorial interests but supported the claims of the three Dominions on the ground of security. Apart from that consideration Canada did not favour territorial annexations.

4. On Saturday [January 25] there was a meeting of the full Plenary Council at which President Wilson, Mr. Lloyd George and others spoke upon the Resolution accepting the principle of the League of Nations. This meeting

was attended by three Canadian delegates, of whom one (Mr. Doherty) sat as a member of the British Delegation of five. Resolutions were passed for the appointment of several important Committees, each Great Power to have two representatives on each Committee and the smaller Powers a total representation of five on each Committee. The proposals put forward by the President of the Conference on behalf of the five Great Powers were not very happily expressed and some discussion took place as to the relative authority of the Conference itself, and that, if any, of the Body which was designated by M. Clemenceau as "The Bureau".

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6. . . Sir Robert Borden attended a meeting [January 27] of the Committee on Labour Conditions over which Mr. Barnes presided and which was attended also by five representative members of British Trades Unions, including Mr. J. H. Thomas, Mr. Arthur Henderson, Mr. Bunning and two others. Mr. Draper attended this Conference with Sir Robert Borden and the general outline of a convention for the investigation of labour conditions throughout the world were [*sic*] discussed. Mr. Draper is of opinion that all the proposals embodied in a memorandum presented to the Committee have already been carried out in Canada. Immediately afterwards Sir Robert Borden attended a meeting between Mr. Lloyd George and the Prime Ministers of the Dominions, at which the retention of the German Colonies was discussed, and at three o'clock the discussion of this question was resumed in the Peace Conference at the Quai d'Orsay. The Japanese delegates made their claim on behalf of Japan to Kiau Chow and to the German Islands North of the Equator. Thereupon the Chinese delegates, who seemed to be very capable men, reserved the right to be heard thereafter. General Botha then made a very impressive speech in which he set forth the considerations in favour of uniting German South West Africa to the Union of South Africa. He pointed out that the Germans had utilized this colony as a base for intrigue against the Union and for promoting dissension and even rebellion therein. He had devoted his energies and had sacrificed his health in the endeavour to bring about a good understanding between the British and Dutch races in South Africa but there were powerful influences continually working against him. The annexation of German South West Africa to the Union was urgently desired by all the loyal elements in the Union whose desires and efforts were for the prevention of civil war. He would not care to undertake a mandate for German South West Africa as German intrigue could not be effectively restrained under such conditions. He concluded by making a very earnest appeal to President Wilson. Mr. Hughes followed with a powerful speech in which he expressed his case more convincingly and cogently than on the previous Friday.

7. At the conclusion of this session of the Conference a meeting of the British Delegation was held at 6.30 when the difficulties which had been raised respecting the disposition of the German colonies were considered with a view to the adoption of a resolution setting forth the principle to be



upheld. Experts from the Colonial Office attended this meeting in order that proposals put forward by President Wilson might be examined and considered from the standpoint of experience.

8. At ten o'clock on the following morning [January 28] there was another meeting of the British Delegation at which the same subject was again considered. At this as well as the previous meeting a memorandum of the views expressed by President Wilson on Monday afternoon was under discussion. Briefly summarized, the views of President Wilson were against annexation and in favor of administration and guardianship by a mandatory of the League of Nations. He went so far as to suggest that expenses of development incurred by a mandatory in administering an undeveloped country, inhabited by backward races, should be met by a contribution from all nations who adhered to the League as members thereof. This proposal which was put forward by the President to meet serious and obvious objections to the course which he advocated is clearly impracticable. A draft resolution affirming the principle of mandate by permitting certain exceptions to meet the cases put forward by the British Dominions was under consideration.

9. At eleven o'clock the Conference met at the Quai d'Orsay when the discussion was resumed by Mr. Massey on behalf of New Zealand. One argument which he put forward and which he had not mentioned on Friday was regarded as more cogent and relevant than anything yet advanced with regard to Samoa. He pointed out that the native population of Samoa is of the same race as the Maoris of New Zealand and speak a dialect of the same language; and that the New Zealand Maoris are exceedingly anxious that their kinsmen should be brought under New Zealand administration. At this meeting the Chinese delegates made a very able presentation of their case with regard to Kiaochow and the Shantung Peninsula and Railway. The delegate who spoke had a perfect command in English and handled his case with great skill. The Japanese delegate, Baron Makino, in reply practically admitted the obligation to restore Kiaochow and the Shantung Peninsula and Railway to China but made a reservation as to certain conditions which are to be submitted to the Conference.

10. At three o'clock on Tuesday afternoon another meeting of the British Delegation was held at the Villa Majestic and the difficulties of the situation were further canvassed until four o'clock when the Conference at the Quai d'Orsay was again resumed. This meeting continued until seven and a somewhat grave situation of acute difference was developed. At the commencement the French Colonial Minister M. Simon made a statement in which he very skilfully used the arguments put forward on behalf of the Dominions as a basis for similar claims by France to Togoland and a portion of the German Cameroons. A general discussion then arose as to the principle on which the Conference would proceed. President Wilson pointed out that in every instance up to the present where a specific case had been under consideration the principle advocated had been that of annexation to which



he could not adhere and which in his judgment would effectually destroy the usefulness of the League of Nations. Mr. Lloyd George at once said that as to all territories conquered by Imperial troops as distinguished from Dominion troops he was entirely willing to accept the principle of mandate although he strongly supported the claims of the three Dominions upon the grounds put forward some of which he emphasized. He was followed by Mr. Orlando who said that the Conference would show itself weak or vacillating if it undertook to leave to the determination of the League of Nations certain matters mentioned by President Wilson which obviously should be settled by the Peace Conference itself. In the general discussion which followed emphasis was laid on the necessity of reaching early decisions having regard to the growing impatience of the Allied Armies to be restored to their civil occupations. Sir Robert Borden emphasized this view and pointed out that some of the Canadian troops now in France had been in military service for four and a half years. Finally it was agreed to reserve further discussion until Wednesday afternoon in the hope that in the meantime some satisfactory formula could be devised through informal interchange of views with President Wilson.

### Number 6

Paris, February 1, 1919

1. This memorandum covers the period from Tuesday afternoon, the 28th January, to Saturday afternoon, the first February.

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5. On Wednesday [January 29] there was an important meeting of the British Delegation at which Mr. Lloyd George put forward a proposed resolution respecting the captured German colonies and the portions of the Turkish Empire which are to be relieved of Turkish domination in the future. A copy of that proposal as it eventually was accepted by the Conference is attached hereto.<sup>1</sup> There was much difficulty in securing the assent of Australia to this proposal as Mr. Hughes was very persistent, desiring to incorporate not only New Guinea but a large adjacent island and several other groups of islands stretching some five hundred miles to the North and East of the Australian continent. After a somewhat heated discussion, in which Sir Robert Borden supported the British Prime Minister, Mr. Hughes reluctantly accepted the proposal. General Botha, whose case is far stronger and whose difficulties are much greater, realized the extreme danger of an impasse and accepted the proposal with good grace and with full appreciation of the immense issues involved in case there should be an acute difference between the British Empire and the United States. Unfortunately Mr. Hughes saw fit to give to the representative of the *Paris Daily Mail* quite full information as to the differences which had arisen; and as a consequence a highly mischievous article appeared in the *Paris Daily Mail* on Thursday. There was a very

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<sup>1</sup>Not printed.

short meeting of the Conference on Wednesday afternoon, but as this question was not taken up the representatives of the Dominions did not remain.

6. On Thursday morning [January 30] Sir Robert Borden was summoned at very short notice to attend the Conference at the Quai d'Orsay at which Mr. Lloyd George put forward the draft resolution above alluded to. Mr. Hughes stated his personal acceptance of the proposal but subject to the reservation that he had communicated with his Government and had not yet received a reply. On the whole he seemed desirous to make the best of the situation. General Botha took the same course and Mr. Massey also. President Wilson then made a somewhat lengthy speech which was designed to postpone the appointment of any mandatory or the definition of the terms of mandate until after the League of Nations had been formed. Unfortunately he emphasized the weak features of the arrangement from the Australian viewpoint with the result that he brought Mr. Hughes to his feet with practically a repudiation of the whole arrangement so far as Australia was concerned. General Botha followed in a short and impressive speech which did much to relieve the situation. After Signor Orlando had spoken in support of the resolution, Sir Robert Borden addressed the Conference and urged that all questions proper for decision by the Peace Conference should be determined as speedily as possible and not remitted to the determination of the League of Nations. He said there were two courses which might be followed. One course was to determine at once questions proper to be determined by the Peace Conference, which was in reality the first session of the League of Nations, and he urged that the present moment, when all the nations realized so thoroughly the horrors of the recent war, gave the best possible opportunity of reaching a favourable decision and a happy issue. On the other hand the five Great Powers now assembled could, as suggested by President Wilson, forego the determination of such questions at this favourable moment and constitute themselves into an organization for determining precisely the same questions at some future and less favourable time. He strongly deprecated the latter course and urged that too much should not be placed upon the shoulders of the League of Nations at the outset. All members of the Conference, he said, supported the proposal to establish a League of Nations, and no one more strongly than he; but all the machinery in the world would not make the League of Nations effective unless it rested upon the foundation of public opinion and goodwill and unless its members were guided by the conventions which made government possible in any democratic country. President Wilson had affirmed that Christianity had practically failed in its work; could we be supremely confident that the League of Nations about to be established would be more efficient or more successful? Certainly that could not be anticipated unless the members of the League were guided by those principles which are the foundation of Christianity.

7. The Conference was resumed in the afternoon and in the meantime Sir Robert Borden had a lengthy interview with the Prime Minister, after which

he saw Mr. Massey and afterwards President Wilson, whom he made acquainted with the difficulties which had confronted Mr. Lloyd George in securing the assent of the Dominions to the proposed arrangement. Sir Robert Borden urged upon Mr. Lloyd George and upon President Wilson that the resolution should be passed with as little further discussion as possible. He also saw Mr. Massey and expressed to him the advisability of being brief and moderate in further remarks which he proposed to make. Eventually after some further discussion, in which Sir Robert Borden moved an amendment which was accepted, the resolution was passed. Thus there was a more successful solution than at one time seemed possible of the differences that threatened the Conference with a failure which might have led to disaster.

8. Sir Robert Borden is convinced that the ten representatives of the Five Great Powers are not making the progress which might reasonably be expected and that this is largely owing to their course in not calling together the twenty-five representatives of the five Great Powers who could distribute among them labours which presently are undertaken by the Council or Bureau of Ten with no very satisfactory results, in expedition at least. Apparently this method of dealing with affairs is at the instance of M. Clemenceau, who is guided by methods that are customary in France but have no necessary application to a conference of the nations.

9. It should be added that during the Conference of Thursday, the action of Mr. Hughes in giving confidential information to the *Daily Mail* was strongly denounced by President Wilson, General Botha and others. Mr. Hughes was not named, but the members of the Conference perfectly understood from whom the *Daily Mail* had received its inspiration.

10. On Friday [January 31] the representatives of the Dominions did not attend the Conference. There was a meeting of the Canadian Ministers to discuss the food situation as well as the conditions upon which the Dominions might become members of the League of Nations. It was decided that any Convention establishing that League must be so framed that Canada and the other Dominions could become members with the approval of their Parliaments and that upon notification of such approval the Dominions would be entitled to representation based upon the principle which has been followed in the present Peace Conference. The Canadian Ministers also attended on Friday the several Committees of which they are members. Sir George Foster reported that he had been in conference with the Roumanian delegates to the Peace Conference and that they were exceedingly grateful for and appreciative of the proposed credit of five million dollars for enabling them to purchase the necessaries of life in Canada.

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12. There seems little or no prospect of the proposed Conference taking place at Prince's Island or elsewhere. Probably the Bolshevik Government

will signify its willingness to enter the Conference but upon conditions impossible of acceptance. The other Russian Governments seem determined to have no conference whatever with the Bolshevik Government.

*Number 7*

Paris, February 7, 1919

1. This memorandum covers the period from Saturday afternoon, the 1st February, to Friday afternoon, the 7th February.

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In the afternoon [February 3] Sir Robert Borden had an interesting interview with Mr. George Louis Beer,<sup>1</sup> a member of the American Delegation, with regard to an important subject. Later on the Canadian Ministers attended at the Chamber of Deputies, when President Wilson was received and addressed the Chamber. On this and on each day during the week there had been the usual output of documents from the Foreign Office and from the British Peace Delegation.

4. On Tuesday [February 4] Sir Robert Borden was asked to become a member of the Committee which is to consider and report upon the territorial claims of Greece. It was arranged that he should be the principal delegate for the British Empire and should have as assistant delegate Sir Eyre Crowe, a very able official of the Foreign Office. The other members of the Committee are as follows: France, M. Jules Cambon, Mr. Jean Gout;<sup>2</sup> America, Dr. Westermann,<sup>3</sup> Dr. C. Day;<sup>4</sup> Italy, Signor Martino,<sup>5</sup> Colonel Castoldi.<sup>6</sup>

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Sir Robert Borden also had an interview with General Botha as to some matters of common concern. He also took up with the Canadian Ministers the method by which the assent of Canada should be expressed to the Treaty of Peace and ancillary treaties or conventions.

5. On Wednesday [February 5] Sir Robert Borden had an interview at nine o'clock with Mr. Lloyd George at which he discussed demobilization, withdrawal of our troops from Siberia, removal of war restrictions from trade within the Empire, the method of evidencing Canada's assent to the Peace Treaty, etc., the repatriation of enemy aliens now resident in Canada and

<sup>1</sup>Historian; Adviser on Colonial Matters of the United States Delegation at the Peace Conference; Member of the Commission on Mandates.

<sup>2</sup>Chief of the Asiatic Section in the Ministry of Foreign Affairs of France; Adviser of the French Delegation on Political and Diplomatic Questions.

<sup>3</sup>Professor of History at the University of Wisconsin, 1908-1920; Adviser on Western Asia of the United States Delegation at the Peace Conference.

<sup>4</sup>Professor of Economic History at Yale, 1907-1936; Adviser on the Balkans of the United States Delegation at the Peace Conference.

<sup>5</sup>Chief of the Cabinet Foreign Office of Italy; Secretary General of the Foreign Office; Adviser on Political and Diplomatic Questions of the Italian Delegation at the Peace Conference.

<sup>6</sup>Technical Expert of the Italian Delegation at the Peace Conference on Political and Diplomatic Questions.



several other matters. There was the usual meeting of Ministers at ten-thirty, and at twelve o'clock Sir Robert met the Prime Ministers of the Dominions, who assembled at his call. He submitted to them the proposal that plenipotentiaries from each Dominion should assent on behalf of His Majesty to the Treaty of Peace. This proposal was based upon the following considerations: (a) It is entirely in consonance with the principles of constitutional government which obtain throughout the Empire. The Crown is the supreme executive in the United Kingdom and in all the Dominions; but it acts within each constitutional unit by the advice of different Ministers. (b) Under the principles laid down and accepted at the Imperial War Conference of 1917 the future organization of the Empire is to be based upon equality of nationhood. (c) This principle has been carried out in the representation of the several Dominions at the present Peace Conference. (d) It would be inappropriate and undesirable under these conditions to revert to the former method by which the assent of each Dominion to a treaty which concerns it should be expressed by Order in Council and communicated through the British Government. (e) In accordance with constitutional theory and practice of government, as well as with the development above alluded to, it seems proper that His Majesty should assent to the Peace Treaty and ancillary conventions as follows; on behalf of the United Kingdom and the dependencies of the Empire through plenipotentiaries authorized by the Government of the United Kingdom; and on behalf of each Dominion through plenipotentiaries appointed by the Government of that Dominion.

The view thus put forward by Sir Robert Borden commanded the entire approval of the Prime Ministers of the other Dominions. During the afternoon Sir Robert Borden had an interview with Lord Reading<sup>1</sup> respecting the present organization and jurisdiction of the Supreme Allied Council of Relief and Supply and its relation to the Inter-Allied Food Council. Later in the afternoon he met Colonel House, to whom he communicated certain suggestions with a view to expediting the business of the Peace Conference and the establishment of the proposed League of Nations.

6. On Thursday [February 6] Sir Robert Borden took Mr. Lloyd Harris at nine o'clock for an interview with Mr. Lloyd George at which the latter was strongly urged to give immediate consideration and attention to the removal of restrictions upon the supply of food to the northern neutrals, the enemy countries and the countries surrounding the Mediterranean. It was pointed out that if the military authorities have made adequate arrangements for the disarmament of Germany there is no advantage in withholding food supplies which can now be sold at high prices to the great advantage of the producing countries. Moreover there would be less danger of Bolshevism spreading in Northern and Central Europe if the working people are able to obtain an adequate food supply. On the other hand there would be deep dissatisfaction with Great Britain, both in the United States and Canada, if

<sup>1</sup>Lord Chief Justice of England, 1913-1921; High Commissioner and Special Ambassador to the United States, 1918.



she persists in a policy which is considered to show disregard of her undertaking to accept food supplies which she called upon Canada and the United States to furnish. She will occupy an invidious position if she refuses to take these supplies and puts any obstacle in the way of their sale elsewhere. Strong ground was also taken for the removal of war restrictions which are embarrassing and handicapping Canadian trade with the United Kingdom as well as with Allied and neutral countries. It was arranged that Mr. Lloyd George should take up this subject in London on Tuesday next with Mr. Lloyd Harris. The result of this interview was reported to the Ministers at the usual daily meeting, when important communications from Ottawa were also under consideration. Later in the forenoon Sir Robert Borden had a long interview with Lord Milner, who has just arrived from England, and later in the day he met Sir Eyre Crowe of the Foreign Office, when there was a survey of the questions which are likely to arise for determination by the Committee appointed to consider the territorial claims of Greece. Mr. Lloyd Harris and Dr. Robertson conferred during the day with Sir Robert Borden respecting trade matters above alluded to.

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8. On Friday [February 7] there was the usual meeting of Canadian Ministers and certain questions affecting labour were discussed with Mr. Draper. Telegrams were sent to Ottawa respecting the negotiations with regard to exportation of food products and manufactured articles, and in reply to communications on other subjects. A brief was prepared for the first meeting of the Greek Committee which will take place at four o'clock on Saturday afternoon. The question of demobilizing the two Canadian Divisions was taken up with Mr. Lloyd George as well as the withdrawal of Canadian troops from Siberia. It is understood that Mr. Balfour will take Mr. Lloyd George's place during the absence of the latter in London and Mr. Lansing will probably head the American Delegation after the return of President Wilson. The illness of Colonel House has prevented him from taking as active a part in the work of the Peace Conference as would be desirable. He impresses one as an able and practical man, a serious student of problems of government and of international relations, and a sincere friend of the British Empire and especially of Canada.

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### *Number 8*

Paris, February 13, 1919

1. This memorandum covers the period from Friday afternoon, the 7th February, to Thursday afternoon, the 13th February.

2. Conferences with Officials of the Foreign Office resulted in the conclusion that no special provision in the Peace Treaty would be necessary to justify enactment of domestic legislation excluding from future entry into Canada citizens of countries with which the British Empire has been at war.

In the absence of treaty rights this power seems to be inherent in each state. The Foreign Office has promised information as to the difficulties, if any, that are likely to be encountered in securing the return of enemy aliens to their own country as well as the return of Italians and Russians to the countries from which they came. That information has not been received.

3. The labour disturbances in the United Kingdom are very serious. The British Prime Minister is of opinion that the worst stage has not yet been reached. These disturbances are undoubtedly a manifestation of Bolshevism which will probably be especially active until after the Peace Conference has concluded its labours. The Labour Leaders have, in many instances, been brushed aside by the men under the influence of British Bolsheviks with the purpose of forcing demands upon the Government at a time when extensive disturbances or disorder would minimize the status of the nation's representatives at the Peace Conference.

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7. In connection with demobilization and other matters, Sir Robert Borden requested the presence of General Sir Arthur Currie in Paris and he arrived on Wednesday [February 12] afternoon, accompanied by Colonel Ralston<sup>1</sup> who commands the 85th (Nova Scotia) Battalion.<sup>2</sup>

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8. Sir Robert Borden has been urging expedition in the work of the Committee which has been set up to report upon the territorial claims of Greece. However, no meeting could be arranged until yesterday when some progress was made. Sir Robert Borden proposed Mr. Jules Cambon as Chairman of the Committee and was himself elected Vice-Chairman. The work of this and of other Committees is somewhat handicapped by the fact that certain members, particularly in the French and Italian delegations, are also members of other Committees and daily meetings seem impossible.

9. Mr. Lloyd George may remain in England at least two weeks longer. It is anticipated that President Wilson will return to Paris after a very brief stay in Washington.

10. A somewhat critical condition has arisen with respect to the renewal of the Armistice. It is proposed on Sunday next to renew the Armistice under existing conditions for an indefinite period to be determined on very short notice. Meanwhile the Allies will formulate with great care and precision the terms upon which any future renewal will be granted. It is proposed that those terms shall be of such a character as to preclude any possibility of future resistance involving a renewal of hostilities. There is a general feeling that the Allies have everything to lose and Germany everything to gain by delay and that the terms of peace so far as they affect Germany should be

<sup>1</sup>Aide to General Currie.

<sup>2</sup>Here follows a summary of General Currie's report which is reproduced in Document 57.

settled and imposed upon Germany with the least possible delay. The fact that much time has been given to subjects not directly connected with this all important question is not due to the British Empire Delegation.

11. During the absence of Mr. Lloyd George, Lord Milner has taken his place as one of the British Delegates.

### *Number 9*

Paris, February 22, 1919

1. This memorandum covers the period from Thursday afternoon, 13th February, to Saturday morning, the 22nd February.

2. After the usual conference of Ministers on Friday morning [February 14], three Canadian Ministers, Sir Robert Borden, Sir George Foster and Mr. Sifton, attended the Plenary Conference in the afternoon, at which the proposals for the League of Nations as reported by the Committee were presented for consideration and for discussion at future meetings. Admirable speeches were made by President Wilson, Lord Robert Cecil and other members of the Committee which had reported the proposals; but as the flow of eloquence continued until nearly half past seven, and as some of the speeches were rather prolix, the proceedings became somewhat wearisome. Sir Robert Borden was of opinion that President Wilson should have taken occasion to speak appreciatively of the work of General Smuts upon which the proposals reported by the Committee are very largely based. As a matter of fact there were no concrete proposals placed before the Committee, except those which emanated from the British Delegation. This is true of practically every important subject which has been under consideration by the Peace Conference from the first.

3. The press of France have received the proposals fairly well. It is realized that the French are not enthusiastically in favour of a League of Nations. France, although in form a Republic, is in reality an imperialistic nation, which does not accept very readily proposals of this character. A serious difficulty arose in the Committee on the Wednesday and Thursday preceding the presentation of the report and at one time there was grave prospect that a unanimous report could not be made. Mr. Oscar Straus of New York<sup>1</sup> was of considerable assistance in bringing the French member of the Committee to a realization of the position which France would occupy in case her delegates should decline to associate themselves with the Report.

4. Sir Robert Borden intended to speak at the Plenary Conference on Friday, but the members of the Committee, for whom precedence had been arranged, occupied so much time that he gave up the idea. He took occasion, however, to express his views on Saturday evening [February 15] in address-

<sup>1</sup>Member of the President's Advisory Committee of the Commission for Relief in Belgium; Member of the Permanent Court of Arbitration at The Hague.

ing Canadian soldiers at the Y.M.C.A. Leave Club. A report of his observations is appended hereto.<sup>1</sup> It is believed that they have had some effect as, during the present week, the Council of Ten have seemed to realize more fully the supreme importance of expediting the work of the Conference.

5. On Tuesday [February 18], Sir Robert Borden was one of the British representatives on the Council of Ten, and he took occasion to press upon the members of the Council the considerations which he had set forth in the speech above alluded to.

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7. At the meeting of the British Delegation on the 20th instant it was, in effect, determined that naval and military preliminaries of peace should be settled and submitted to Germany with the least possible delay. It is believed that this will clear the way for a satisfactory settlement of the other terms as soon as the various Committees now engaged shall have made their reports. A time limit for the submission of such reports is to be fixed, probably the 8th of March, although certain Committees may require a somewhat longer period.

8. Sir George Foster, Mr. Sifton and Mr. Doherty, are engaged in active attendance upon the Committees of which they are members. Mr. Christie frequently acts as Assistant Secretary at the meetings of the Imperial Delegation; and he also serves in a Secretarial capacity and otherwise upon the Committee which is dealing with International Railways and Waterways. Colonel Biggar's service upon the Committee on Criminal Responsibilities for Breaches of the Laws of War is highly appreciated. Sir Ernest Pollock, the British Solicitor-General has, on several occasions, spoken of him in terms of warmest commendation.

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12. On the same date [February 15] Sir Robert Borden addressed to Mr. Lloyd George a letter with regard to withdrawing the Canadian troops in Siberia. A copy of that letter is also attached.<sup>2</sup> The subject came up for discussion at a meeting of the British Delegation on Monday, the 17th February, at which Sir Robert Borden firmly adhered to his decision that the Canadian troops should be withdrawn not later than April next, although Mr. Balfour and Mr. Churchill<sup>3</sup> pointed out that the consequences of such withdrawal might be serious. A summary of the discussion was communicated to Sir Thomas White by cable. Mr. Churchill's proposal to establish a commission to examine and report upon the Russian situation was not accepted by the other Powers; thus the question of future policy in Russia is still undetermined.

<sup>1</sup>This address, which expressed dissatisfaction with the rate of progress of the Peace Conference, is not printed.

<sup>2</sup>Not printed. This subject is to be treated at length in Vol. 3.

<sup>3</sup>Mr. Winston Churchill, Secretary of State for War, 1918-1921; Secretary of State for Aviation, 1918-1921; Plenipotentiary of Britain at the Peace Conference.



13. The proposed meeting of the Greek Committee (that is the Committee to consider and report upon the territorial claims of Greece) which was arranged for Saturday last [February 15] was not held, owing to the illness of some of the delegates. Meetings were held during the forenoon of Tuesday, Wednesday and Thursday. The Italian delegates wasted the whole of Wednesday's meeting in putting forward argument which was either irrelevant or unnecessary. However, good progress was made on Tuesday, Thursday and Friday, with the result that all questions respecting the Epirus, Western Thrace and Eastern Thrace have been practically settled so far as the Committee is concerned, and the question as to Asia Minor has been discussed at some length.

14. On Monday [February 17] Sir Robert Borden had an interesting conference with Mr. W. A. White, one of the American delegates to the proposed Conference at Prince's Island, and was glad to find that Mr. White is in thorough agreement with the views which Sir Robert Borden entertains as to the Russian situation.

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19. The Naval and Military Authorities are strongly of opinion that the present disposition of the Germans is to accept whatever terms may be imposed unless, of course, those terms are so oppressive as to drive them absolutely to desperation, in which case they may possibly throw up their hands, decline to sign peace on the terms proposed, and inform the Allies that they are at liberty to occupy Germany and to take such other steps as they may deem proper. On the one hand there is the danger that Germany may become reorganized so quickly as to create a menace in the early future, especially if her government should establish a *rapprochement* with a new and stable democratic government in Russia. On the other hand there is the danger that Germany may become so disorganized as to yield to the influence of Bolshevism and imperil the future of the other European Nations and possibly of the world.

20. The French and Italians are very insistent in maintaining territorial claims which will possibly create difficulty. Friction may also develop with respect to the claims for an enormous indemnity upon which a strong difference of opinion is likely to arise.

21. On Thursday afternoon, the 20th instant, Dr. Robertson reported to Sir Robert Borden that he had just come from conferences with Sir John Beale<sup>1</sup> and then with Mr. Hoover,<sup>2</sup> both of whom were greatly concerned as to the food situation in Central Europe. Each of them at separate interviews informed Dr. Robertson that in his opinion the situation was very grave and that the people of Germany, Austria-Hungary, Serbia and Roumania would

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<sup>1</sup>First Secretary of the Ministry of Food of Great Britain, 1918; representative of Great Britain on the Allied Supreme Council of Supply and Relief, 1919.

<sup>2</sup>Chief of Food Administration of the United States, 1917-1919; Adviser on Food and Relief Questions of the United States Delegation at the Peace Conference; Chairman of the Commission for Relief in Belgium, 1914-1919; Chairman of the Supreme Economic Council.



be in a starving condition within a few weeks unless they received supplies of food far beyond any arrangements heretofore made or that seem likely to be made in the immediate future. Both Sir John Beale and Mr. Hoover expressed a desire that Dr. Robertson should join the Supreme Economic Council in some capacity. It is believed by the Canadian Ministers that he could be of service in smoothing down the differences which continually arise between representatives of Great Britain and of the United States, who frequently do not seem to understand each other. Mr. Hoover also urged that Canada should join the United States in providing relief to the extent of four shiploads per month for, say, three or four months. At a meeting of Canadian Ministers on Thursday evening at which Dr. Robertson gave the same report in more detail, he was informed that Canada is by no means in the same position as the United States in her capacity to afford benevolent relief and that this proposal would require very careful consideration before it could be entertained. It was agreed, however, that Dr. Robertson should accept a position in the Food Section of the Supreme Economic Council or in the Council itself. Sir Robert Borden secured an interview with Mr. Balfour on Thursday evening, at which he strongly represented the situation as it had been described by Mr. Hoover and Sir John Beale to Dr. Robertson. Mr. Balfour said that precisely the same information had reached him but that he was not familiar with the powers and duties of the various commissions. Accordingly Sir Robert Borden arranged to speak to Mr. Lloyd George by telephone on Saturday morning when he communicated to Mr. Lloyd George the situation above set forth; and Mr. Lloyd George undertook to give immediate attention thereto, saying that Lord Robert Cecil, the Chief British Delegate on the Supreme Economic Council would start for Paris immediately.

### *Number 10*

Paris, March 1, 1919

1. This memorandum covers the period from Saturday morning, 22nd February to Saturday evening, the first of March.

2. During the present week the Canadian Ministers have been actively engaged in the work of the various committees to which they have been appointed. The Greek Committee has been sitting nearly every day and this afternoon it sat until nearly seven. The work of this Committee involves the discussion and determination of certain difficult and rather delicate questions. It is not probable that there will be a unanimous agreement as the interests of Italy run counter to those of Greece. In some instances the Greek claims appeal with much force to the judgment of the majority of the Committee.

3. Lord Robert Cecil arrived in Paris on Monday evening [February 24] and at once took up with Mr. Hoover and the other members of the Supreme Economic Council the food situation in Central Europe, but it is not considered that the arrangements for dealing with that situation, which is not

devoid of danger, are very adequate. On the 26th February, Sir Robert Borden addressed to Lord Robert Cecil a letter on the subject, copy of which is sent herewith<sup>1</sup>, together with copy of Lord Robert Cecil's reply.

4. As to the representation of the Dominions upon or in connection with the Supreme Economic Council, it has been arranged that the representatives of the British Empire upon that Council shall be selected from a panel including Dominion representatives and that they shall have behind them a Committee upon which each of the Dominions shall be represented. It is proposed to appoint Mr. Lloyd Harris and Dr. Robertson as representatives of Canada upon that Committee. It will not be necessary that both of them should be present at all meetings, but they will have that right whenever it is desirable to exercise it. Mr. Lloyd Harris is presently in London; and Dr. Robertson, who was expected to return tomorrow [March 2] or Monday [March 3], will remain until Wednesday for the purpose of dealing with certain matters of urgency which require his attention and which relate to the marketing and disposal of our surplus food products. It is understood he is reporting directly to Mr. Crerar<sup>2</sup> the result of his activities in this connection.

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6. Sir Robert Borden has forwarded to Sir Thomas White, the draft of a proposed economic arrangement which is under consideration by the British Delegations. Its effect is to grant "Most Favoured Nation" treatment to all the powers which become signatories to the proposed Treaty. In addition there are similar provisions with regard to shipping such as are usually to be found in such treaties. There is, however, a reservation of the right to prevent dumping. This draft was discussed at a meeting of the British Empire Delegations today, and by reason of the importance of the subject, the draft will be further considered at a meeting to be held on Monday [March 3]. It appears that the American delegates strongly insist upon some such arrangement; and as the drafts submitted on behalf of the United States sometimes indicate a lack of care in draughtsmanship, it is considered advisable to introduce a very carefully prepared draft which will contain safeguards necessary to protect the interests of the various nations included in the British Commonwealth.

7. The various committees which were constituted before the middle of February are hurrying on their work with a view to presenting their reports not later than the 8th March. Notwithstanding the absence of M. Clemenceau, whose remarkable recovery has occasioned great rejoicing, considerable progress has been made during the past ten days. Highly important decisions still remain to be taken and it is probable that the work of the Conference will not be concluded before midsummer at the earliest.

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<sup>1</sup>Document 62.

<sup>2</sup>Minister of Agriculture of Canada, 1917-1919.

9. Mr. Lloyd George, with whom Sir Robert Borden desires to confer as to his return to Canada in the early future, will not reach Paris until Wednesday next, as the labour difficulties in Great Britain are still absorbing his attention.

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12. The conditions in Germany are not reassuring and there is good reason to anticipate the outbreak of grave disorders in that country the result of which cannot be conjectured with any certainty. As was the case in Russia, a powerful and determined minority may control the situation, but whether this will result in reaction or in Bolshevism is quite uncertain. Much depends upon the provision of food and the opportunity for employment. Even in the victorious European nations there is a very serious spirit of unrest; and undoubtedly that spirit is much more active and dangerous in countries like Germany and Austria-Hungary which have met defeat and in which the foundations of order and stability have been dangerously weakened.

### *Number 11*

Paris, March 8, 1919

1. This memorandum covers the period from Saturday evening, first March, to Saturday evening, 8th March.

2. During the present week the Canadian Ministers have continued work on the various commissions to which they have been appointed. The Greek Committee held its last session on Thursday, the 6th March, and its report was presented on the following day. In Northern Epirus the French, British and American delegates concurred as to a considerable portion of the frontier, and the French and British concurred as to the remainder, the Americans dissenting. In Western Thrace as well as in Eastern Thrace there was a practically unanimous agreement by the delegates of all Four Powers. In Asia Minor the British and French delegates agreed that a portion adjoining the coast and including the Port of Smyrna should be annexed to Greece as it contains a compact Greek population which is in the majority. The American delegates are university men who depend wholly upon books, statistics and reports of missionaries. They are men of ability and of fine character and ideals; but their utter inacquaintance with public affairs and their outlook upon political conditions do not render them specially useful when difficult questions involving race, language, tradition, political association and future economic development have to be taken into account. The Italians were thoroughly obstructive from the first. As to the Dodecanese Islands, the British and French delegates found it inadvisable to examine the question having regard to the Treaty of 1915, the operation of which must be left to those who are responsible for it. The American Delegation held the opinion that these islands should be annexed to Greece. There is little doubt that this is the correct solution but the British and French Governments are confront-

ed with their own Treaty. Sir Robert Borden representing the British Empire did not find it possible to disregard this Treaty; but as a Canadian delegate in the full Conference he would feel himself at liberty to express what he believes to be Canadian opinion on the subject.

3. The Commission on Ports, Waterways and Railways, on which Mr. Sifton is the Chief Representative of the British Empire, is rapidly approaching the conclusion of such labours as are essential to the formulation of conditions in the Peace Treaty.

4. Sir George Foster, Mr. Sifton and Mr. Doherty, have been named as a panel from which a representative for Canada shall be drawn for the Supreme Economic Council,<sup>1</sup> the functions of which have been described in a letter to Sir Thomas White. Mr. Lloyd Harris and Dr. Robertson have been named as the Canadian representatives upon the British Empire Committee which is to keep in touch with the representatives of the Empire on the Supreme Economic Council. It is expected that Mr. Lloyd Harris and Dr. Robertson will return to Paris tomorrow (Sunday evening) [March 9] with Sir George Foster.

5. Sir George Foster has been appointed as the Chief Representative of the British Empire upon the Economic Committee, which is one of the Inter-Allied Committees. The other British Representative is Sir H. Llewellyn Smith of the Board of Trade.

6. Mr. Dafoe left on Thursday, 6th March, for London and will sail for Canada on the 12th instant. He has kept in very close touch with the work of the Conference and his appreciation of the situation from time to time has been marked by great ability and rare good judgment. One of the Chief British Officials whose duty brought him in touch with Mr. Dafoe's work has stated that his were the best of all the despatches relating to the Conference that have been sent by telegram or cable.

7. General Currie has been in Paris all week and he will leave tomorrow morning [March 9] for Corps Headquarters, proceeding to London on Monday. The proposed military and naval terms under discussion in the Peace Conference have been submitted to him and he has reported thereon.

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9. The Overseas Ministers had a conference on the 8th instant with Mr. Lloyd George respecting the very serious conditions which have developed in Germany. It seems apparent that Bolshevism is gaining a strong hold on the German people; and the sequence of events in that country is remarkably like that which took place in Russia. Undoubtedly there is a great difference between the Russian and the German temperament; and at first blush one is inclined to place little reliance in the prophecy that the march of events in Germany will be very much like that in Russia. But it is well to remember

<sup>1</sup>See Document 72 for more complete list of Canadian representatives on Committees, etc.



that there are certain outstanding points of resemblance between the two peoples. In Germany as well as in Russia, the government of the country has been entrusted to and carried on by a ruling class to which the great mass of the German people looked for direction. With the loss of control and direction to which they have always been accustomed, suffering under the strain of more than four years of war and of unexpected defeat, faced with lack of raw materials in their industries and consequent failure of employment and suffering undoubtedly from lack of sufficient nutrition, the German people may possibly be led by the Bolshevik minority along the same road that the Russian people are now traversing. Europe, and indeed the whole world, stands confronted with the danger resulting from a Bolshevik Russia, united with a Bolshevik Germany, and undertaking with the frenzy of fanaticism the subjugation of the world by military force to their ideals. In November last Sir Robert Borden pointed out this danger (so far as Russia is concerned) in the Imperial War Cabinet. It certainly seems more real today. The differences, the hesitations and the jealousies of the Five Great Powers in the arrangement for supplying the German people with food, are materially assisting the activities of the Bolsheviks in disseminating their propaganda. A crushing indemnity exacted from Germany may have the same disastrous result. In view of possible eventualities the Allied nations might find a huge indemnity too costly in the final analysis. One cannot avoid the impression that organized government even in the Allied and neutral nations of Europe is established upon a volcano which at any moment may burst into active eruption.

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11. Mr. Lloyd George is of opinion that the outlook with regard to labour questions in the British Islands has distinctly improved and he is very confident that the Commission now at work will find a solution which can be accepted by both parties.

### *Number 12*

Paris, March 15, 1919

1. This memorandum covers the period from Saturday evening, eighth March, to Saturday evening, fifteenth March.

2. Hereto attached is a memorandum setting forth the representation of Canada on the various committees and commissions in connection with the Peace Conference.<sup>1</sup>

3. During the early part of the week Sir Robert Borden undertook a careful examination of the proposed Covenant of the League of Nations, with a view to rendering assistance in the preparation of the final draft. The memorandum was carefully considered in conference with the other Canadian Ministers on Tuesday, Wednesday and Thursday, and was sent on Thurs-

<sup>1</sup>Document 72.



day afternoon [March 13] to the Secretariat of the British Delegation for circulation. A copy is appended for the information of Council.<sup>1</sup> Sir Robert Borden would be glad to have the views of Council by cable as to his proposals and as to any further amendments which Council might think desirable.

4. There have been conferences with the Prime Ministers of the other Dominions with respect to the method by which the Dominions shall signify their adherence to the Peace Treaty and the subsidiary conventions, as well as to the Covenant establishing a League of Nations. Sir Robert Borden placed before the other Prime Ministers his views on the subject, as to which he had previously conferred with the other Canadian Delegates. The views which he thus presented and which were unanimously approved by the other Prime Ministers have been embodied in a memorandum which was sent on Thursday of this week to the Secretariat of the British Delegation for circulation. A copy of this memorandum is herewith appended.<sup>2</sup>

5. Mr. Lloyd Harris arrived from London on Sunday evening, the ninth instant, and left with Sir George Foster for Lyon on Tuesday evening, the eleventh instant. After very considerable delay and great difficulty Mr. Harris has finally succeeded in bringing about the removal of restrictions which have so seriously handicapped trade between Canada and the United Kingdom. An interview which Mr. Harris gave to the *London Times*, and which, doubtless, has been cabled to Canada, attracted marked and widespread attention, especially among the members of the British House of Commons. It is considered that Mr. Harris scored a very great success in eventually triumphing over the obstacles which he encountered from the first.

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7. The questions which stand for consideration and determination before the preliminaries of peace can be settled are as follows:

First. Naval and Military terms. These are practically ready. A copy of the latest draft is sent forward herewith<sup>3</sup> for the information of Council.

Second. Reparation and Indemnity. The main Committee, as well as the sub-committees, of which there are several, have not made the progress that was anticipated. There is great difficulty in dealing with the claims of France and Belgium which are put forward in somewhat exaggerated form and with the demand that they must take precedence over all other claims. The differences have become rather acute and confidential conversations on the subject have been held between Mr. Clemenceau and Mr. Lloyd George, who has proposed to the French Prime Minister a basis of agreement which with some modifications will probably be accepted. It provides in effect that whatever sums can be recovered from Germany shall be distributed in fixed proportions between France, Belgium and the British

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<sup>1</sup>Document 74.

<sup>2</sup>Document 73.

<sup>3</sup>Not printed.

Empire. The French demand fifty-eight per cent and Mr. Lloyd George is willing to concede fifty per cent. Belgium would receive about seventeen per cent. The British Empire, according to Mr. Lloyd George's proposal, should receive thirty-three per cent, and France is willing to concede twenty-five per cent.

There is much uncertainty as to Germany's ability to pay. She will lose Alsace and Lorraine, but France is unwilling to consider that the recovery of these provinces is to be taken into account in considering her demand for reparation and indemnity. France also demands the exceedingly valuable coal fields of the Saar Valley and is equally unwilling to have this enormous asset considered. Germany will also lose the coal fields of Silesia, which are said to be the most valuable in Europe. Her power to pay will depend upon the availability of her natural resources and the productive capacity of her people. Manifestly the former will be greatly diminished and the result of the war may have a serious influence upon the latter. It is conceded that the demand for indemnity might be pushed to a point at which the German Government and people would accept a council [*sic*] of despair, relapse into disorder and possibly Bolshevism and invite the Allied nations to take what they could get. On the other hand there is the possibility, dependent upon conditions which are entirely beyond human estimate, that after the conditions of peace have been settled Germany may make a very quick recovery and prove an exceedingly formidable competitor in the markets of the world.

8. Next there is the exceedingly difficult question of territorial readjustment, which involves the disposition of the German Colonies as well as the boundaries of the German, Austrian and Turkish Empires and of the new States which have been or are to be created. As to the German Colonies there are but few questions awaiting determination. It is practically settled that Samoa shall be under the mandate of New Zealand, German New Guinea and some adjacent islands under the mandate of Australia, German South-West Africa under the mandate of the Union of South Africa, and German East Africa under the mandate of Great Britain or possibly of India. There are questions between Great Britain, France and Belgium with respect to German West Africa to which very little consideration has yet been given. As to the remaining questions, some are awaiting the reports of committees and others must be determined by the Council of the Great Powers. In many cases the difficulties are very serious and have not yet been approached in any effective way.

9. Another important question is that of future commercial arrangements (a) between the Allied powers and Germany, (b) between the nations represented in the Peace Conference, and (c) between those nations and neutral nations. These are under consideration by a number of committees and reports are expected at no distant date.

10. The committees mentioned in the accompanying memorandum have made substantial progress. The Inter-Allied Commission on Responsibility

for the War divided its work amongst several sub-committees, two of which have made important reports to the main Committee. Copies of these reports are forwarded for the information of Council.<sup>1</sup>

11. The Minister of Justice has been watching the work of the Labour Commission, a copy of whose latest proposals is also sent herewith.<sup>1</sup>

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16. On Saturday morning, 15th March, Sir Robert Borden had a conference with Lord Sinha, Under-Secretary of State for India, with respect to the position of India under Article VII of the League of Nations Covenant. Lord Sinha desired the advice and assistance of Sir Robert Borden in connection with that question and also as to the possibility of arranging that India's adhesion to the Covenant, to the Peace Treaty and to the subsidiary treaties, could be expressed in some manner analogous to that proposed on behalf of the Dominions. A further discussion with Lord Sinha and Mr. Montagu on this subject is to take place during the coming week. Sir Robert Borden brought up Resolution 21 of the Imperial War Conference 1918, and it was arranged that the method of carrying that resolution into effect should be considered at a meeting between the representatives of the Dominions and of India at an early date.

### *Number 13*

Paris, March 24, 1919

1. This memorandum covers the period from Saturday evening 8th March, to Monday evening 24th March.

2. An earnest effort to expedite business is being made, not only by all the commissions and sub-commissions (of which there is almost an infinite number) but by the Council of the Great Powers as well. Unfortunately the methods of the Council do not seem to be very systematic as the questions are not taken up according to any defined plan or in the order of their importance and relevance. There has been an inclination to postpone difficult questions which has inevitably led to an almost discouraging accumulation. The value of the time thus wasted during the past two months is realized more and more as the days go by. Some waste of time was inevitable as on occasion certain Powers have resorted to obstructive tactics for the purpose of furthering their own ends. This attitude has been observed not infrequently in the course adopted by the representatives of Italy, whether in the Council or in the committees and sub-committees.

3. The unfortunate illness of General Botha and General Smuts has prevented conferences between the Prime Ministers of the Dominions which otherwise would have taken place. General Smuts has now returned to Paris and a conference with respect to control of immigration as affected by Japanese proposals with regard to the League of Nations, is to be held.

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<sup>1</sup>Not printed.

4. The British Ministers do their best to stimulate and hasten the work of the Conference. Much concern was manifested at the proposal of Mr. Lloyd George to return to London on the 20th instant. The letter addressed to him by the President of the United States, the Prime Minister of France and the Prime Minister of Italy, has been made public.

5. The memorandum submitted by Sir Robert Borden respecting the Covenant of the League of Nations has not yet been considered at a meeting of the British Delegations.

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#### *Number 14*

Paris, March 24, 1919

1. This memorandum covers the period from Monday evening, 24th March, to Saturday evening, 29th March.

2. The recent overthrow of the Hungarian Government by the Bolshevist Party and the reported alliance of the new Hungarian Government with the Russian Bolshevist Government have evidently aroused the representatives of the Great Powers in the so-called Council of Ten to a fuller sense of the realities with which they are confronted. During two months immediately succeeding the Armistice practically nothing was done in the arrangement of the peace terms. In the period of nearly three months which has since elapsed there has been a conspicuous waste of time, some of which was unavoidable, but a great portion of which might have been avoided. It is announced that the Prime Ministers of Great Britain, France and Italy, with the President of the United States, are engaged in drafting the Peace Treaty, and the hope is held out that the draft will be completed during the coming week. There seems but a very slender prospect that any such hope will be realized.

3. As a matter of fact war did not cease when the Armistice was declared. On the contrary, it has been carried on with considerable vigour throughout the winter in more than half of Europe. There is reason to believe that as spring opens the tide of battle will sweep further west unless very active measures are taken to stay it and unless the Treaty of Peace is immediately prepared by the Allied nations and accepted by a reasonably stable German Government.

4. Doubtless there is truth in the report that the German Government are using the danger of Bolshevism to induce better terms. But there is convincing evidence that the strong and stable elements of the German people are seriously considering the establishment of a Bolshevist Government and the formation of an alliance with Russia if the terms imposed upon their country are so severe as to forbid any reasonable hope of national recovery within a generation.

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6. The Dominions Prime Ministers had an interview during the present week with the representatives of Japan, at which Japanese proposals for an amendment to the preamble of the League of Nations Covenant were discussed. Canada and South Africa had no difficulty in accepting an amendment proposed by Sir Robert Borden which practically, although not entirely, satisfied the Japanese desire for recognition of their country as on terms of equality with other nations. New Zealand would also have agreed without hesitation except for the attitude of Australia, which seemed quite unreasonable.

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9. The Committee which prepared the draft of the League of Nations Covenant is busily engaged in revising it, and it is anticipated that the result of their labours will be made public within a few days.

10. There had been no meetings of the British Delegation during the present week until Saturday [March 29] when the proposals of the International Labour Commission were under consideration both in the morning and in the afternoon. A copy of the Report of the Commission and of the accompanying draft Convention will be forwarded by this mail.<sup>1</sup> The conclusion was reached that several of the Articles require amendment; and at the suggestion of Sir Robert Borden, a small Committee consisting of one representative of Great Britain, of each of the Dominions and of India, should meet on Monday [March 31] for the purpose of agreeing upon the nature and form of the amendments to be proposed and supported on behalf of the British Empire when the Convention comes up for consideration in the Plenary Conference. Mr. Doherty will be the representative of Canada on this Committee.

### *Number 15*

Paris, April 7, 1919

1. This memorandum covers the period from Saturday evening, 29th March, to Monday evening, 7th April.

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5. Much discussion has taken place during the past week with regard to the proposed International Labour Convention, the form of which does not commend itself to the judgment of the Ministers from the Dominions. Several meetings of the British Empire Delegations have been held and it has been concluded finally to give the Convention official publication at a Plenary Conference to be held on Friday of this week [April 4] after which it can be sent back for such further modification as may seem desirable. The objections raised by Ministers from the Dominions include the following:

(I) The proposed Labour Convention ought not to be tied up to the League of Nations in such a way that each nation adhering to one of these

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<sup>1</sup>Not printed.



Conventions must necessarily adhere to the other. It is felt that such a proposal might prevent Japan for example, from adhering to either Convention.

(II) The proposal to establish standards which will increase the cost of production among the Allied countries and which will thus handicap them in competition with Germany, requires serious consideration.

(III) The dispositions of Clause XXXV affecting the Dominions are not in accordance with the memorandum circulated by Sir Robert Borden on behalf of the Dominions.

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6. Sir Robert Borden has been asked to assist in some difficulties which have arisen with regard to the form of the League of Nations Covenant. The Japanese strongly insist that the preamble of the Covenant shall be so modified as to recognize the equality of the nationals of all States which adhere to that Covenant. The proposal which they first submitted was not accepted with the result that public opinion in Japan has become somewhat excited. An earnest effort has been made to find a formula which will be accepted. The four formulas are as follows:<sup>1</sup>

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Mr. Hughes, who is taking very strong ground on the question, is willing to accept the second or the third proposal if the Japanese will agree to insert in the terms of the Covenant a declaration that immigration and naturalization are to be regarded as domestic questions with which the League shall not interfere. The Japanese delegates quite agree that such would be the result, but they are unwilling to agree to its insertion by reason of its effect upon public opinion in their country.

7. Many amendments have been made in the Covenant and the present draft is a great improvement upon the first. A further and probably final meeting of the Committee will be held on Tuesday evening, 8th April, which Sir Robert Borden has been invited to attend. Several of the amendments proposed by him have been embodied in the amended draft.

8. Sir Robert Borden left for London at eleven o'clock on the morning of Thursday, 3rd April, and in view of his departure a meeting of the British Delegations was held at nine o'clock that morning for the main purpose of discussing the Labour Convention. It was not found possible, however, to carry out that idea as all the time available before Sir Robert Borden's departure was occupied in giving a very confidential account of the negotiations and discussions between President Wilson and the Prime Ministers of Great Britain, France and Italy, while engaged in the preparation of the preliminaries of Peace. Much discussion has taken place with respect to the delimitation of the frontier between France and Germany. Great Britain and the United States are strongly of opinion that the proposals of France, which

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<sup>1</sup>The four formulas are not printed here as they appear in footnote to Document 95, p. 105.

are somewhat extreme, would inevitably result in another war within a measurable period, as these proposals would include within French territory many hundreds of thousands of people of purely German origin, language, tradition and sympathy. It is felt on the other hand that arrangements should be established respecting these territories which would prevent their being used as a base of operations for an attack upon France. Further it is considered that the wanton destruction by the Germans of the coal mines in France renders it essential that France shall have the usufruct of the coal mines in the Saar Valley even although that territory may remain under German sovereignty or be placed temporarily under the sovereignty of the League of Nations. The Italian proposals had not then been carefully considered and, according to the view of Mr. Lloyd George, their nature and extent will depend considerably upon the disposition of the French demands. Unfortunately the claims of each country are shaped somewhat by the political necessities of the administrations now in power. The importance of sustaining those administrations cannot however, be disregarded inasmuch as no one could foretell or even conjecture the political conditions which might be brought about in case the existing government either in France or in Italy should be overthrown.

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12. The German Financial Mission has recently arrived in France and appended hereto is a report dated 5th April 1919 of the first meeting between these delegates and the Allied delegates, which was held on the 3rd April, 1919.<sup>1</sup>

13. Colonel O. M. Biggar, whose service in the work of the Conference has been notable, leaves Paris on Wednesday, 9th April, and sails for Canada on the following Saturday. The Law Officers of the Crown have spoken to Sir Robert Borden on several occasions of Colonel Biggar's work and always in terms of the highest and most grateful appreciation.

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15. A copy of the report upon conditions in Germany which was referred to in General Memorandum No. 14, is appended.<sup>1</sup> The Canadian Ministers are more and more impressed with the view that even the more stable elements in Germany are considering the acceptance of some modified form of Bolshevism which would bring their Government closely in touch with that of Russia and probably lead to an alliance between the two countries, thus leading to the development and exploitation of Russian resources through German skill and organizing power. Such a commercial alliance would doubtless be accompanied by a military alliance which might prove a tremendous menace to the peace and security of the world. Much will depend upon the terms of peace; and it is undoubtedly true that the great delay in their formulation, whether inevitable or not, has contributed very considerably to the situation with which the Allied nations are now confronted.

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<sup>1</sup>Not printed.

*Number 16*

Paris, April 12, 1919

1. This memorandum covers the period from Monday evening, 7th April, to Saturday evening, 12th April.

2. During the present week there has been much discussion in the British Empire Delegations with regard to the proposed Labour Convention. Its provisions were canvassed very fully at these discussions and there was not complete unanimity with respect thereto. Eventually, however, such amendments were made or agreed upon as induced its acceptance, although the Ministers for the Dominions were not disposed to accept the view that this Convention should be linked up so closely with the Covenant of the League of Nations. There was a distinct agreement that Article 35 should be modified so that the provisions of the Convention would conform to those of the Covenant in respect to the character of the membership and the method of adherence.<sup>1</sup> Through some mistake this understanding was not carried out in the copy circulated at the Plenary Conference held on Friday [April 11]. As a result, Sir Robert Borden moved and carried an amendment to Mr. Barnes' motion. That motion was as follows:

That the Conference approves the draft Convention creating a permanent organisation for the promotion of the international regulation of labour conditions which has been submitted by the Labour Commission, with the amendments proposed by the British Delegation; instructs the Secretariat to request the governments concerned to nominate forthwith their representatives on the Organising Committee for the October Conference, and authorizes that Committee to proceed at once with its work.

Sir Robert Borden's amendment added the following clause thereto:

The Conference authorized the Drafting Committee to make such amendments as may be necessary to have the Convention conform to the Covenant of the League of Nations in the character of its membership and in the method of adherence.

3. The report of the Labour Commission included the submission of certain clauses proposed for inclusion in the Treaty of Peace, copy of which is annexed. At the meeting of the British Delegations on Wednesday, 9th April, it was distinctly agreed that these clauses were not to be discussed or approved at the Plenary Conference on Friday. The 8th Clause was particularly objectionable from the standpoint of several Dominions. For example, in Canada it would conflict with provincial legislation in Saskatchewan and British Columbia which imposes restrictions on Oriental labour in certain trades or occupations. Much to their surprise the delegates from the Dominions were told while present in the Plenary Conference that this arrangement could not be carried out, and that a resolution must be passed approving these clauses for insertion in the Treaty of Peace. The Prime Ministers from the Dominions took very firm ground against this in which they were strongly supported by Mr. Balfour, who had given the promise alluded to. Mr. Lloyd

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<sup>1</sup>See Documents 97-99, 103 and 104.

George who was not familiar with the difficulties of the case, asked Sir Robert Borden to confer with Mr. Wilson and Mr. Clemenceau, which he did. Mr. Wilson admitted the dangerous character of Clause 8 but was apprehensive that any failure to pass the clauses as a whole would have bad results in Europe. Sir Robert Borden pointed out that Clause 8 might lead to great disorder, and possibly rebellion, on the Pacific Coast of the United States and of Canada. Eventually it was arranged that no motion should be made with regard to these clauses, and they therefore remain for the present upon the table of the Plenary Conference.

4. On Saturday, the 12th instant, there was a meeting of the British Delegations at which the proposals of the Aerial Commission were under consideration. A copy of those proposals, as submitted, is sent herewith.<sup>1</sup> Various amendments were found to be necessary of which only a few involved any question of principle. A further draft is being prepared and a copy thereof will be forwarded. As to representation of the Dominions, under Article 34, Sir Robert Borden proposed that there should be a Committee, or, better still, a panel comprising representatives of the United Kingdom and of the Dominions, including India, and that the British representatives upon the International Commission for Air Navigation should be selected from this panel. It was pointed out by the representatives of the Dominions that the proposed Council has certain very important powers which *inter alia* enable it to make regulations having the force of law. The Dominions would not be satisfied to entrust such a power to the proposed International Commission for Air Navigation unless they were directly represented in some effective way.

5. On Thursday morning [April 10] there was a long conference at Mr. Lloyd George's apartments which lasted from nine till twelve, and at which he reported to the Prime Ministers of the Dominions the proceedings and conclusions of the Council of Four to date. The chief points touched upon were the following:

(a) The frontier between France and Germany. The French Government have finally agreed to withdraw their extreme proposals which involved the annexation to France of a considerable territory west of the Rhine, the population of which is almost exclusively German. There has been much discussion on this subject and it is now regarded as practically concluded.

(b) The coal fields in the Saar Valley. It is proposed to place this territory under the League of Nations for fifteen years, during which period the French shall be entitled to the coal produced. At the end of fifteen years a plebiscite will be taken and according to its result the territory in question will revert to Germany or be annexed to France. The coal acquired by the French in this way will be taken into account in considering their claims for reparation.

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<sup>1</sup>Not printed.



(c) Practically, an agreement has been reached with respect to the Eastern Frontier of Germany, in which the chief difficulty arose as to the Port of Danzig. This city will be created into an independent international entity under the protection and direction of the League of Nations. Both Germany and Poland will be granted special facilities in connection therewith.

(d) Responsibility for the war. It is not proposed to try the Kaiser for his general responsibility in precipitating the war but only for his responsibility in attacking a State the neutrality of which was guaranteed by Germany itself. For this purpose a tribunal will be erected and a demand will be made upon Holland to deliver up the Kaiser. President Wilson was very pronounced against any such course at first, but eventually changed his opinion. He has also agreed to the establishment of tribunals for the trial of persons who have violated the ordinary rules and conventions of warfare; but he desires that such persons shall be tried by Courts Martial to be established by the Allied nations.

(e) Reparation and indemnity. This has proved, perhaps, the most difficult subject and has occupied very extensively the time of the four statesmen who were dealing with it. The fourteen points propounded by President Wilson and expressly relied upon by the Germans in proposing the Armistice did not, apparently, contemplate indemnity at all. For this reason President Wilson cannot agree that the costs of the war shall be included in the demand for indemnity or that they shall constitute a basis upon which indemnity shall be exacted. In this respect, as well as with regard to responsibility for the war, he has very materially modified his point of view; and in both cases against the advice of his experts. In order to meet the difficult situation in which he finds himself, it has been agreed that the provision made by way of pensions, allowances, etc., for loss or injury to human life during the war, shall be taken as a basis of reparation. The situation of the negotiations with respect to this matter has been at times very acute and possibly it is not yet thoroughly settled. According to estimates submitted to the Dominion Ministers by Mr. Lloyd George, the total claims of the various Allies, estimated in millions of pounds sterling, upon this basis will be as follows:

France .....	5,100
British Empire .....	2,200
Belgium .....	1,500
Italy .....	1,000
Other nations .....	500
	<hr/>
Total .....	10,300
	<hr/>

Between France on the one hand and the United States on the other hand, the situation of the British Empire was both difficult and embarrassing. The United States desired to reduce the demand for indemnity to a minimum,



having regard to the principles laid down in the fourteen points. On the other hand, France demanded that an absolute preference should be accorded to her claims for reparation in respect of the devastated areas; and those claims, which are based on extraordinarily high estimates, would have left little or nothing for any claims of the British Empire. To obtain an absolute preference France was willing to reduce her claims materially and that proposal obviously harmonized with the point of view originally insisted on by President Wilson. However, unless there is some unexpected development the arrangement above outlined will probably be carried out. Doubtless it will encounter fierce criticism not only in France but in many other Allied nations. It is understood that the United States will not participate in any indemnity but may present certain relatively small claims for destruction of shipping.

6. The proposals as to reparation and indemnity submitted by Mr. Lloyd George commanded the approval of all the Dominions' Prime Ministers except Mr. Hughes, who was rather vague in defining what he would be prepared to accept. About an hour and a half was taken up with him in discussing the subject.

7. One disadvantage of this proposal would have been obviated by another arrangement outlined in a previous memorandum.<sup>1</sup> The claims of the Allied nations must be submitted to a commission which will report upon the amount properly allowable. This commission will probably have power to give a hearing to the Germans and may permit them to offer evidence. It should be added that the claim of the British Empire, estimated at 2,200 in millions of pounds sterling, comprises (a) the capitalized value of pensions throughout the Empire, estimated at 1,200, and (b) the destruction of shipping and other property estimated at 1,000. In capitalizing pensions it will be necessary to adopt (purely for this purpose) an arbitrary scale applicable to all countries, in order to arrive at a just and uniform result.

8. In accepting the proposals submitted by Mr. Lloyd George, and upon which it was necessary to reach a quick determination, the Prime Ministers of the Dominions were largely influenced by their belief, which was shared by Mr. Lloyd George, that if this proposal could not be carried out the situation likely to develop in view of the attitude assumed by France and by the United States would result in the British Empire receiving nothing by way of indemnity and little by way of reparation.

9. Sir Robert Borden was also influenced by his belief that the terms thus proposed fixed the outside limit of what Germany will be able to pay. He expressed doubt as to whether Germany would not regard an acceptance of the Bolshevik Regime as preferable to even these terms. That possibility was freely admitted by Mr. Lloyd George and by other Dominions Prime Ministers; but it was felt that the risk must be taken. In France there are eight million men engaged in agriculture and four million in industrial pursuits. In

<sup>1</sup>Presumably refers to proposal in Memorandum Number 12.

Germany the number of workmen is more than double that of the farmers. Some millions of them are receiving unemployment wages; and a very considerable proportion are infected with the Bolshevist propaganda. Even a manufacturer on a large scale might reach the conclusion that while he would at present lose everything by such a policy, yet Germany's future would be endowed with such wonderful possibilities by an economic and military alliance with Russia that he would be prepared to accept for the moment the principles of Bolshevism, which Germany could greatly modify, and through which she would obtain an absolute domination of Russia's enormous resources. The Germans may imagine with some reason that in carrying out such a policy they can snatch out of defeat a greater victory than they ever anticipated. In other words they may hope to exploit and develop Bolshevism to their own vast advantage, to the ruin of other countries and to the accomplishment of their ideal of world domination. The Allies of course have great odds in their favour for defeating any such policy; but those odds are by no means so great as they were four months ago and probably they are growing less every day.

10. Sir Robert Borden recently discussed conditions in Russia and Poland with Mr. Paderewski,<sup>1</sup> who impressed him as a really able man with a wide outlook. Paderewski describes the conditions in Russia as terrible and he believes that Europe is only at the beginning of its troubles. One startling statement which he made related to the probability that Europe would be scourged by epidemics of terrible diseases. He asserts with great positiveness that the disease of glanders has broken out among human beings in Russia upon a considerable scale; and he attributes this to the consumption of the flesh of horses afflicted with the disease. According to his statement the Russians shoot all persons in whom the disease manifests itself. Mr. Paderewski believes that this course is quite justifiable as every case is absolutely hopeless and the danger of infection can only be removed in that way. He states that in a Polish Legion which has been fighting in Lithuania two officers, personal friends of the commandant, contracted the disease and were immediately shot by his orders. Spotted Typhus is ravaging the population of Poland at present.

### *Number 17*

Paris, April 19, 1919

1. This memorandum covers the period from Saturday evening, 12th April, to Saturday evening, 19th April.

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4. The articles recommended by the Commission on the International Regime of Ports, Waterways and Railways, and by the Inter-Allied Economic Commission were considered by the British Empire Delegations on Tues-

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<sup>1</sup>Ignace Paderewski, pianist and composer; led in organizing the Polish Republic, 1918-1919; Premier of Poland, 1919, Plenipotentiary of Poland at the Peace Conference.

day [April 15] and Thursday [April 17]. Certain recommendations for the consideration of the British Prime Minister in the so-called Council of Four were noted, but they chiefly relate to the character of the proposals as involving too great detail and as being in some instances unnecessarily oppressive to Germany for the benefit of adjoining countries. The discussion was concluded on Saturday [April 19], and resulted in appropriate recommendations to Mr. Loyd George as to desirable modifications in the articles.

...

6. An enormous amount of work remains to be accomplished before the draft of the Peace Treaty can be submitted to the German representatives, who are expected to arrive in Paris on the twenty-fifth instant. The various commissions, and especially the Drafting Committee, are working to the utmost limit of their powers. It would be difficult to accomplish the task even if there was thorough agreement on all important questions. But unfortunately that agreement has not yet been reached, and probably several days will elapse before it can be accomplished. Political conditions not only in Italy and Belgium but also in France are somewhat unstable according to the best informed opinion. It would be disastrous to have the announcement of the Peace Terms accompanied by the fall of a government owing to agitation against the Peace Terms so far as they affect the interests of the country in question. Hence a tremendous responsibility rests upon each of the four representatives who are now engaged in the task of reaching a final conclusion upon matters of intense interest to the people of their respective countries. It is difficult for any one not closely in touch with the extreme tension which prevails to realize how overwhelming that responsibility becomes from time to time. It is known that the Prime Minister of one important country broke down and wept in great anguish of spirit during a recent interview with the President of the United States.

7. On Friday evening [April 18], Sir Robert Borden had a conference with Mr. Lloyd George on the return of the latter from London. Mr. Lloyd George seems confident that the final drafting of the Treaty of Peace will be sufficiently advanced for presentation to the German delegates very soon after their arrival. It will be an exceedingly voluminous document and obviously the German delegates will require a reasonable time for consideration of its numerous articles. However, different branches will naturally be taken up by different groups of experts, although in the final result the German Government must determine whether their position as a government can be maintained if they accept it. Sir Robert Borden received today from Doctor Winthrop Bell,<sup>1</sup> who was sent to Germany at his request, a short report, copy of which is attached.<sup>2</sup>

8. The report of the Financial Commission has just been circulated and a copy has been forwarded to Sir Thomas White.<sup>2</sup> It has not yet been consid-

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<sup>1</sup>Doctor in Halifax who had studied in Germany prior to the war.

<sup>2</sup>Not printed.

ered by the British Empire Delegations. Sir George Foster and Mr. Sifton have been requested to examine the various articles with special attention to those which directly affect the interests of Canada.

*Number 18*

Paris, April 26, 1919

1. This memorandum covers the period from Saturday evening, 19th April, to Saturday evening, 26th April.

2. The outstanding feature of the week has been the publication of President Wilson's statement on Wednesday evening [April 23] with respect to the territorial aspirations of Italy, which took everyone by surprise. It was known that such a statement had been in course of preparation, but it was thought that an agreement would be reached upon the disputed question, as the points of difference had been very materially reduced. Apparently the Italian Government had led or permitted their people to indulge in confident aspirations far beyond those that could reasonably be based upon the Treaty of 1915 or upon the principles set forth in President Wilson's fourteen points. Those who are critical assert that this was done with a purpose and in the hope of forcing the hand of the other Allied Powers by means of an excited public opinion among the Italian people. Possibly the opinion thus created may become too strong for the government which encouraged or created it. In that case it is improbable that the Italian Plenipotentiaries can take any further part in the Peace negotiations. On the other hand, the character of President Wilson's appeal is strongly criticized upon the ground that he placed the Italian Prime Minister in an impossible position by appealing from him to the people whom he represented. The situation will not fully develop until after Mr. Orlando makes his statement to the Italian Parliament on Monday next [April 28].

3. Notwithstanding the absence of any representative of Italy the preparation of articles to the Peace Treaty and the necessary examination of reports of commissions has been proceeding with great rapidity throughout the week. Sir Robert Borden took charge of the report of the Economic Commission in the Council of Four on Friday [April 25] and succeeded in solving a difficulty which had arisen between Mr. Clemenceau and Mr. Wilson. On Saturday morning the report of the Commission on the International Regime of Ports, Waterways and Railways was finally considered in the same council, with the assistance of Sir Robert Borden and Mr. Sifton, who attended for the purpose.

4. The British Delegation accepted the views of the Dominions Prime Ministers as to certain amendments of both form and substance in the proposed Covenant of the League of Nations. These amendments are indicated in the attached copy.<sup>1</sup> The Drafting Committee felt that the changes

<sup>1</sup>Document 117.



proposed went beyond a mere question of drafting, and accordingly they were circulated to the members of the Commission on the League of Nations. It is understood that the American representatives assented to the suggested amendments and that in the absence of objection from representatives of any other power these changes will be adopted by the Drafting Committee at its meeting today [April 26].<sup>1</sup>

5. The nine points respecting labour conditions which were proposed for insertion in the Treaty of Peace, and to which Mr. Barnes unfortunately gave his adhesion without consulting any of the Dominions representatives, have been a subject of continual and irritating discussion.<sup>2</sup> Mr. Balfour's re-draft was modified in one important respect at a meeting of the British Delegations on Saturday last [April 19]. The Belgians, Italians and Americans have not hitherto given their assent to the amendments thus proposed. Finally Mr. Barnes has retired from the field and at Mr. Balfour's request Sir Robert Borden has taken up the matter with Mr. Vandervelde, one of the Belgian plenipotentiaries, and with Colonel House. Interviews have been held without a final decision; and a further meeting between Sir Robert Borden and the Belgian and the American representatives is to be held on Sunday morning. Copy of the original nine points as assented to by Mr. Barnes has already been forwarded. Herewith are sent:

- (a) Copy of Mr. Balfour's proposal as amended in the British Delegations;<sup>3</sup>
- (b) Copy of Mr. Vandervelde's proposals;<sup>3</sup>
- (c) Copy of the American proposals.<sup>3</sup>

Sir Robert Borden is confident that a satisfactory conclusion will be reached, although the absence of Mr. Hughes in London makes it difficult to deal with the question in an absolutely final manner before his return on Sunday evening.

...

7. A letter from Lord Robert Cecil as to more direct representation of Canada in connection with the Supreme Economic Council has also been received, and it is proposed to appoint Dr. Robertson to a position of greater influence and authority in connection with the Supreme Economic Council. The proposal will be submitted by cable for the consideration of Council.

### *Number 19*

Paris, May 3, 1919

1. This memorandum covers the period from Saturday evening, 26th April, to Saturday evening, 3rd May.

<sup>1</sup>See Documents 112-115, 117.

<sup>2</sup>For final text of the "Nine Points" see enclosure to Document 119.

<sup>3</sup>Not printed.



2. During the week the Italian situation has not become worse as might easily have been the case; but on the other hand it has not greatly improved. The secret reports from Rome indicate that the Italian Government is confronted by so strong a public opinion as to render it helpless in the absence of some initiative from Paris on the part of the other Great Powers. The Italian attitude seems entirely unreasonable; but on the other hand the Italian people have been taught and encouraged to regard it as a minimum of justice. Mr. Orlando's position reduced to its simplest elements is as follows:

First,—Insistence on the Treaty of London without regard to the principles laid down by President Wilson in the Fourteen Points.

Second,—Disregard of that Treaty insofar as Fiume is concerned.

Third,—A very narrow application of the principle of self-determination in order that Fiume may be acquired by Italy.

Fourth,—For the purpose of acquiring Fiume, an entire disregard of all other principles in the Fourteen Points which might modify the principle of self-determination.

As a commercial and business community, Fiume far exceeds the municipal area of the city. Within the latter area the Italian population predominates; but taking the community as a whole it is predominately Slav. The pressure of work on all the members of the Conference has become so intense during the past two weeks that the Italian situation remains practically where it was when Mr. Orlando left.

3. Sir Robert Borden presided at a meeting of the British Delegation on Monday last [April 28] and was in conference with Mr. Lloyd George both before and after the meeting. The first conference related to a paragraph in the Labour Convention which is designed to debar the British Dominions from election to the Governing Body, to which further reference will be made in this memorandum. The second conference related to the strong feeling expressed by the representatives of the Dominions at the proposal of the Council of Four to override the Report of the Commission on Responsibilities of the War, and to substitute therefor a proposal drafted by President Wilson. As neither the Report of the Commission nor President Wilson's proposal has been brought before the British Delegations for discussion, and as there was a strong division of opinion on the subject, Sir Robert Borden was asked to communicate with Mr. Lloyd George and to represent to him the extreme undesirability of having the subject discussed at the Plenary Conference that afternoon, although it had been placed upon the agenda. Mr. Lloyd George entirely agreed with this view and stated that the item had been placed on the agenda without his knowledge. At his request, Sir Robert Borden met President Wilson and Mr. Clemenceau to whom he made the same representations. They concurred in the view expressed by Mr. Lloyd George.

4. The session of the Plenary Conference on Monday [April 28] was not notable for any incident of importance. Indeed onlookers were impressed by a certain sense of unreality. Very important changes had been made in the Covenant but these elicited no relevant discussion of importance. This was doubtless due to the fact that the new draft had been considered by the Delegation of each of the Powers who, on the whole, preferred to have the Covenant as it is rather than no Covenant at all. M. Léon Bourgeois<sup>1</sup> made a very long speech which tired everyone in French and exhausted them in translation. It was merely a prelude to the announcement by M. Pichon<sup>2</sup> that France would not insist on the amendments which M. Bourgeois has proposed. Panama and Honduras lifted up their voices at some length and a fiery lawyer delegate from Portugal made what was probably a good technical point with regard to the inclusion of Spain among the nations represented in the Council. At one time there were no less than four motions before the Conference none of which were in amendment and all of which, except the first, were entirely out of order according to our conception of practice in such cases. Two of them were by President Wilson, one by M. Bourgeois and one by the gentlemen from Honduras. Mr. Balfour, in reply to an inquiry by Sir Robert Borden as to whether delegates were expected to speak to all or to one or to more than one or to none of these motions, replied that according to French ideas everything seemed to be proceeding along right lines. "Heaven only knows" he said "whether the motions will be put collectively or separately at the end". Mr. Clemenceau solved the difficulty by declaring the two motions proposed by President Wilson to have been carried; the others he ignored. There is a speedy simplicity about his methods which attracts much admiration.

5. On Sunday the 27th, Sir Robert Borden finally succeeded in securing agreement between the representatives of the various nations as to the form of the nine Articles respecting labour which are to be inserted in the Peace Treaty.<sup>3</sup> After the League of Nations Covenant had been adopted, Mr. Barnes proposed the original draft and Sir Robert Borden moved the new draft in amendment. He was supported by Mr. Vandervelde<sup>4</sup> and the sitting closed with the usual formula by Mr. Clemenceau "Adopté. La séance est levée". The question as to discussion of the proposed Articles respecting punishment of the Kaiser, etc., had solved itself with the kind assistance of M. Bourgeois and of the gentlemen from Honduras and Panama. There was no time for further debate.

6. In pursuance of a request from President Wilson, conveyed through Mr. Lloyd George, Sir Robert Borden had an interview on Tuesday 29th

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<sup>1</sup> Senator of France, 1905-1927; Adviser on the League of Nations of the French Delegation at the Peace Conference.

<sup>2</sup> Minister of Foreign Affairs for France; Plenipotentiary of France at the Peace Conference.

<sup>3</sup> Document 119.

<sup>4</sup> Minister of Justice of Belgium; Minister of State; Plenipotentiary of Belgium at the Peace Conference.

April, with Mr. Robinson, who is the chief American expert on labour conditions. The discussion related to the elimination from the Labour Convention (Article VII) of the following words:

No Member together with its Dominions and Colonies, whether self-governing or not, shall be entitled to nominate more than one member.

The interview was unsatisfactory as Mr. Robinson seemed to be greatly oppressed by the condition of public opinion in the United States with regard to the influence of the British Empire in the League of Nations and in the International Labour organizations. The result of the interview and the position taken by the Canadian Ministers thereon is sufficiently set forth in a letter from Sir Robert Borden to Mr. Lloyd George, dated 29th April, copy of which is attached.<sup>1</sup>

7. In connection with this question and with respect to the construction of the League of Nations Covenant, Sir Robert Borden had an interview with President Wilson on Thursday afternoon [May 1] while in attendance at a meeting of the Council of Four at the Quai d'Orsay. Lord Robert Cecil, General Smuts and Mr. Hurst, all agree that under the Covenant as it has been adopted, the representatives of the Dominions are eligible under Article IV for election by the Assembly to the Council of the League. Mr. Sifton and Mr. Doherty are inclined to entertain the opposite view. The question is doubtless arguable but it should not be settled upon a purely technical or narrow construction. At the interview in question, President Wilson entirely agreed with the view that representatives are so eligible. Sir Robert Borden has asked Mr. Lloyd George to have this understanding brought up and confirmed by President Wilson and the first delegates of the other Powers, either in the course of the conversations in the Council of Four, or otherwise.<sup>2</sup>

8. The question is not free from difficulty so far as Canada is concerned. On the one hand we desire to be represented as part of the British Empire in the Council of the League of Nations from the first. The Covenant permits only one representative. Mr. Sifton and Mr. Doherty were of opinion that this representative should be for the United Kingdom, its Colonies and Dependencies, other than the self-governing Dominions and India. That proposal however, leaves Canada entirely unrepresented on the Council until her representative is elected by the Assembly. It is therefore of advantage to us that there would be (a) representation of the whole Empire in the meantime, and (b) the opportunities for additional distinctive representation of Canada whenever her increasing importance will have justified and accomplished the election of her representative to the Council.

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11. On Thursday afternoon [May 1], Sir Robert Borden was summoned to attend a meeting of the Council of Four at which the representatives of the

<sup>1</sup>Document 122.

<sup>2</sup>See Document 126.

United States were endeavouring to reverse the arrangement as to the German cables which was reached about two weeks ago. Sir Robert Borden entered a strong protest against any proposal which would remove from Halifax the cable landed there some time ago with the consent of the Canadian Government and now in operation. This cable was cut early in the war. It extended from Emden to New York via the Azores. It was cut in two places, that is to say, Straits of Dover and on the Canadian side at a point distant from Halifax about three hundred miles and from New York about six hundred miles. The two ends were connected on the British side by a few miles of cable and on the Canadian side by three hundred miles of new cable. Sir Robert Borden pointed out that cable rates had been controlled by a monopoly, that United States and British monopolists were quite ready to join hands with each other, that the Canadian Government had effected a reduction of rates a few years ago by threatening to lay down a state owned cable, that it was the intention of the Canadian Government to request the transfer of this cable from the British Government, and that the people of Canada would keenly resent any proposal to withdraw the cable from Halifax and return it to New York. President Wilson at once said that there was no intention whatever to withdraw it from Halifax. Mr. Lloyd George stated that Mr. Lansing's proposal involved such withdrawal and Mr. Lansing admitted it. There was much discussion in which Sir Robert Borden participated on the following day. President Wilson has now agreed to a proposal, copy of which is attached and possibly this may be accepted,<sup>1</sup> although Mr. Lloyd George is very strong in his opposition to any departure from the arrangement first reached and supports wholeheartedly the attitude of Canada on this question. The experts from the Post Office and Admiralty are also entirely with us on this question.

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*Number 20*

Paris, May 10, 1919

1. This memorandum covers the period from Saturday evening, May 3rd, to Saturday evening, May 10th.

2. The early part of the present week was taken up with the final consideration and revision of the Treaty of Peace. On Sunday [May 4] it was understood that there would be a Plenary Conference on Wednesday, [May 7] and that the Treaty would be delivered to the Germans on Thursday. It appears, however, that on Monday morning the Germans announced their intended departure as they had been waiting at Versailles for more than a week. Accordingly matters were hastened forward as the situation was one of great urgency. A meeting of the British Delegations was held on Monday afternoon at six o'clock and lasted until eight. Mr. Lloyd George attended this meeting for the first time in many weeks and gave to us a résumé of the Treaty as it would be presented. He announced that a Plenary Conference

<sup>1</sup>Not printed.



to consider the Treaty as a whole would be held on Tuesday afternoon at three o'clock, and that the Treaty would be presented to the Germans on Wednesday afternoon at three o'clock in the Palais Trianon at Versailles.

3. The Plenary Conference met in secret session on Tuesday afternoon [May 6] at the hour mentioned. The proceedings were largely formal. A copy of the official report is appended hereto for reference.<sup>1</sup> M. Tardieu<sup>2</sup> one of the French delegates, read the summary of the Treaty which was somewhat fuller than that presented to us on the previous evening. We had been promised a copy of this summary which was to reach us on Tuesday morning, but in the late hours of Monday evening there was some disturbance as to an alleged alteration of one of the Articles of the Treaty, and the printing was stopped for some time. After translation of M. Tardieu's observations had proceeded for some time at the session of the Conference, we finally agreed that he might proceed without translation in order to save time. The Chinese delegates made reservations with regard to the disposition of Kiao-Chow. Honduras called attention to some memorandum which it had filed. Signor Crespi<sup>3</sup> made reservations on behalf of Italy, and the Portuguese delegate made a most impassioned address, lasting for more than half an hour, during the greater portion of which he was shrieking at the top of his voice and gesticulating in a fashion which would have made any utterance wholly unnecessary. Towards the end of the session, Marshal Foch arose, although he had no credentials as a delegate and, strictly speaking, had no right to be heard. He took a course which would have been wholly impossible on the part of a British military officer however high his rank. His speech, which was delivered with considerable emotion, was virtually an attack upon the military arrangements proposed in the Treaty of Peace which he described as wholly inadequate and as exposing France to the greatest peril from future German aggression. He was listened to with profound attention and at the conclusion of his speech, which was not translated, M. Clemenceau declared the session closed. Clemenceau called Foch to him afterwards and there was a somewhat animated conversation. There are those, however, who are sufficiently suspicious to believe that Clemenceau knew perfectly well what Foch intended to do and that this demonstration was merely a manoeuvre on the part of the French Government. It should be added that M. Tardieu, at the close of his exposition of the Peace Treaty, read the undertaking of Great Britain and of the United States to safeguard France against unprovoked aggression on the part of Germany. Up to the present time the Dominions have not been asked to commit themselves formally to any such undertaking, although Mr. Lloyd George stated at the meeting on Monday afternoon that he believed Clemenceau would require it.

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<sup>1</sup>Not printed.

<sup>2</sup>High Commissioner of France to the United States, 1917-1919; Minister of Liberated Regions, 1919-1920; Plenipotentiary of France at the Peace Conference.

<sup>3</sup>Minister of Supply for Italy; Adviser on Economic and Financial Questions of the Italian Delegation at the Peace Conference.



4. Sir Robert Borden did not find it necessary, as he at one time anticipated, to make reservations with respect to the Labour Convention and the Covenant of the League of Nations. Early on Monday morning [May 5] he obtained an interview with Mr. Lloyd George who, however, was greatly preoccupied at that time with difficulties arising out of trouble which was being fomented by the Italians in Eastern Europe and in Asia Minor. At the meeting of the British Delegations on Monday afternoon, Sir Robert Borden informed Mr. Lloyd George that unless an objectionable paragraph was struck out of the Labour Convention it would be necessary to raise and discuss at the Plenary Conference the position of the British Dominions in the League of Nations and in the Labour Convention. Mr. Lloyd George then promised to have the subject taken up and considered in the Council of the First Delegates on Tuesday at eleven o'clock. In view of this Sir Robert Borden prepared and discussed with his colleagues on Monday evening, a memorandum which he proposed delivering to Mr. Lloyd George on the following morning. It was delivered personally at ten o'clock and at one o'clock Sir Robert Borden was informed that the obnoxious clause in the Labour Convention would be struck out, and that the Delegates were entirely of the opinion that no change was necessary to the League of Nations, as the rights of the Dominions were adequately safeguarded upon a fair construction of its terms. Sir Robert Borden thereupon demanded that this view should be expressed in writing, and a memorandum which he prepared was accordingly signed by M. Clemenceau, President Wilson and Mr. Lloyd George. Hereto appended are copies of the following documents:

(1) Memorandum delivered by Mr. Lloyd George on Tuesday morning.<sup>1</sup>

(2) Note from the records of the Council of First Delegates as to the suppression of the obnoxious clause in the Labour Convention.<sup>2</sup>

(3) Document signed by the three First Delegates above named.<sup>3</sup>

The last-named document has been entered of record in the proceedings of the Conference.

5. The scene at Versailles when the Treaty of Peace was presented to the German Plenipotentiaries was very impressive. M. Trepanier<sup>4</sup> was not present and Sir Robert Borden hurriedly prepared a press despatch, copy of which is attached.<sup>2</sup> The impression produced by the speech of Count Brockdorff-Rantzau<sup>5</sup> was very unfortunate, both from the German standpoint and also from the standpoint of the Allied nations, as it indicates that any proposals put forward by the Germans for a modification of the Peace Terms will probably be couched in such *maladroit* terms and presented

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<sup>1</sup>Document 133.

<sup>2</sup>Not printed.

<sup>3</sup>Document 134.

<sup>4</sup>Canadian newspaperman; representative of the Department of Public Information after Dafoe returned to Canada.

<sup>5</sup>Count Ulrich von Brockdorff-Rantzau, Minister of Foreign Affairs for Germany, 1918-1919; Chief Plenipotentiary of Germany at the Peace Conference.

in so offensive a manner as to render their consideration almost impossible. Sir Robert Borden is convinced, however, that the seeming impertinence of Count Brockdorff-Rantzau in remaining seated during the delivery of his speech, was due to his physical condition, as he is on the verge of nervous collapse and he almost fainted during a conference with respect to the arrangements for Wednesday. If he had made an apology or explanation of this character he would have aroused sympathy instead of a strong antagonism which was awakened by the course he pursued. At the conclusion of the Conference, President Wilson said to Bonar Law "I see that today's proceedings have produced upon you the same effect as upon me". Bonar Law asked him why, and the President said:—"I see that your face is flushed, and the blood went to my head more than once during that speech".

6. There is a perceptible air of relief among the delegates and the chief advisers and experts, upon whom the pace has been killing during the past four or five weeks. There are continued conferences, however, especially with the Italians, who have returned to Paris in a somewhat contrite frame of mind, feeling that their departure for Italy, and generally, the course which they have pursued, has been unfortunate, not to say foolish.

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8. An important conference was held on Thursday morning [May 8] with the American representatives on the commission which is drafting the Aerial Convention. The question under consideration was the possibility of such amendments as would enable Canada to adhere to this Treaty. It is anticipated that this can be done under suitable reservations which will have to be considered by the Government as a whole and by Parliament within the period fixed for ratification.

9. Sir Robert Borden is endeavouring to arrange an interview with President Wilson and Mr. Lloyd George respecting the control of shipping and cable rates.

10. The final disposition of the cable matter is set forth in the accompanying memorandum.<sup>1</sup> Sir Robert Borden has addressed to Mr. Lloyd George on the subject, a letter, copy of which is enclosed. It is not anticipated that any effort will be made by the United States to have the present user and operation of the cable interfered with.

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<sup>1</sup>Document 128.

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