

EXCHANGE OF NOTES

(November 29 and December 2, 1940)

SUPPLEMENTING

THE ARRANGEMENT OF AUGUST 18, 1939,

BETWEEN

CANADA

AND THE

UNITED STATES OF AMERICA

RELATING TO

AIR TRANSPORT SERVICES

IN FORCE DECEMBER 3, 1940



OTTAWA
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PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1941

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EXCHANGE OF NOTES

To His Excellency the Governor General, Ottawa, November 2, 1918

Ottawa, November 2, 1918

My Dear Mr. Secretary:

I have received your letter of the 29th inst. in which you refer to the arrangements for the exchange of notes between the United States and Canada in connection with the Rush-Bagot Agreement of 1817. I am glad to hear that the arrangements are being made and I am sure that the exchange of notes will be a most desirable one. I am sure that the arrangements will be made in a most satisfactory manner.

- (a) The vessels are not intended for service on the Great Lakes.
- (b) Prior to commencement of construction, each Government will furnish the other with full information regarding the vessels to be constructed.
- (c) The armaments of the vessels are to be such as to enable them to defend themselves in the event of an attack.
- (d) The vessels are promptly removed from the Great Lakes upon completion of their construction.

In reply, I am authorized to inform you that the United States Government agrees to the further interpretation of the Rush-Bagot Agreement.

Very truly yours,

THE SECRETARY OF STATE

Dr. O. D. Ferguson,
Under-Secretary of State,
Ottawa, Canada.



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P. 102780

**EXCHANGE OF NOTES (NOVEMBER 29 AND DECEMBER 2, 1940)
SUPPLEMENTING THE ARRANGEMENT OF AUGUST 18, 1939,
BETWEEN CANADA AND THE UNITED STATES OF AMERICA,
RELATING TO AIR TRANSPORT SERVICES.**

*The United States Secretary of State to the Canadian Chargé d'Affaires
at Washington*

DEPARTMENT OF STATE, WASHINGTON

November 29, 1940.

SIR,—

I refer to a meeting of representatives of the competent aeronautical authorities of the Government of the United States of America and of the Government of Canada, respectively, held at Ottawa, Canada, on September 9 and 10, 1940, for the purpose of making recommendations to give effect to Article III of the air transport arrangement entered into between the two Governments on August 18, 1939, by reference to existing and prospective international air transport services between the United States and Canada.

The competent aeronautical authorities of the two Governments have made the following recommendations:—

(1) That Article III of the air transport arrangement entered into between the two Governments on August 18, 1939, should be given effect in accordance with the enumerations attached hereto, and made a part hereof.

(2) That the recommendations shall, if accepted by the two Governments, have effect until December 31, 1942.

(3) That at least six months prior to December 31, 1942, a further conference of representatives of the competent aeronautical authorities of the two Governments shall be called for the purpose of considering any revision or modification of their recommendations and any new problems pertaining to air transport services which may have arisen in the interim.

The recommendations of the competent aeronautical authorities of the two Governments, as herein referred to, are acceptable to the Government of the United States. I shall appreciate it if you will inform me whether these recommendations are also acceptable to your Government. If so, it is suggested that the present note and your reply thereto constitute an arrangement between the Government of the United States of America and the Government of Canada to become effective on December 3, 1940, and to remain in effect thereafter until December 31, 1942.

Accept, Sir, etc.,

CORDELL HULL

RECOMMENDATIONS OF THE COMPETENT AERONAUTICAL AUTHORITIES OF THE GOVERNMENTS OF THE UNITED STATES OF AMERICA AND CANADA FOR GIVING EFFECT TO ARTICLE III OF THE AIR TRANSPORT ARRANGEMENT BETWEEN THE TWO GOVERNMENTS, ENTERED INTO ON AUGUST 18, 1939.

(Enumerations referred to in exchange of notes between the two Governments accepting these recommendations.)

International air transport services actually in operation between the two countries, for which certificates and permits have been issued by the respective Governments, to be confirmed. Services with respect to which applications for formal certificates or permits are now pending, other than those services specifically listed below, shall be subject to disposition at the sole discretion of the appropriate agency of the Government before which such applications are pending.

With respect to new services:—

Each Government to take the appropriate steps to permit the operation by air carrier enterprises of the other, holding proper authorization from their own Governments, respectively, during the period ending December 31, 1942, in accordance with the following specification of the routes and of the nationalities of the air carriers by which service over each route will be operated between:—

Bangor, Maine—Moncton, New Brunswick.....	United States
New York, New York—Toronto, Ontario.....	Canada
Buffalo, New York—Toronto, Ontario.....	United States
Windsor, Ontario—Any point or points in the United States.....	United States
Detroit, Michigan—Any point or points in Canada.....	Canada
Great Falls, Montana—Lethbridge, Alberta.....	United States

The Canadian Government to co-operate in, or to permit or undertake the establishment on behalf of a United States air carrier, subject to Canadian law, of the necessary aids to air navigation, along the coast of British Columbia.

Further decisions with respect to routes and services to Alaska to be reserved for future consideration.

The Canadian Chargé d'Affaires at Washington to the United States Secretary of State

No. 379

December 2, 1940.

SIR,—

I have the honour to acknowledge the receipt of your note of November 29, 1940, in which you refer to a meeting of representatives of the competent aeronautical authorities of the Government of Canada and of the Government of the United States of America respectively, held at Ottawa, Canada, on September 9 and 10, 1940, for the purpose of making recommendations to give effect to Article III of the air transport arrangement entered into between the

two Governments on August 18, 1939, by reference to existing and prospective international air transport services between the United States and Canada.

The competent aeronautical authorities of the two Governments have made the following recommendations:—

(1) That Article III of the air transport arrangement entered into between the two Governments on August 18, 1939, should be given effect in accordance with the enumerations attached hereto, and made a part hereof.

(2) That the recommendations shall, if accepted by the two Governments, have effect until December 31, 1942.

(3) That at least six months prior to December 31, 1942, a further conference of representatives of the competent aeronautical authorities of the two Governments shall be called for the purpose of considering any revision or modification of their recommendations and any new problems pertaining to air transport services which may have arisen in the interim.

You ask to be informed whether the recommendations of the competent aeronautical authorities of the two Governments, as herein referred to, are acceptable to the Government of Canada. In reply, I have the honour to say that these recommendations are acceptable to my Government, which agrees to your suggestion that your note of November 29, 1940, and the present reply shall constitute an arrangement between the Government of Canada and the Government of the United States of America. My Government also agrees to your suggestion that the arrangement become effective on December 3, 1940, and remain in effect thereafter until December 31, 1942.

I have, etc.,

MERCHANT MAHONEY,

Chargé d'Affaires ad interim.

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