

CANADA

TREATY SERIES, 1942

No. 3

EXCHANGE OF NOTES

(February 26 and March 9, 1942)

BETWEEN

CANADA

AND THE

UNITED STATES OF AMERICA

RELATING TO THE

APPLICATION AND INTERPRETATION

OF THE

(RUSH-BAGOT) AGREEMENT

CONCERNING

THE NAVAL FORCES ON THE GREAT LAKES

EFFECTED BY AN EXCHANGE OF NOTES

DATED 28-29 APRIL, 1817

IN FORCE MARCH 9, 1942



OTTAWA
EDMOND CLOUTIER
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

1942

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RIMOND CLOUTIER
OTTAWA

1942

EXCHANGE OF NOTES BETWEEN CANADA AND THE UNITED STATES OF AMERICA RELATING TO THE APPLICATION AND INTERPRETATION OF THE (RUSH-BAGOT) AGREEMENT CONCERNING THE NAVAL FORCES TO BE MAINTAINED ON THE GREAT LAKES EFFECTED BY AN EXCHANGE OF NOTES DATED 28-29 APRIL 1817*.

Signed at Ottawa, February 26 and March 9, 1942

I

*The United States Minister to Canada
to the Secretary of State for External Affairs, Ottawa*

**LEGATION OF THE
UNITED STATES OF AMERICA
OTTAWA**

No. 611

February 26, 1942.

SIR:—May I refer to Dr. Skelton's note of October 30, 1940, and my reply of November 2, 1940, interpreting the Rush-Bagot Agreement in the light of existing conditions and in conformity with the intent of the Agreement. I am now in receipt of instructions from my Government to suggest that in order to permit naval vessels being constructed on the Great Lakes to combat enemy action upon their arrival in the open sea, they may be permitted to have their armament placed in complete readiness for action and that all essential tests and trial of machinery and armament, including the submerged operations of submarines and test firing of torpedoes and guns be effected in Great Lakes waters. My Government is in hopes that the Canadian Government will approve the suggestion, it being understood that the proposed procedure is to be effective only for the duration of the present hostilities.

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

PIERREPONT MOFFAT.

* For the text of the Rush-Bagot Agreement of 1817 see "Treaties affecting Canada in force between His Majesty and the United States of America", 1927, p. 12.

For the text of the Exchange of Notes of June-Nov. 1940 referred to in the United States Minister's Note of February 26, see Canada Treaty Series, 1940, No. 12.



II

*The Secretary of State for External Affairs, Ottawa,
to the United States Minister to Canada.*

DEPARTMENT OF EXTERNAL AFFAIRS

OTTAWA, March 9, 1942.

No. 21

SIR:—I have the honour to refer to your Note No. 611 dated 26th February, 1942, with regard to the further interpretation of the Rush-Bagot Agreement in the light of existing conditions and in conformity with the intent of the Agreement.

Consideration has been given to your suggestion, and I am now authorized to inform you that the Canadian Government agrees to a further interpretation of the Rush-Bagot Agreement based upon it. Accordingly, in order to permit naval vessels being constructed on the Great Lakes to combat enemy action upon their arrival in the open sea, they will be permitted to have their armament placed in complete readiness for action and all essential tests and trials of machinery and armament including the submerged operations of submarines and test firing of torpedoes and guns may be effected in Great Lakes waters.

The Canadian Government also concurs in your suggestion that this procedure should be effective only for the duration of the present hostilities.

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

N. A. ROBERTSON,
*for the Secretary of State for
External Affairs*