

CANADA

TREATY SERIES, 1945

No. 9

Signed at Ottawa, August 17, 1945

ARTICLE 1

AGREEMENT

BETWEEN

CANADA

AND

THE UNITED KINGDOM

WITH RESPECT TO THE
LOAN TO THE UNITED KINGDOM
OF VESSELS OWNED BY CANADA

Signed at Ottawa, August 17, 1945

Deemed to have come into Force, December 3, 1943



OTTAWA
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,
KING'S PRINTER AND CONTROLLER OF STATIONERY
1948

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AGREEMENT BETWEEN THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF THE UNITED KINGDOM WITH RESPECT TO THE LOAN TO THE GOVERNMENT OF THE UNITED KINGDOM OF VESSELS OWNED BY THE GOVERNMENT OF CANADA.

Signed at Ottawa, August 17, 1945

ARTICLE 1

The Government of Canada agrees to lend and the Government of the United Kingdom agrees to accept on the terms and conditions hereinafter set out the vessels listed in the schedule annexed hereto and such other vessels as may from time to time be delivered and accepted pursuant to and under the terms of this agreement for a period commencing with the respective dates of delivery of the vessels and continuing (subject as hereinafter provided) until terminated by mutual agreement between the two Governments but not extending beyond the cessation of hostilities with the last enemy Power with which the United Kingdom and Canada are both at war. This agreement will apply with respect to all the vessels notwithstanding that certain of the vessels have been delivered to and accepted by the Government of the United Kingdom prior to the execution hereof.

ARTICLE 2

The vessels will be delivered to the Government of the United Kingdom at such places and times as may be agreed upon.

ARTICLE 3

The vessels will, if practicable, be surveyed before delivery in order to determine their condition, but will be accepted by the Government of the United Kingdom in the condition in which the vessels then are, provided, however, that the Government of Canada, if requested to do so by the Government of the United Kingdom, and so far as it is legally possible to do so, will take all practicable steps to enforce any guarantee given by the builders of the vessels or by the suppliers of any machinery or equipment on board the vessels.

ARTICLE 4

No hire will be paid for the vessels.

ARTICLE 5

An agreed inventory of all stores on board, both consumable and nonconsumable, will be made by representatives of the respective Governments on delivery, and again on redelivery of each of the vessels. The Government of the United Kingdom will have the use of all outfit, equipment, appliances, fuel, consumable stores and spare and replacement parts belonging to the Government of Canada and on board the respective vessels at the time of their delivery. Any such items or any similar items on board the respective vessels at the time of their redelivery will become the property of the Government of Canada. Any shortages in inventory at the time of redelivery will be for the account of the Government of the United Kingdom and any such shortage or other discrepancy between the inventories will be adjusted by mutual agreement between the two Governments.

ARTICLE 6

The Government of the United Kingdom may move, alter or add to any of the fittings, or arrangements, on board any of the vessels.

ARTICLE 7

During the currency of this agreement, the vessels will be under the complete control of the Government of the United Kingdom.

ARTICLE 8

All damage incurred by any of the vessels during the currency of this agreement will be borne by the Government of the United Kingdom, and the vessels will (unless lost) be redelivered to the Government of Canada in the same order and condition (ordinary wear and tear excepted) as when delivered to the Government of the United Kingdom, or, at the option of the Government of Canada, as changed or altered pursuant to Article 6 of this agreement.

ARTICLE 9

Should any of the vessels sustain such damage or be in such a position as would appear to the Government of the United Kingdom to render it inadvisable that it should be repaired or salvaged, the Government of the United Kingdom will forthwith notify the Government of Canada. The decision as to whether the vessel is deemed to be lost will rest with the Government of Canada.

ARTICLE 10

No compensation will be payable by the Government of the United Kingdom to the Government of Canada with respect to any vessel lost or deemed to be lost during the currency of this agreement.

ARTICLE 11

The Government of the United Kingdom will bear all costs, expenses and claims of whatever nature arising out of or flowing from the operation of the vessels respectively during the currency of this agreement.

ARTICLE 12

During the currency of this agreement, the vessels may be registered in the name of the Minister of War Transport of the United Kingdom but such registration will not affect the title to the vessels, which will remain vested in the Government of Canada.

ARTICLE 13

Each of the vessels will be redelivered by the Government of the United Kingdom to the Government of Canada at the port of original delivery or at such other port as the Government of Canada may designate.

ARTICLE 14

Notwithstanding any other provision of this agreement, the Government of Canada may require redelivery of all or any of the vessels following the cessation or substantial cessation of hostilities in the European theatre of war.

ARTICLE 15

This agreement is made pursuant to the agreement dated at Ottawa the 11th day of February, 1944,⁽¹⁾ between the Governments of Canada and the United Kingdom on the principles applying to the provision by Canada of Canadian war supplies to the United Kingdom under the War Appropriation (United Nations Mutual Aid) Act, 1943, of Canada, and is deemed to have been made as of the Third day of December, 1943.

Done at Ottawa, this 17th day of August, 1945.

*Signed in duplicate for and on behalf
of the Government of Canada:*

W. L. MACKENZIE KING,
C. D. HOWE.

*Signed in duplicate for and on behalf
of the Government of the United
Kingdom:*

MALCOLM MACDONALD.

⁽¹⁾ Canada Treaty Series 1945, No. 3.

SCHEDULE

10,000 TON "FORT" SHIPS DELIVERED TO BRITISH MINISTRY OF WAR TRANSPORT

NORTH SAND TYPE

<i>Name of Ship</i>	<i>Date of Delivery</i>
Fort Aklavik	March 3, 1943
Fort Bedford	March 11, 1943
Fort Cadotte	March 19, 1943
Fort Nakasley	March 23, 1943
Fort Buffalo	March 26, 1943
Fort Chesterfield	March 27, 1943
Fort Wrigley	April 1, 1943
Fort Connolly	April 4, 1943
Fort Enterprise	April 6, 1943
Fort Ash	April 13, 1943
Fort Grouard	April 15, 1943
Fort Dease Lake	April 20, 1943
Fort Glenlyon	April 21, 1943
Fort Assiniboine	April 28, 1943
Fort McPherson	April 30, 1943
Fort Mingan	May 3, 1943
Fort Glenora	May 4, 1943
Fort Carillon	May 6, 1943
Fort Caribou	May 6, 1943
Fort Maisonneuve	May 6, 1943
Fort Vercheres	May 8, 1943
Fort Fidler	May 15, 1943
Fort Athabaska	May 16, 1943
Fort Gloucester	May 18, 1943
Fort Turtle	May 21, 1943
Fort Erie	May 21, 1943
Fort Sturgeon	May 23, 1943
Fort Cumberland	May 25, 1943
Fort St. Paul	May 27, 1943
Fort Albany	May 28, 1943
Fort Capot River	May 29, 1943
Fort Coulonge	May 31, 1943
Fort Grant	June 1, 1943
Fort Dauphin	June 2, 1943
Fort Bell	June 9, 1943
Fort Carlton	June 16, 1943
Fort Brandon	June 17, 1943
Fort Wellington	June 18, 1943
Fort LaTour	June 23, 1943
Fort St. Regis	July 19, 1943
Fort Norfolk	July 19, 1943
Fort Rouille	July 30, 1943
Fort Missanabie	August 25, 1943
Fort Romaine	September 8, 1943
Fort Frontenac	October 4, 1943
Fort Crevier	October 12, 1943
Fort Lennox	October 18, 1943
Fort Covington	October 21, 1943

<i>Name of Ship</i>	<i>Date of Delivery</i>
<i>Fort Moose</i>	October 30, 1943
<i>Fort Michipicoten</i>	October 30, 1943
<i>Fort Richelieu</i>	November 8, 1943
<i>Fort Esperance</i>	November 10, 1943
<i>Fort St. Joseph</i>	November 19, 1943
<i>Fort Henley</i>	November 18, 1943
<i>Fort La Prairie</i>	November 26, 1943
<i>Fort Pic</i>	December 3, 1943
<i>Fort Ticonderoga</i>	December 7, 1943
<i>Fort Beausejour</i>	December 10, 1943
<i>Fort Brunswick</i>	December 20, 1943
<i>Fort Muscurro</i>	May 19, 1944
<i>Fort La Cloche</i>	June 9, 1944
<i>Fort Mattagami</i>	June 29, 1944
<i>Fort Highfield</i>	July 24, 1944
<i>Fort Nottingham</i>	August 10, 1944
<i>Fort Miami</i>	September 21, 1944
<i>Fort Spokane</i>	September 27, 1944
<i>Fort Nisqually</i>	October 13, 1944

VICTORY TYPE

<i>Fort Columbia</i>	July 13, 1943
<i>Fort Astoria</i>	July 19, 1943
<i>Fort Yukon</i>	July 28, 1943
<i>Fort Kullyspell</i>	August 2, 1943
<i>Fort Hall</i>	August 4, 1943
<i>Fort Crevecoeur</i>	August 17, 1943
<i>Fort Bellingham</i>	August 18, 1943
<i>Fort Clatsop</i>	August 27, 1943
<i>Fort Kaskaskia</i>	September 3, 1943
<i>Fort Boise</i>	September 17, 1943
<i>Fort Massac</i>	September 18, 1943
<i>Fort Colville</i>	September 19, 1943
<i>Fort St. Nicholas</i>	September 29, 1943
<i>Fort La Baye</i>	October 3, 1943
<i>Fort Panmura</i>	October 8, 1943
<i>Fort Prudhomme</i>	October 9, 1943
<i>Fort Sakisdac</i>	October 20, 1943
<i>Fort Marin</i>	October 27, 1943
<i>Fort Venango</i>	October 30, 1943
<i>Fort Machault</i>	November 10, 1943
<i>Fort Saleesh</i>	November 13, 1943
<i>Fort Orleans</i>	November 20, 1943
<i>Fort St. Croix</i>	December 9, 1943
<i>Fort St. Antoine</i>	December 17, 1943
<i>Fort Biloxi</i>	December 18, 1943
<i>Fort Dearborn</i>	January 18, 1944
<i>Fort Wallace</i>	February 19, 1944
<i>Fort Perrot</i>	February 25, 1944
<i>Fort La Have</i>	March 8, 1944
<i>Fort Island</i>	March 16, 1944
<i>Fort Brisbois</i>	March 25, 1944
<i>Fort Aspin</i>	July 21, 1944



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V. S. I. SHIPS

Fort Dunvegan	April 15, 1944
Fort Constantine	April 26, 1944
Fort Kilmar	June 14, 1944
Fort Providence	July 8, 1944
Fort McDonnell	August 2, 1944
Fort Alabama	August 23, 1944
Fort Edmonton	September 14, 1944
Fort Wrangell	December 22, 1944

VICTORY TYPE

Fort Columbia	July 13, 1943
Fort Astoria	July 18, 1943
Fort Yukon	July 28, 1943
Fort Kalluyupell	August 2, 1943
Fort Hall	August 4, 1943
Fort Greencourt	August 17, 1943
Fort Belknap	August 18, 1943
Fort Clatsop	August 27, 1943
Fort Kaskasine	September 3, 1943
Fort Boise	September 17, 1943
Fort Massac	September 18, 1943
Fort Colville	September 19, 1943
Fort St. Nicholas	September 20, 1943
Fort La Barge	October 3, 1943
Fort Panhandle	October 8, 1943
Fort Prithoman	October 8, 1943
Fort Salscha	October 20, 1943
Fort Moran	October 27, 1943
Fort Venango	October 30, 1943
Fort McLaughlin	November 10, 1943
Fort Salsch	November 13, 1943
Fort Orleans	November 29, 1943
Fort St. George	December 9, 1943
Fort St. Antoine	December 17, 1943
Fort Blair	December 18, 1943
Fort Dearborn	January 18, 1944
Fort Wallace	February 19, 1944
Fort Porter	February 25, 1944
Fort La Harpe	March 8, 1944
Fort Island	March 16, 1944
Fort Bratslav	March 25, 1944
Fort Aspin	July 21, 1944