

EXCHANGE OF NOTES (NOVEMBER 18 AND DECEMBER 5, 1946)
BETWEEN CANADA AND THE UNITED STATES OF AMERICA
RELATING TO THE APPLICATION AND INTERPRETATION OF
THE (RUSH-BAGOT) AGREEMENT OF 1817 CONCERNING
THE NAVAL FORCES ON THE GREAT LAKES.*

CANADA

TREATY SERIES, 1946

No. 40

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THE APPLICATION AND INTERPRETATION
OF THE (RUSH-BAGOT) AGREEMENT OF 1817
CONCERNING
THE NAVAL FORCES ON THE GREAT LAKES

Came into force December 5, 1946



OTTAWA
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,
KING'S PRINTER AND CONTROLLER OF STATIONERY
1947

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CANADA

No. 40

October 22, 1946

EXCHANGE OF NOTES

SUMMARY

PAGE

- I. Note, dated November 18, 1946, from the Canadian Ambassador to the United States, to the Secretary of State of the United States of America..... 3
- II. Note, dated December 5, 1946, from the Acting Secretary of State of the United States, to the Canadian Ambassador to the United States..... 4



OTTAWA
EDWARD GIBLING (CAN. P.A. INC.)
KING'S PRINTER AND GOVERNMENT OF CANADA

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THE NAVAL FORCES ON THE GREAT LAKES.***

I

*The Canadian Ambassador to the United States
to the Secretary of State of the United States*

CANADIAN EMBASSY

WASHINGTON, November 18, 1946.

No. 421

SIR,
You will recall that the Rush-Bagot Agreement of 1817 has been the subject of discussion between our Governments on several occasions in recent years and that notes were exchanged in 1939, 1940 and 1942† relating to the application and interpretation of this Agreement. It has been recognized by both our Governments that the detailed provisions of the Rush-Bagot Agreement are not applicable to present day conditions, but that as a symbol of friendly relations extending over a period of nearly one hundred and thirty years the Agreement possesses great historic importance. It is thus the spirit of the Agreement rather than its detailed provisions which serves to guide our Governments in matters relating to naval forces on the Great Lakes.

Discussions have taken place in the Permanent Joint Board on Defence with regard to the stationing on the Great Lakes of naval vessels for the purpose of training naval reserve personnel. The naval authorities of both our Governments regard such a course as valuable from the point of view of naval training and the Board has recorded its opinion that such action would be consistent with the spirit of existing agreements. The Canadian Government concurs in this opinion.

In order that the views of our two Governments may be placed on record, I have the honour to propose that the stationing of naval vessels on the Great Lakes for training purposes by either the Canadian Government or the United States Government shall be regarded as consistent with the spirit of the Rush-Bagot Agreement provided that full information about the number, disposition, functions and armament of such vessels shall be communicated by each Government to the other in advance of the assignment of vessels to service on the Great Lakes. If your Government concurs in this view, this note and your reply thereto shall be regarded as constituting a further interpretation of the Rush-Bagot Agreement accepted by our two Governments.

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

H. H. WRONG,
Canadian Ambassador.

* 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", Ottawa, King's Printer, 1927, p. 12.

† For the text of the Exchange of Notes see *Canada Treaty Series, 1940, No. 12* and 1942, No. 3.



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1946. No. 40

II

*The Acting Secretary of State of the United States
to the Canadian Ambassador to the United States*

DEPARTMENT OF STATE

WASHINGTON, December 5, 1946.

EXCELLENCY:

I have the honor to acknowledge the receipt of your note No. 421 of November 18, 1946, in which you advised me that your Government has proposed a further interpretation of the detailed provisions of the Rush-Bagot Agreement. My Government is in complete accord with yours as to the historic importance of this Agreement as a symbol of the friendship between our two countries and agrees that it is the spirit of this Agreement which guides our Governments in matters relating to naval forces on the Great Lakes.

I am now pleased to inform you that my Government concurs with your proposal, namely, that the stationing of naval vessels on the Great Lakes for training purposes by either the Canadian Government or the United States Government shall be regarded as consistent with the spirit of the Rush-Bagot Agreement provided that full information about the number, disposition, functions and armament of such vessels shall be communicated by each Government to the other in advance of the assignment of vessels to service on the Great Lakes.

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

DEAN ACHESON,

Acting Secretary of State.

H. H. WOOD
Canadian Ambassador