# TREATY SERIES, 1943 No. 12

### **EXCHANGE OF NOTES**

(May 25 and 26, 1943)

BETWEEN

## CANADA

AND

#### THE UNITED STATES OF AMERICA

RECORDING AN AGREEMENT

FOR THE WAIVER OF CLAIMS ARISING FROM COLLISIONS BETWEEN VESSELS OF WAR

IN FORCE MAY 26, 1943



OTTAWA
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,
KING'S PRINTER AND CONTROLLER OF STATIONERY
1946

32 756 307

#### SUMMARY

ASSESS THE PROPERTY OF A PROPERTY OF A PARTY OF A PARTY

		rage
of	Tote, dated May 25, 1943, from the Secretary of State f the United States of America, to the Canadian Innister to the United States	
II. N	tote, dated May 26, 1943, from the Canadian Minister, to the Secretary of State of the United States	4

### EXCHANGE OF NOTES (MAY 25 AND 26, 1943) BETWEEN CANADA AND THE UNITED STATES OF AMERICA RECORDING AN AGREEMENT FOR THE WAIVER OF CLAIMS ARISING FROM COLLISIONS BETWEEN VESSELS OF WAR.

The Secretary of State of the United States to the Canadian Minister to the United States

#### DEPARTMENT OF STATE

Sir:

Washington, May 25, 1943.

With reference to recent communications between the Government of the United States of America and the Government of Canada in relation to the making of an America and the Governments providing that each making of an agreement between the two Governments providing that each Government shall be agreement between the two Governments arising from collisions. Government shall bear the cost of damages to its own vessels arising from collisions between I. lisions between United States warships and ships of the Royal Canadian Navy, I have the home the between United States warships and ships of the United States of I have the honor to inform you that the Government of the United States of America, with a view that the states warships and ships of the War, is prepared to give America, with a view to facilitating the conduct of the war, is prepared to give effect to an agreement in the following terms:

#### ARTICLE I

The Government of the United States of America and the Government of ada agree that I of the United States of America and the Government shall collide with Canada agree that when a vessel of war of either Government shall collide with a vessel of war of either Government shall collide with of such of war of the United States of America and the Government shall collide with a vessel of war of either Government shall collide with of such of war of the united States of America and the Government of the United States a vessel of war of the United States of American a vessel of war of either Government shall contact of such vessels of war of the other Government, resulting in damage to either or both of such vessels could be other Government, resulting in damage to either or both of such vessels could be other Government, resulting in damage to either or both of such vessels could be other Government, resulting in damage to either or both of such vessels could be of the country of the other Government shall be of the country of the other Government shall be of the country of the other Government shall be of the country of the other Government shall be of the country of the other Government shall be of the country of the other Government shall be of the country of the other Government shall be of the country of the other Government shall be of the country of the other Government shall be of the country of the other Government shall be of the country of the other Government shall be of the country of the other Government shall be of the country of the other Government shall be of the country of the other Government shall be of the country of the other Government shall be of the country of of such vessels, each Government shall bear all the expenses which arise directly from the content of the conte or indirectly from the damage to its own vessel, and neither Government shall make any claim. make any claim against the other Government on account of such damage or expenses.

#### ARTICLE II

This agreement shall apply in respect of claims arising since December 7, but remaining the shall apply in respect of claims arising since December 7, 1941, but remaining unsettled on the day this Agreement enters into force, as well as in respect of day and during the period in well as in respect of claims arising on or after such day and during the period in which the Agreement line arising on or after such day and during the period in which the Agreement shall remain in force.

#### ARTICLE III

This Agreement shall remain in force until the expiration of six months from on which at the other Government the day on which either Government shall have given to the other Government writing of the Government shall have given to the other with

notice in writing of an intention to terminate the Agreement.

That if an Agreement is I have the honor to inform you that if an Agreement in accordance with foregoing terms it inform you that if an Agreement of Canada, the agreement the foregoing terms is acceptable to the Government of Canada, the agreement shall be considered in acceptable to the Government of Linguist States of America to have shall be considered by the Government of the United States of America to have been considered by the Government of the United States of America to the You included and by the Government of the United States of a corresponding note from You included and by the Government of the United States of a corresponding note from You included and by the Government of the United States of a corresponding note from You included and the Control of the United States of of the United S been considered by the Government of the United States of America to the been concluded and to be in effect as of the date of a corresponding note from you indicating that the beautiful for the date of a corresponding to the date of a corresponding note from the date of a corresponding to the date of a corresponding to the date of a corresponding to the date of the date of a corresponding to the date of the dat You indicating that the Government of the United States of the United St Agreement.

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

CORDELL HULL.

II

The Canadian Minister to the United States to the Secretary of State of the United States

#### CANADIAN LEGATION

Washington, May 26, 1943.

No. 276

Sir,

I have the honour to refer to your note of May 25, 1943 proposing an agreement which the Government of the United States is prepared to make with the Government of Canada for the waiver of claims arising as a result of collisions between ships of the Royal Canadian Navy and United States warships.

Under instructions from my Government I have the honour to inform you in reply that the Canadian Government undertakes to give effect to the agreement set forth in your note and understands that the agreement will come into force as of the date of this note; namely, May 26, 1943.

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

#### LEIGHTON McCARTHY.

CORDELL HULL

bave the bonor to inform you that if an Agreement in accordance with