

EXCHANGE OF NOTES (SEPTEMBER 1 AND 2, 1944) BETWEEN CANADA AND THE UNITED STATES OF AMERICA RECORDING CANADA'S PERMISSION TO PAN AMERICAN AIRWAYS INCORPORATED TO FLY INTO, THROUGH AND AWAY FROM CANADA AND TO USE THE AIRPORT AT BOTWOOD (NEWFOUNDLAND) IN CONNECTION WITH THE OPERATION OF ITS ATLANTIC SERVICES

CANADA

TREATY SERIES, 1944

No. 24

*The Secretary of State for External Affairs  
to the United States Ambassador to Canada*

DEPARTMENT OF EXTERNAL AFFAIRS

EXCHANGE OF NOTES

September 1, 1944

(September 1 and 2, 1944)

BETWEEN

CANADA

AND

THE UNITED STATES OF AMERICA

RECORDING CANADA'S PERMISSION  
TO PAN AMERICAN AIRWAYS INCORPORATED  
TO FLY INTO, THROUGH AND AWAY FROM CANADA  
AND TO USE THE AIRPORT AT BOTWOOD  
(NEWFOUNDLAND) IN CONNECTION  
WITH THE OPERATION OF ITS  
ATLANTIC SERVICES

In Force September 1, 1944



OTTAWA  
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CANADA

TREATY SERIES, 1944

Ottawa, le 8 septembre 1944

N° 24

EXCELLENCE,

J'ai l'honneur de vous adresser ci-joint le rapport de l'inspecteur général des douanes, en ce qui concerne la situation de la frontière canado-américaine pendant la période de six mois à compter du 1er septembre 1944, de survoler la Colombie-Britannique entre Seattle (Washington) et Juneau (Alaska).

SUMMARY

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THE UNITED STATES OF AMERICA  
 RECORDING CANADA'S PERMISSION  
 TO PAY AMERICAN AIRWAYS INCORPORATED  
 AND TO USE THE AIRPORT AT BOTWOOD  
 INTO, THROUGH AND AWAY FROM CANADA  
 (NEWFOUNDLAND) IN CONNECTION  
 WITH THE OPERATION OF ITS  
 ATLANTIC SERVICES

In Force September 1, 1944



EDWARD GEORGE CLAYTON, CHIEF CLERK  
 SECRETARY OF STATE

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**EXCHANGE OF NOTES (SEPTEMBER 1 AND 2, 1944) BETWEEN CANADA AND THE UNITED STATES OF AMERICA RECORDING CANADA'S PERMISSION TO PAN AMERICAN AIRWAYS INCORPORATED TO FLY INTO, THROUGH AND AWAY FROM CANADA AND TO USE THE AIRPORT AT BOTWOOD (NEWFOUNDLAND) IN CONNECTION WITH THE OPERATION OF ITS ATLANTIC SERVICES**

I

*The Secretary of State for External Affairs  
to the United States Ambassador to Canada*

DEPARTMENT OF EXTERNAL AFFAIRS

OTTAWA, September 1, 1944.

No. 93

EXCELLENCY,

I have the honour to inform you that at the request of the United States Government and in order to assist in the effective prosecution of the war, the Government of Canada, in so far as it is concerned, grants permission to Pan American Airways, Incorporated, in connection with the operation of its Atlantic services, to fly into, through and away from Canada and, subject to the consent of the Newfoundland Government, to use the airport at Botwood which is under Canadian operational control, for the purpose of conducting a civil air transport service, for the period of the present hostilities, in both directions between New York, Shediac, Botwood and Foynes for the carriage of passengers, goods and mail between these places with such number of frequencies as are necessary in the prosecution of the war.

These permissions are granted on the understanding that:

(i) In view of the emergency nature of these operations, and taking full cognizance thereof, the Canadian Government understands that the points to be served on these operations may be served in whatever order and omitting such points as may be necessary from time to time; and that whenever necessary in the war effort additional non-Canadian points may be added, but in such event the Canadian Government shall be informed thereof as early as practicable.

(ii) Aircraft flying over Canadian territory shall comply with the Defence Air Regulations, 1942, and shall be subject to such other restrictions as it may be necessary to impose as a result of military operations.

(iii) In the event that any part of the route becomes an area of active warfare the Canadian Government reserves the right to reconsider the conditions on which the permit is granted.

(iv) The aircraft of Pan American Airways shall conform with existing arrangements for contraband, censorship and passenger control or such modifications of them as may from time to time be made.

(v) The permissions may be withdrawn at any time on six months' notice.

(vi) The rights granted to Pan American Airways Company under the permit issued on February 10, 1937, and reissued on December 2, 1941, to Pan American Airways Incorporated, are not in any way prejudiced by the grant of these temporary permissions since these temporary permissions are supplementary to and separate and apart from the rights therein conferred.



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2. It is understood that the Government of the United States has also sought the necessary permissions from the Governments of the United Kingdom, Ireland and Newfoundland.

3. It is my understanding that the United States Government will for its part and so far as it is concerned grant similar permissions in the event that applications are received by it for similar Canadian air services, needed to assist in the effective prosecution of the war, to use similar facilities in the United States, its territories or possessions.

Accept, Excellency, the renewed assurances of my highest consideration.

N. A. ROBERTSON,

*For the Secretary of State  
for External Affairs.*

OTTAWA, September 1, 1944

*The United States Ambassador to Canada  
to the Secretary of State for External Affairs*

EMBASSY OF THE UNITED STATES OF AMERICA

OTTAWA, September 2, 1944.

No. 205

SIR:

I have the honour to acknowledge the receipt of your note No. 93 of September 1, 1944, informing me that at the request of my Government and in order to assist in the effective prosecution of the war, the Government of Canada, in so far as it is concerned, grants permission to Pan American Airways, Incorporated, in connection with the operation of its Atlantic services, to fly into, through and away from Canada and, subject to the consent of the Newfoundland Government, to use the airport at Botwood which is under Canadian operational control, for the purpose of conducting a civil air transport service, for the period of the present hostilities, in both directions between New York, Shediac, Botwood and Foynes for the carriage of passengers, goods and mail between these places with such number of frequencies as are necessary in the prosecution of the war.

In your note you set forth the conditions under which this service may be operated and certain understandings of your Government. I am authorized to inform you that the conditions stipulated are acceptable to my Government and that the understanding of the intentions of my Government are correct.

Accept, Sir, the renewed assurances of my highest consideration.

RAY ATHERTON