

RESEARCH

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REPUBLIEK VAN SUID-AFRIKA
REPUBLIC OF SOUTH AFRICA

(51)

DEPARTEMENT VAN BUITELANDSE SAKE
DEPARTMENT OF FOREIGN AFFAIRS

102/2/11 Vol. 1

No.

102/2/11

Vol. 1

ONDERWERP ~~ONDERWERP~~ SUBJECT

TERRITORIAL CLAIMS IN THE
ANTARCTIC

No.:

Verwante lêers:
Relative files:

B 1-9-26

E: 22-10-45

CLOSED — SEE VOL 2



Area claimed by Polarfront Co. in 1926.



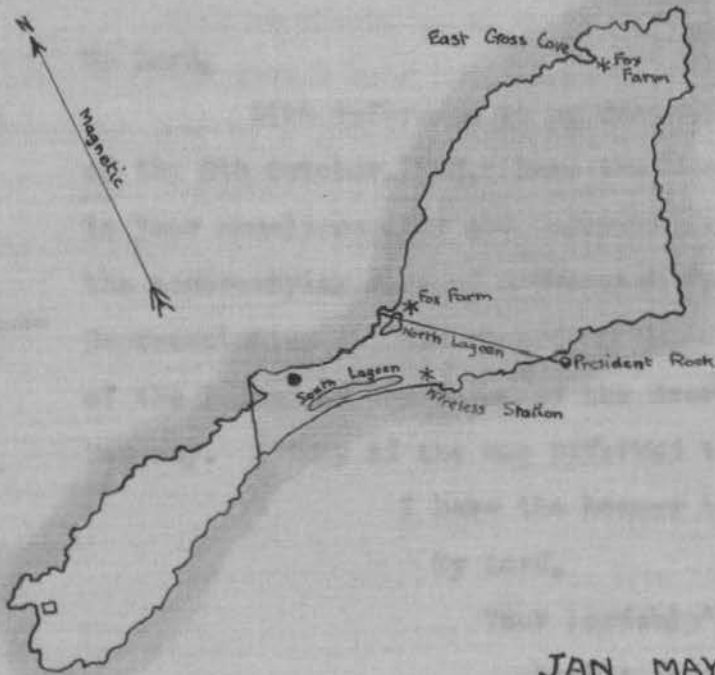
Area claimed by Norwegian Geophysical Institute.



Norwegian Hunting Expedition Wintering here 1926-1927.



Unknown Hunting Expedition wintering herabouts 1926-1927.



JAN MAYEN

GOVERNOR GENERAL

HIS EXCELLENCY

The Right Honourable

THE RIGHT HONOURABLE

SIR AUSTIN CHAMBERLAIN, K.C., M.P.

THE EARL OF ATHLONE, G.C.B., G.C.H.Q., G.C.V.O., D.S.O.

etc.,

etc.,

etc.,

etc.,

DUPLICATE

British Legation,

Downing Street,

11 March, 1927.

UNION OF SOUTH AMERICA.

Dominions No. 153

My Lord,

With reference to my despatch Dominions No. 461 of the 6th October, 1926, I have the honour to transmit to Your Excellency, for the information of your Ministers, the accompanying copy of a despatch from His Majesty's Representative at Oslo regarding the occupation of part of the Island of Jan Mayen by the American Polarfront Company. A copy of the map referred to is also enclosed.

I have the honour to be,

My Lord,

Your Lordship's most obedient,
humble servant,

(Signed) L. S. AMERY

299. 27th. Nov.

Map.

GOVERNOR GENERAL

HIS EXCELLENCY

THE RIGHT HONOURABLE

THE EARL OF ATHERTON, G.C.B., G.C.M.G., G.C.V.O., D.S.O.

etc.,

etc.,

etc.,

Copy.

No.

(42/21/30).

British Legation,
Oslo,
27th November, 1926.

Sir,

With reference to my despatch No. 240 of the 3rd September last, I have the honour to transmit herewith copy of a despatch from His Majesty's Consul at Bergen regarding the occupation of part of the Island of Jan Mayen by the American Polarfront Company.

I have etc.,

(Sgd) F.O. Lindley.

The Right Honourable

Sir Austen Chamberlain, B.S., W.P.

etc.,

etc.,

etc.,

Copy.

No. 22.

fide: L.

British Consulate,

Bergen,

24th November, 1926.

Sir,

With reference to my despatch No. 11 of the 1st September, 1926, reporting the claiming of the Island of Jan Mayen by an American company called the Polarfront Company, I have now the honour to inform you that I have had a further conversation with Mr. Feder Lovfald on the return of his second expedition to the island to land men and stores for the winter and the following is a revision of the facts and should be taken as superseding the previous despatch in all points where it differs therefrom.

2. From the enclosed rough map the part of the island now claimed by the Polarfront Company will be seen marked in red, so it will be seen that the Company at present only claims part of the island. The part marked in green, Mr. Lovfald says, is claimed by the Norwegian Geophysical Institute, and the uncoloured part is at present unclaimed as far as is known. Further a hunting expedition from Aalesund is wintering on the part claimed by the Geophysical Institute somewhere near the place marked by a black circle on the map, and another expedition consisting of two men who have erected a hut is wintering in the unclaimed part somewhere near the place marked on the map by a square. It is not known who these last-mentioned men are or what their nationality is. It is probably a hunting expedition, but it is not known whether they have made a claim.

3.

The Honourable

Sir Francis Lindley, K.C., M.G.,

etc., etc., etc.,

British Legation,

Oslo

3. Mr.Lovfald showed me a document claiming part of the island on behalf of the Polarfront Company, whose President is Mr.Ekerold. The document was signed by the persons who formed the expedition. The claim comprises the part of the island lying to the east of a straight line drawn from the south coast at President Rock to the north coast and cutting the north-east end of North Lagoon. From the above-mentioned map it will be seen that the Company has started two fox farms, one at East Cross Cove, and the other at the north east end of North Lagoon.

4. The farms consist of a hut and two men at each farm and a number of blue foxes in enclosures. The animals were captured on the spot. Mr.Lovfald intends to take up silver foxes to Jan Mayen next summer and to start also white fox farming. He maintains that the venture will prove a success as he considers the conditions on the island are very suitable to fox farming.

I have etc.,

(Sgd) H.Kelsall.

H. Kelsall
Lieutenant-Governor

11th October, 1926.

Despatch 1926-1927 No. 107. (See the Secretary of State's despatch 1926-1927, para. 107.)

X



GOVERNOR-GENERAL'S OFFICE,

PRETORIA,

29 October, 1926.

*Ent-
Per 59/29*

No. 37/937

MINUTE.

The GOVERNOR-GENERAL transmits herewith for the information of MINISTERS, with reference to his Minute No. 37/922 of 28th September, 1926, a copy of the undermentioned document regarding the establishment of an American silver fox farming company on Jan Mayen Island.

Athlone.

GOVERNOR-GENERAL.

DATE	DESCRIPTION OF DOCUMENT
6th October, 1926.	Despatch Dominions No. 461 from the Secretary of State for Dominion Affairs (with enclosures).

X

DUPLICATE

UNION OF SOUTH AFRICA.

DOMINIONS No. 461

DOWNING STREET.

6 October, 1926.

3rd September, 1926.

My Lord,

With reference to my despatch Dominions No. 416 of the 1st of September, I have the honour to transmit to Your Excellency, for the information of your Ministers, the accompanying copy of a despatch from His Majesty's Representative at Oslo, forwarding a copy of a despatch from His Majesty's Consul at Bergen, reporting the establishment of an American silver fox farming company on Jan Mayen Island.

3rd September.

I have the honour to be,

My Lord,

Your Lordship's most obedient,

humble servant,

(Signed) L. S. AMERY.

GOVERNOR GENERAL,

HIS EXCELLENCY,

THE RIGHT HONOURABLE,

THE EARL OF ATHLONE, G.C.B., G.C.M.G., G.C.V.O., D.S.O.,

etc.,

etc.,

etc.

copy.

No. 240.

(N.4145/2164/30)

BRITISH LEGATION,

OSLO.

3rd September, 1926.

Sir,

With reference to your despatch No. 184 of the 22nd July last, I have the honour to transmit to you herewith copy of a despatch which I have received from His Majesty's Consul at Bergen, reporting that an American silver fox farming company called the Polarfront Company has established itself at various points on the Jan Mayen Island.

I am sending a copy of this despatch to His Majesty's Chargé d'Affaires at Copenhagen.

I have, etc.

(Signed) F. C. Lindley.

The Right Honourable

Sir Austen Chamberlain, K.G., M.P.,

His Majesty's Principal Secretary

of State for Foreign Affairs,

British Legation, London.

Copy.

(Enclosure to Sir F. Lindley's despatch No. 240, 3.9.26)

No. 11.

CONFIDENTIAL.

BRITISH CONSULATE,

BERGEN.

1st September, 1926.

Sir,

I have the honour to inform you that a Norwegian subject of the name of Pedar Lovfald of Rosendal, Hardanger, recently chartered the small British motor yawl "Polarfront" belonging to Mr. J. Chaworth Musters and went with it on an expedition to Jan Mayen Island.

2. Mr. Lovfald has informed me confidentially that he has erected several huts on shore on behalf of an American silver fox farming company called the Polarfront Company at various points on the island and hoisted the American flag on them, and that he has captured foxes and already started the farming and has a man living at each hut. He maintains that he has thereby established an actual claim to the island by having actually taken it in useful possession, with the exception of the wireless station belonging to Norsk Geofysisk Institut, and he says his company intends to use the whole island with the above-mentioned exception as a silver fox farm, and this, he maintains, is the only commercial purpose to which the island can be put with advantage.

3. Mr. Lovfald was I understand a member of the expedition

Sir Francis O. Lindley, K.C.M.G.,

etc., etc., etc.,

British Legation,

Oslo.

put to any other commercial use and that as an aeroplane landing base the only possible place is the North Lagoon.

5. The "Polarfront" has now sailed for Jan Mayen on its second trip to land the wintering party and stores.

I have, etc., the honour to

(Signed) H. Kelsall.

... for the information of
... the accompanying copy of a despatch
... His Majesty's Representative at Oslo, forwarding
... a copy of a despatch from His Majesty's Consul at
Bergen, reporting the establishment of an expedition
... silver for having company on Jan Mayen island.

I have the honour to be,

My Lord,

Your Lordship's most obedient,

humble servant,

(Signed) L. S. AGERY

THE KING OF SWEDEN,
THE KING OF DENMARK,
THE KING OF NORWAY,
THE KING OF GREECE,
THE KING OF ITALY,
THE KING OF SERBIA,
THE KING OF ROMANIA,
THE KING OF YUGOSLAVIA,
THE KING OF ALBANIA,
THE KING OF GERMANY,
THE KING OF AUSTRIA,
THE KING OF HUNGARY,
THE KING OF POLAND,
THE KING OF CZECHOSLOVAKIA,
THE KING OF SLOVAKIA,
THE KING OF CROATIA,
THE KING OF SLOVENIA,
THE KING OF BOSNIA AND HERZEGOVINA,
THE KING OF MONTENEGRO,
THE KING OF ALBANIA,
THE KING OF GREECE,
THE KING OF ITALY,
THE KING OF SERBIA,
THE KING OF ROMANIA,
THE KING OF YUGOSLAVIA,
THE KING OF ALBANIA,
etc., etc., etc.



GOVERNOR-GENERAL'S OFFICE,

PRETORIA,

28th September, 1926.

No. 37/922

Ent- Am 59/29

MINUTE.

The GOVERNOR-GENERAL transmits herewith for the information of MINISTERS, with reference to his Minute No. 37/908 of 1st September, 1926, a copy of the undermentioned document, regarding the abandonment of the plan for the establishment by Denmark of a seismographic station on the island of Jan Mayen.

Athlone.

GOVERNOR-GENERAL.

4126-21/6/24-1,000

DATE.	DESCRIPTION OF DOCUMENT.
1st September, 1926.	Despatch Dominions No. 416 from the Secretary of State for Dominion Affairs (with enclosure).

No. 176

(N 3806/2164/30)

COPENHAGEN.

August 10th, 1926.

Sir,

With reference to paragraph 2 of my Despatch No. 151 of July 8th, I have the honour to report that the Minister of Defence on his arrival in Copenhagen a few days ago from his journey to Jan Mayen, stated to the press that the plans for establishing a seismographic station on that island had now definitely been given up owing to the unsuitable state of the rocky ground which proved to be too porous.

2. A seismographic station will be set up next year at Scoresby Sund on the East coast of Greenland where conditions have proved satisfactory.

3. The Minister informed the press that the Danish delegation had been on the best of terms with the members of the Norwegian meteorological station, who were the only inhabitants of Jan Mayen.

I am forwarding a copy of this despatch to His Majesty's Minister at Oslo.

I have etc.

(For H.M. Minister)

(Sd) O.A. SCOTT.

The Rt. Honble.

Sir Austen Chamberlain, K.G., M.P.,

etc., etc., etc.

WF/YR

Am 59/29

Pretoria.
17th August 1925.

Sir,

I am directed by the Prime Minister to acknowledge the receipt of your letter of the 12th August intimating that the Norwegian Ministry of Foreign Affairs took over Spitzbergen (Svalbard) on the 14th instant.

I have the honour to be,

Sir,

Your obedient servant.

W. J. H. F.

Assistant Secretary to the Prime Minister

H.A. Falsen Esq.,
Consul-General for Norway
in South Africa.
CAPETOWN.

Consul-General of Norway
for South Africa.

General the Honorable J. M. G. ...
The Prime Minister of the Union of South Africa.

File
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PM 102/14
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RECEIVED
22-10-1945
Schedule
Dominion Office,

UNION OF SOUTH AFRICA

Circular despatch D. No. 158

Downing Street.

SECRET

10 October, 1945.

Sir,

I have the honour to transmit copies
Nos. 51 to 53 of a secret handbook entitled
"Territorial Claims in the Antarctic".

① Miss Rose, *copy* have the honour to be,
see for a new copy Sir,
whom Your most obedient,
humble servant,
② Mr. Town. *Handled to his highness in annexation jacket*
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Dr. Sefidman, etc
Address
R.H. 14/11

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

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transport Primero de Mayo in February-March 1945 and of the activities of the officers of that vessel at Deception Island, Port Lockroy, the Melchior Islands and Nony Fjord.

5. I have the honour to draw Your Excellency's formal attention to the fact that His Majesty's Government must take serious exception to these activities in so far as they imply a denial of British sovereignty over the areas in question, and in particular to the erasure of British emblems at Deception Island and to the surreptitious restoration of Argentine emblems for a second time on this island. His Majesty's Government have also learnt with surprise that an Argentine flag was hoisted at Port Lockroy and that a cylinder was deposited there containing an Argentine claim to sovereignty over the lands between longitudes 25° West and 68° 34' West, to the south of latitude 60° South. These further attempted encroachments on the part of the Argentine Government upon territory under His Majesty's sovereignty have not passed unobserved by His Majesty's Government. The Argentine marks have been removed by British administrative officials and I am directed to enter an energetic protest against a course of conduct which cannot but be calculated to injure relations between the Argentine Government and
/His

PM 103/14 old

DUPLICATE

UNION OF SOUTH AFRICA

Circular despatch D. No. 158

SECRET

Dominions Office,

Downing Street,

10 October, 1945.

Sir,

I have the honour to transmit copies Nos. 51 to 53 of a secret handbook entitled "Territorial Claims in the Antarctic".

I have the honour to be,
Sir,
Your most obedient,
humble servant,

(Signed) ADDISON

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

transport Primero de Mayo in February-March 1945 and of the activities of the officers of that vessel at Deception Island, Port Lockroy, the Melchior Islands and Nony Fjord.

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The Scientific
Adviser to the Prime
Minister
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UNION OF SOUTH AFRICA

Pretoria, Dominion Office,

Circular despatch D. No. 154

Downing Street.

SECRET

Date 11/10/45

1st October 1945.

File

Duplicate copy handed
to Mr. Hamilton
for info. - without covering
minutes of meeting
12/10/45

Sir,

With reference to Mr. Attlee's Secret despatch, Circular D. No. 29 of the 13th April, 1943, regarding the Argentine claims in respect of the Falkland Islands, I have the honour to transmit a copy of the draft of a Note which His Majesty's United Kingdom Ambassador in Buenos Aires has been instructed to present to the Argentine Government at the first convenient opportunity.

2. The Note refers in detail not only to the recent Argentine action in raising the question of the Falkland Islands at the San Francisco Conference, but also to British and Argentine activities in recent years in the Falkland Islands Colony and its Dependencies. The Note concludes with a categorical reassertion of the Sovereign rights to these territories of His Majesty's Government in the United Kingdom.

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Dr. Schuler who
may be interested in
reference to Antarctic?
12/10/45

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

③ Mr. Hamilton
PA. on cover containing minutes of meeting 12/10/45

infringements of that title by the Argentine Government.

4. After this Memorandum was delivered, His Majesty's Government learnt with surprise of the second voyage of the Argentine naval transport Primero de Mayo in February-March 1943 and of the activities of the officers of that vessel at Deception Island, Port Lockroy, the Melchior Islands and Nony Fjord.

5. I have the honour to draw Your Excellency's formal attention to the fact that His Majesty's Government must take serious exception to these activities in so far as they imply a denial of British sovereignty over the areas in question, and in particular to the erasure of British emblems at Deception Island and to the surreptitious restoration of Argentine emblems for a second time on this island. His Majesty's Government have also learnt with surprise that an Argentine flag was hoisted at Port Lockroy and that a cylinder was deposited there containing an Argentine claim to sovereignty over the lands between longitudes 25° West and 68° 34' West, to the south of latitude 60° South. These further attempted encroachments on the part of the Argentine Government upon territory under His Majesty's sovereignty have not passed unobserved by His Majesty's Government. The Argentine marks have been removed by British administrative officials and I am directed to enter an energetic protest against a course of conduct which cannot but be calculated to injure relations between the Argentine Government and

/His

3. A copy of the Memorandum, dated the 7th April, 1943, to which reference is made in Paragraph 3 of the above Note, is also enclosed.

I have the honour to be,
Sir,
Your most obedient,
humble servant,

Admiral

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5. I have the honour to draw Your Excellency's formal attention to the fact that His Majesty's Government must take serious exception to these activities in so far as they imply a denial of British sovereignty over the areas in question, and in particular to the erasure of British emblems at Deception Island and to the surreptitious restoration of Argentine emblems for a second time on this island. His Majesty's Government have also learnt with surprise that an Argentine flag was hoisted at Port Lockroy and that a cylinder was deposited there containing an Argentine claim to sovereignty over the lands between longitudes 25° West and 68° 34' West, to the south of latitude 60° South. These further attempted encroachments on the part of the Argentine Government upon territory under His Majesty's sovereignty have not passed unobserved by His Majesty's Government. The Argentine marks have been removed by British administrative officials and I am directed to enter an energetic protest against a course of conduct which cannot but be calculated to injure relations between the Argentine Government and

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SECRET

A N N E X I

Draft Note

from His Majesty's United Kingdom Ambassador

Buenos Aires

to Argentine Minister for Foreign Affairs

Monsieur le Ministre,

I have the honour, on the instructions of His Majesty's Principal Secretary of State for Foreign Affairs, to refer to the action of the Argentine Delegation at San Francisco in formulating a reservation as regards territories which might be placed under trusteeship in language intended apparently to refer to the Falkland Islands. By this action, the Delegation incurred the risk that there would be raised, at a Conference which was in no way concerned with particular territories, a public dispute on the subject of these Islands. That a dispute was in the event avoided was due solely to the restraint exercised by the United Kingdom Delegation.

2. Such a dispute would have been greatly to be deplored, not only because it would have been unnecessary (the respective standpoints of the interested parties having long been defined and well known) but because it could only be expected to impair the good relations which it is the desire of His Majesty's Government to see maintained between the United Kingdom and Argentina - a desire which His Majesty's Government assume that the Argentine Government reciprocate. I am (therefore to express the concern of His Majesty's Government at the despatch to the Argentine Delegation at San Francisco of the instructions which led to the formulation of reservation referred to above.

3. I am to take the opportunity to recall to your Excellency the Memorandum which I had the honour to leave with your predecessor on 12th April 1943, and which in part recites His Majesty's title to the Falkland Islands Dependencies and instances a number of infringements of that title by the Argentine Government.

4. After this Memorandum was delivered, His Majesty's Government learnt with surprise of the second voyage of the Argentine naval transport Primero de Mayo in February-March 1943 and of the activities of the officers of that vessel at Deception Island, Port Lockroy, the Melchior Islands and Nony Fjord.

5. I have the honour to draw Your Excellency's formal attention to the fact that His Majesty's Government must take serious exception to these activities in so far as they imply a denial of British sovereignty over the areas in question, and in particular to the erasure of British emblems at Deception Island and to the surreptitious restoration of Argentine emblems for a second time on this island. His Majesty's Government have also learnt with surprise that an Argentine flag was hoisted at Port Lockroy and that a cylinder was deposited there containing an Argentine claim to sovereignty over the lands between longitudes 25° West and 68° 34' West, to the south of latitude 60° South. These further attempted encroachments on the part of the Argentine Government upon territory under His Majesty's sovereignty have not passed unobserved by His Majesty's Government. The Argentine marks have been removed by British administrative officials and I am directed to enter an energetic protest against a course of conduct which cannot but be calculated to injure relations between the Argentine Government and

/His

His Majesty's Government.

6. The attention of His Majesty's Government has further been drawn to Chart No. 100 published in July 1944 by the Ministerio de Marina at Buenos Aires, with the title "República Argentina, Océano glacial Antártico, "Isla Decepcion". His Majesty's Government can only deplore the publication of this official document, with its implication of Argentine sovereignty over this British possession.

7. Finally, I am instructed to protest against the action of the Argentine Government in continuing to maintain an illegal post office and wireless telegram station in the South Orkney Islands. The international character of the meteorological work which is being performed at the Argentine observatory on Laurie Island in no way justifies an open breach of the regulations in force in the Dependencies relating to the maintenance of such stations.

8. I should recall to Your Excellency that the South Shetland Islands, Graham Land and the South Orkney Islands have the legal status of Dependencies of the Falkland Islands. Your Government are doubtless aware that a British Stipendiary Magistrate has been in residence at Deception Island between 1910 and 1930, that a post office and mail service was maintained on the island for eighteen years (1912-30) during the operation of the shore whaling station, and that all the whaling carried on in this region has been done with the permission and licence of His Majesty's Government. Although the residence of a Magistrate at Deception Island ceased to be necessary in 1930, in view of the cessation of shore whaling activities, British vessels have since made frequent use of the island. At various times British installations have also been established and occupied at points along the coast of Graham Land. In addition to these operations on shore, the ship of the "Discovery" Committee have for many years past made a long series of visits to the South Shetlands and the coasts and islands of Graham Land, and have carried out a comprehensive programme of surveying, hydrology, sounding and biological work with a view to developing the economic resources of the region. In the Dependency of South Orkney all whaling activities since 1908 have been carried out under the licence and control of His Majesty's Government. Furthermore, land on Signy Island was held during the years 1921 to 1930 on lease to a Norwegian Company from the Falkland Islands Government, under the laws of that Colony, and shore whaling installations were erected on the island. In order to safeguard the due observance of the Falkland Islands Ordinances on the conduct of whaling, a series of visits were made during this period by officials of the Falkland Islands Government. Since 1930, when the need for a shore whaling station in the islands ceased to exist, British sovereign functions have been exercised during the visits of His Majesty's ships and the research ships on the "Discovery" Committee, which made a thorough survey and scientific investigation of all the islands in the group between 1927 and 1937.

9. Visits to the Dependencies by His Majesty's ships and by ships of the Government of the Dependencies have continued

/throughout

throughout the war, and I now have the honour to inform Your Excellency that in 1943 the work of the "Discovery" Committee's ships and the land investigations started by the British Graham Land Expedition of 1936-37 were resumed, and to add that an extensive programme of research, exploration and development is now being carried out. New shore establishments, meteorological stations, post offices and wireless telegraph stations have been set up, and Magistrates have been appointed for Graham Land, the South Shetland Islands and the South Orkney Islands.

10. In conclusion I have the honour to emphasize that His Majesty's Government must continue to take all steps necessary to conserve their Sovereign Rights over the Falkland Islands Colony and its Dependencies.

7. Subsequently the attention of the Argentine Government was drawn, on various occasions, to the sovereignty exercised by His Majesty's Government over these islands; but the Argentine Government have not, despite reminders to the above effect, seen their way as yet to seek authority for erection of a wireless telegraphic station which has existed on Laurie Island since 1925.

8. In communications to the International Telegraphic Bureau at Berne and also to the Argentine Government, His Majesty's Government made a clear statement that the islands were British territory and that the establishment of a wireless telegraphic station without their permission was consequently illegal. When therefore the Argentine Government informed the International Bureau of the Universal Postal Union that a permanent Argentine Post Office had been opened in the South Orkneys in 1941, and the meteorological station staffed by members of the Argentine Navy, His Majesty's Government, who had years before notified the Bureau that the dependencies of the Falkland Islands were British territory, took occasion to give the Bureau a list of the islands comprised within these dependencies, including the South Orkneys and the South Shetlands.

9. The subsequent actions of the Argentine authorities (for example, the installation of a light beacon in Dallman Bay in the Melchior Archipelago in May 1942) and the formal nature of the claims set out in the Argentine Government's Memorandum of February 15th, 1943 have unfortunately obliged His Majesty's Government to place on record, in the same manner, that both the South Orkneys and the South Shetlands form part of the dependencies of the Falkland Islands, over which His Majesty's Government in the United Kingdom exercise full sovereignty. This action is none the less taken in the spirit of cordial frankness which so happily marked the interview of 11th February between His Excellency the Minister for Foreign Affairs and His Majesty's Ambassador at Buenos Aires.

BRITISH EMBASSY,
BUENOS AIRES.
April 7th, 1943.

103/14



TELEGRAM

W. de Schutter
W. de Schutter

*Twee "Saving" telegrams
hieronder, via ingang. Dit
betreft die geskiedenis tussen die
Verenigd Koninkryk en
Argentinië oor die Falkland
eilande-groep.*

W. de Schutter

the Union of South Africa
1944.

British Scientific Research and
Falkland Islands appeared in
4th.

ements have been made for
work to be resumed in some of the
islands, the Dependencies of the
South of which are the South
Georgia and Grahamland. The
British officials have already
arrived. The bases are fully
established. The personnel are expected to
remain for a considerable period."

Material was issued to the Press

islands lie in the South Atlantic
groups of islands together with
the continent. The majority
are covered with snow and ice
and plant life, but they used to
support an industry operated almost
entirely by companies from shore
operating under licences issued by

However, the system of pelagic
whaling away from land was being adopted on an increasing scale,
and although this resulted in the operations of the shore
factories being very much reduced, their commercial activities
may revive in the period immediately after the war owing to the
shortage of factory ships.

During

DLF/C8V

... was not intended to indicate any claim to the islands as a
whole.

I have the honour to be,
Sir,
Your most obedient,
humble servant,

E. R. Archer

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

W 115/3

SAVING TELEGRAM

OUTWARD TELEGRAM



From: Dominions Office

To: The Government of the Union of South Africa

Sent 6th May, 1944.

D No. 6 SAVING

Following announcement on British Scientific Research and Survey in the Dependencies of the Falkland Islands appeared in the Press here on Monday, April 24th.

"It is announced that arrangements have been made for scientific research and survey work to be resumed in some of the most remote of British possessions, the Dependencies of the Falkland Islands, the most important of which are the South Shetlands, South Orkneys, South Georgia and Grahamland. The personnel who include administrative officials have already arrived, and bases have been established. The bases are fully equipped and self-contained and the personnel are expected to remain in the Antarctic for a considerable period."

The following background material was issued to the Press to amplify the above announcement.

The Falkland Islands Dependencies lie in the South Atlantic Ocean and consist of a number of groups of islands together with part of the mainland of the Antarctic continent. The majority of these regions are nearly completely covered with snow and ice and are almost entirely destitute of plant life, but they used to be the centre of an important whaling industry operated almost entirely by British or Norwegian whaling companies from shore factories or factory ships established under licences issued by the British Government.

Some years prior to the war, however, the system of pelagic whaling away from land was being adopted on an increasing scale, and although this resulted in the operations of the shore factories being very much reduced, their commercial activities may revive in the period immediately after the war owing to the shortage of factory ships.

During

DLF/C&V

and was not meant to indicate any claim to the islands as a whole.

I have the honour to be,
Sir,
Your most obedient,
humble servant,

E. R. Acheson

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

120

During the 12 years from 1926 to 1938 numerous voyages were made to the Falkland Islands Dependencies by the ships of the "Discovery" Committee which carried out a comprehensive programme of surveying, charting, and general research on the natural history of the region.

The personnel who are undertaking the new programme of research and survey work are led by Lieutenant Commander J.W.S. Marr, R.N.V.R., who has had exceptional experience of the Antarctic both in exploration and research. In 1921-22 he accompanied Shackleton's last expedition in the "Quest", and subsequent voyages in the "Discovery II" and "William Scoresby" took him to many parts of the Southern Ocean and Antarctic in the course of the "Discovery" Committee's general programme of research. At the beginning of the war Lieutenant Commander Marr spent a season in an Antarctic whaling factory ship and he has served in the Navy since 1940.

DLF/C8V

whole.

I have the honour to be,
Sir,
Your most obedient,
humble servant,

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

C. R. Acheson

DUPLICATE

103/14

OUTWARD TELEGRAM

V 1115 3

SAVING TELEGRAM

From: Dominions Office

To: The Government of the Union of
South Africa

Sent 6th May, 1944.

Seen *[Signature]* 17/6/44

D No. 7 SAVING SECRET

My immediately preceding Saving telegram.

Expedition for Scientific Research and Survey is intended as counter measure to encroachments which Argentine Government have been making in Dependencies of Falkland Islands over a series of years.

2. Original intention was to establish bases at Deception Island in South Shetlands and at Hope Bay on Graham Land. Base at Deception Island was successfully established on 6th February. British marks which were deposited on the island last year by H.M.S. CARNARVON CASTLE had been removed and Argentine marks substituted; these were in turn removed and have been brought back to Port Stanley.

3. The Expedition found it impossible, unfortunately, to reach Hope Bay owing to ice, but they looked for and found another base at Port Lockroy on Wiencke Island off Graham Land coast. Expedition established its main base here on 11th February. Argentine marks claiming sovereignty were also found at Port Lockroy and were removed.

4. Ship which carried Expedition then went on a tour to South Orkneys and South Georgia, calling on the way at other islands on one of which they found and removed more Argentine marks.

5. So far therefore Expedition has been substantially successful.

6. Before leaving this country Expedition was supplied with stocks of Falkland Island stamps specially overprinted with names of four of the Dependencies, namely, South Georgia, South Shetlands, South Orkneys and Graham Land, and was instructed on arrival at any of Dependencies concerned to post letters bearing the new stamps. These letters were posted and some of them have already

DLF/C&V

whole.

I have the honour to be,
Sir,
Your most obedient,
humble servant,

C. R. Acheson

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

DUPLICATE

103/14

V 1163

OUTWARD TELEGRAM

SAVING TELEGRAM

From: Dominions Office

To: The Government of the Union of
South Africa

Sent 6th May, 1944.

Seen *[Signature]* 17/6

D No. 7 SAVING SECRET

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DDF/CBV

and was not taken to indicate any claim to the islands as a whole.

I have the honour to be,
Sir,
Your most obedient,
humble servant,

C. R. Acheson

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

P.M. 103/14

SECRET.

P A S T O R I A,

2-7-1943

My dear Syers,

I write with reference to your letter No. 1218/43 of the 15th July and am happy to inform you that the Union Defence authorities will be pleased to release Lieutenant J.W.S. Marr in order that he may lead the wintering parties which the Government of the United Kingdom propose to send to the South Orkney and South Shetland Islands during the coming summer season.

Yours sincerely,

D. D. FORSYTH

C.G.L. SYERS, ESQ., C.V.O.

DDF/CdV

and was not taken to indicate any claim to the islands as a whole.

I have the honour to be,
Sir,
Your most obedient,
humble servant,

C. R. Adair

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

SECRET

Telegramadres | "DEFENCE."
Telegraphic Address



URGENT

14/03/14
D.O. 123 B.

Wees so goed om ons telegram nummer in
antwoord te vermelden
In reply please quote

No. C.G.S. 31/2.

UNIE VAN SUID-AFRIKA.—UNION OF SOUTH AFRICA.

DEPARTEMENT VAN VERDEDIGING,
DEPARTMENT OF DEFENCE.

PRETORIA,

20th July, 1943.

The Secretary for External Affairs.

In reply to your Minute No. P.M. 103/14 of the
19th July, 1943, I am directed to inform you that the
C.G.S. agrees to Lieut. Marr accepting the suggested
appointment.

Col.
G.S.O., C.G.S. Section.

/RW.

with the organisation of the expedition if the Union
Government could see their way clear to allowing Lieut.
Marr to accept the suggested appointment.

Meanwhile the Admiralty have arranged for
Lieut. Marr to be consulted through service channels as to
his readiness to lead the wintering parties in the event
of the Union Government concurring.

Will you kindly inform me as early as possible
what reply may be returned to the Government of the United
Kingdom.

Perd 7 days

*VP
9/7/43*

DDF/C&V

D. D. FORSYTH

SECRETARY FOR EXTERNAL AFFAIRS.

and was not taken to indicate any claim to the island as a
whole.

I have the honour to be,
Sir,
Your most obedient,
humble servant,

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

P.M. 103/14

SECRET AND URGENT.

PRETORIA,

THE CHIEF OF THE GENERAL STAFF.



Arising out of the claims made by the Argentine Government to the Falkland Islands and their dependencies - claims which are rejected by the Government of the United Kingdom - the latter Government has decided to send wintering parties to the South Orkney and South Shetland Islands during the coming summer season and that the most suitable person to lead these parties is Lieutenant J.S.S. Marr, who was recently transferred to the South African Naval Forces though he remains on loan to the Royal Navy. The British Government states that it would be a great help to the departments concerned with the organisation of the expedition if the Union Government could see their way clear to allowing Lieut. Marr to accept the suggested appointment.

Meanwhile the Admiralty have arranged for Lieut. Marr to be consulted through service channels as to his readiness to lead the wintering parties in the event of the Union Government concurring.

Will you kindly inform me as early as possible what reply may be returned to the Government of the United Kingdom.

Perd 7 days

D. D. FORSYTH

DDF/C&V

VF 19/7/43

SECRETARY FOR EXTERNAL AFFAIRS.

and was not taken to indicate any claim to the island as a whole.

I have the honour to be,
Sir,
Your most obedient,
humble servant,

C. R. Archer

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

UNION OF SOUTH AFRICA

Circular despatch D. No. 29

Secret

Dominions Office,

Downing Street,

13 April, 1943.

103/14
(und)

*Mr. Pohl
Wootgate in
Secretary
P.M. 1/5 1943*

2961-9-2
1943

in light of Sir,

Memo.

In continuation of my Most Secret telegram, Circular D. No. 84 of the 13th February, regarding the Argentine claims in respect of the Falkland Islands, I have the honour to transmit a summary of a memorandum on the subject which His Majesty's Ambassador at Buenos Aires received from the Argentine Ministry of Foreign Affairs on the 20th February.

S

2. On the 26th March, His Majesty's Ambassador at Buenos Aires was instructed to hand to the Argentine Minister for Foreign Affairs a memorandum, similar in form to his, setting out the British title to the islands. His Majesty's Ambassador was asked to explain orally to the Minister for Foreign Affairs that His Majesty's Government in the United Kingdom did not wish to be obliged to enter into a public controversy with the Argentine Government regarding their claim to the dependencies. In view, however, of the fact that the Argentine Government had seen fit to communicate their views and claims in writing, His Majesty's Government in the United Kingdom could not do less than put their case in writing for purposes of record.

*Mr. D. P.
Mr. E. M. Quinn
here.
1/5*

3. The Ambassador was also requested to point out to the Minister for Foreign Affairs orally that His Majesty's Government naturally refrained from making any official communication to the Argentine Government merely on the basis of newspaper reports, and that on the two recent occasions when His Majesty's ships have visited Deception Island, there was no effective element of occupation or possession by the Argentine Government, nor had there ever been any such occupation or possession. On the other hand, the destruction of the installations on the island undertaken on two recent visits by His Majesty's ships was in itself an indication that British sovereignty over the island was claimed which, if, as the Argentine Government suggest, press accounts were to be regarded as reliable, must have been obvious to the Argentine transport last year. In addition, His Majesty's Ship "Carnarvon Castle" had found an Argentine flag flying on the meteorological station on Laurie Island, but did not interfere with it because it appeared to refer to the station, and was not taken to indicate any claim to the island as a whole.

I have the honour to be,
Sir,
Your most obedient,
humble servant,

G. R. Acheson

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

COPY

Memorandum

Ministry of Foreign Affairs have carefully considered verbal statements made by the British Ambassador regarding journey of British warship to Polar regions and written record which he left behind. They think it opportune to express the following "in the same amicable manner".

2. Argentine Government duly appreciate the attitude of His Majesty's Government in spontaneously informing them about the journey of the British warship through the Antarctic regions which the Argentine Government consider as integral part of their territory; about the removal of national signs and various objects placed on Deception Island by the Argentine naval transport "First of May"; and about the carrying out of "customary administrative acts" and placing of "appropriate marks".

3. The Argentine Government reaffirm on this occasion their sovereign rights over all Antarctic lands and dependencies situated south of parallel 60° latitude south and between meridians 25° and 68°34' longitude west. This assertion of Argentine rights was already formulated in general terms by note of September 11th 1940 addressed to the Embassy in reply to delivery of map on the Antarctic published by His Majesty's Government in Australia (see my predecessor's despatch No.25 of September 13th 1940). Consequently the Argentine Government oppose their most formal resistance to jurisdictional acts carried out by British officials within the above mentioned territory. In particular the Argentine Government regret that the British Government have considered it opportune to take such measures as the removal of the national emblem and signs on Deception Island where, previous to the placing of such, there was no effective element of occupation or possession belonging to the British Government.

4. As regards the surprise which His Majesty's Government express they experienced on discovering the Argentine national insignia on Deception Island, the Ministry begs to point out that the fact received full publicity at the time and was announced by various Argentine newspapers on March 11th 1942 (see Buenos Aires telegram No.294 of 1942).

5. The Argentine Government with the intention of maintaining the cordial tone traditional in their relations with Great Britain, will abstain from giving any publicity to the above mentioned episode as long as the British Government think fit to adopt identical attitude.

DUPLICATE

103/14 (red)

UNION OF SOUTH AFRICA

Circular Despatch D. No. 29

Secret

Dominions Office,
Downing Street,

13 April, 1948.

Sir,

In continuation of my Most Secret telegram, Circular D. No. 84 of the 18th February, regarding the Argentine claim in respect of the Falkland Islands, I have the honour to transmit a summary of a memorandum on the subject which His Majesty's Ambassador at Buenos Aires received from the Argentine Ministry of Foreign Affairs on the 20th February.

1. On the 20th March, His Majesty's Ambassador at Buenos Aires was instructed to hand to the Argentine Minister for Foreign Affairs a memorandum, similar in form to his, setting out the British title to the islands. His Majesty's Ambassador was asked to explain orally to the Minister for Foreign Affairs that His Majesty's Government in the United Kingdom did not wish to be obliged to enter into a public controversy with the Argentine Government regarding their claim to the dependencies. In view, however, of the fact that the Argentine Government had seen fit to communicate their views and claims in writing, His Majesty's Government in the United Kingdom could not do less than put their case in writing for purposes of record.

2. The Ambassador was also requested to point out to the Minister for Foreign Affairs orally that His Majesty's Government naturally refrained from making any official communication to the Argentine Government merely on the basis of newspaper reports, and that on the two recent occasions when His Majesty's ships have visited Reception Island, there was no effective element of occupation or possession by the Argentine Government, nor had there ever been any such occupation or possession. On the other hand, the destruction of the installations on the island undertaken on two recent visits by His Majesty's ships was in itself an indication that British sovereignty over the island was claimed which, if as the Argentine Government suggest, press accounts were to be regarded as reliable, must have been obvious to the Argentine transport last year. In addition, His Majesty's ship "Carnarvon Castle" had found an Argentine flag flying on the meteorological station on Laurie Island, but did not interfere with it because it appeared to refer to the station, and was not taken to indicate any claim to the island as a whole.

I have the honour to be,
Sir,
Your most obedient,
humble servant,

(Sd.) G. R. ATTLEE

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

Re
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COPY

Memorandum

Ministry of Foreign Affairs have carefully considered verbal statements made by the British Ambassador regarding journey of British warship to Polar regions and written record which he left behind. They think it opportune to express the following "in the same amicable manner".

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5. The Argentine Government with the intention of maintaining the cordial tone traditional in their relations with Great Britain, will abstain from giving any publicity to the above mentioned episode as long as the British Government think fit to adopt identical attitude.

Received
15.2.43

TELEGRAM.

FROM: Secretary of State for Dominion Affairs, London.
TO: Minister of External Affairs, Cape Town.

13th February, 1943.

Circular D. No. 84 MOST SECRET (DOM)

My telegram 9th February, D. 68. Following for Prime Minister begins:-

In reply to representations by His Majesty's Ambassador, Minister for Foreign Affairs said that question would be considered by Argentine Government. He personally maintained that Argentine claims to Falkland Islands and dependencies were indisputable and could not be affected by removal of Argentine emblems which Argentine warship at present in those waters could easily replace. His Majesty's Ambassador considers that Minister for Foreign Affairs is anxious to avoid public controversy or friction but is sceptical regarding our warning of the possibility of serious consequences to Anglo-Argentine relations. If Argentine Government adopt Minister for Foreign Affairs' standpoint, we shall have succeeded in our aim of asserting and strengthening our title without provoking public controversy.

Ends.

When the Spanish supremacy in the Vice-Royalty of La Plata these Islands were claimed by the newly constituted United Provinces of Rio de la Plata. This claim rested on the grounds that in 1810 when the United Provinces of the Rio de la Plata separated from Spain, that country possessed the Islands by right of first occupancy, by the assent of the principal maritime powers and by the proximity of the Islands to the part of the continent forming the Vice-Royalty of Buenos Aires upon whose (?) Government they depended. The Government of the Republic having succeeded to rights exercised by Spain, they claimed that possession of the Islands naturally reverted to them.

In 1829, the British Government protested against various acts of sovereignty committed by the Buenos Aires Government and reiterated their claim to the Falkland Islands.

In 1831, the Governor appointed by Buenos Aires seized three United States vessels engaged in fishing on the coasts of the Islands on a charge of contravening Argentine fishing rights. A United States warship was thereupon sent to the Falkland Islands which destroyed the fort and re-took the stores and property which had been taken from the United States vessels. In the correspondence which ensued between the United States and Argentine Governments the former questioned the Argentine title to exercise sovereign jurisdiction in the Islands.

As no satisfaction was obtained, His Majesty's Government sent a warship in 1833 to exercise British rights of sovereignty and the Argentine garrison was expelled.

The Argentine Government thereupon formally protested and declared the firm determination of the Republic to support her rights. The British reply maintained that the claim of Great Britain to the sovereignty of the Falkland Islands had

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Received
15.2.43

TELEGRAM

603/14

FROM: Secretary of State for Dominion Affairs, London.
TO: Minister of External Affairs, Cape Town.

13th February, 1943.

Circular D. No. 83. MOST SECRET AND PERSONAL (DOM)

Following for Prime Minister begins:

My telegram D. No. 82. While our titular claim of the Falkland Islands is comparatively weak, our legal position is becoming increasingly strong owing to our continued possession and the use which we have made of these islands. As regards the dependencies, the position is the reverse. While our titular claim is stronger we have made little use of the islands and our legal position is therefore becoming weaker and is in part disputed by Chile as well as Argentine.

Handwritten notes:
Main
Santos plus
has Spanish title on the
subject of the islands
thence to land act.
1/2

Islands was the Government of Buenos Aires, and on the overthrow of the Spanish supremacy in the Vice-Royalty of La Plata these Islands were claimed by the newly constituted United Provinces of Rio de la Plata. This claim rested on the grounds that in 1810 when the United Provinces of the Rio de la Plata separated from Spain, that country possessed the Islands by right of first occupancy, by the assent of the principal maritime powers and by the proximity of the Islands to the part of the continent forming the Vice-Royalty of Buenos Aires upon whose (?) Government they depended. The Government of the Republic having succeeded to rights exercised by Spain, they claimed that possession of the Islands naturally reverted to them.

In 1829, the British Government protested against various acts of sovereignty committed by the Buenos Aires Government and reiterated their claim to the Falkland Islands.

In 1831, the Governor appointed by Buenos Aires seized three United States vessels engaged in fishing on the coasts of the Islands on a charge of contravening Argentine fishing rights. A United States warship was thereupon sent to the Falkland Islands which destroyed the fort and re-took the stores and property which had been taken from the United States vessels. In the correspondence which ensued between the United States and Argentine Governments the former questioned the Argentine title to exercise sovereign jurisdiction in the Islands.

As no satisfaction was obtained, His Majesty's Government sent a warship in 1833 to exercise British rights of sovereignty and the Argentine garrison was expelled.

The Argentine Government thereupon formally protested and declared the firm determination of the Republic to support her rights. The British reply maintained that the claim of Great Britain to the sovereignty of the Falkland Islands had

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Received 15.2.43.

TELEGRAM.

SECRET: Secretary of State for Dominion Affairs, London.
Minister of External Affairs, Cape Town.

13th February, 1943.

Circular D.No. 82. SECRET. (DOM)

My telegram of 9th February, D.68. Following historical notes on Falkland Islands and Dependencies may be of interest:

The Falkland Islands were discovered by an Englishman, John Davis, in 1592 and named the Falklands in 1690. In 1748, the British Government resolved to establish a colony there but the Spanish Government remonstrated so strongly that the project was abandoned. In 1764, however, M. de Bougainville founded a French colony on East Falkland Islands. The French were therefore the first to settle on the Islands. In the following year, the British Government decided to revive their former project and accordingly West Falkland Island was taken possession of in the name of the Crown. The Spanish Government resisted these attempts of Great Britain and France to appropriate these Islands to which they laid claim. The French agreed to withdraw their colony in return for an indemnity but the British refused to comply with Spanish demands. The British settlers were ejected by Spanish troops in 1770 but after negotiations with the Spanish Government they were permitted to return in the following year. In 1774, however, the Islands were entirely abandoned by the British who left an inscription behind them stating that the Falkland Islands belonged to the King of Great Britain. The Spanish Government thereupon continued in undisturbed exercise of all rights of sovereignty not only over East Falkland Island but over the whole group until about the year 1828 when Spain abandoned the Islands and has not since directly laid claim to them. The party apparently representing Spain in her title to these Islands was the Government of Buenos Aires, and on the overthrow of the Spanish supremacy in the Vice-Royalty of La Plata these Islands were claimed by the newly constituted United Provinces of Rio de la Plata. This claim rested on the grounds that in 1810 when the United Provinces of the Rio de la Plata separated from Spain, that country possessed the Islands by right of first occupancy, by the assent of the principal maritime powers and by the proximity of the Islands to the part of the continent forming the Vice-Royalty of Buenos Aires upon whose (?) Government they depended. The Government of the Republic having succeeded to rights exercised by Spain, they claimed that possession of the Islands naturally reverted to them.

In 1829, the British Government protested against various acts of sovereignty committed by the Buenos Aires Government and reiterated their claim to the Falkland Islands.

In 1831, the Governor appointed by Buenos Aires seized three United States vessels engaged in fishing on the coasts of the Islands on a charge of contravening Argentine fishing rights. A United States warship was thereupon sent to the Falkland Islands which destroyed the fort and re-took the stores and property which had been taken from the United States vessels. In the correspondence which ensued between the United States and Argentine Governments the former questioned the Argentine title to exercise sovereign jurisdiction in the Islands.

As no satisfaction was obtained, His Majesty's Government sent a warship in 1833 to exercise British rights of sovereignty and the Argentine garrison was expelled.

The Argentine Government thereupon formally protested and declared the firm determination of the Republic to support her rights. The British reply maintained that the claim of Great Britain to the sovereignty of the Falkland Islands had

/...

been unequivocally asserted during discussions with Spain in 1770 and 1771, which had nearly led to war between the two countries; and Spain having restored to Great Britain the places from which British subjects had been expelled, the Argentine Government could not expect that His Majesty's Government would permit any other State to exercise a right, as derived from Spain, which Great Britain had denied to Spain herself. The British remained in possession and continued to do so until the present day. The Argentine Government have repeatedly protested and still maintain their claim to these Islands.

The South Orkneys, South Shetlands, South Georgia, Sandwich Islands and Graham Land were established as dependencies of the Falkland Islands in 1908. Annexation on behalf of the Crown was effected, in the case of South Georgia, in 1775 by Captain Cook; of the South Orkneys, in 1821 by their discoverer Captain Powell; of the South Shetlands after their discovery by Mr. Smith in 1819, by Captain Foster in 1829; and of Graham Land, by their discoverer Captain Biscoe in 1832.

Islands was the Government of Buenos Aires, and on the overthrow of the Spanish supremacy in the Vice-Royalty of La Plata these Islands were claimed by the newly constituted United Provinces of Rio de la Plata. This claim rested on the grounds that in 1810 when the United Provinces of the Rio de la Plata separated from Spain, that country possessed the Islands by right of first occupancy, by the assent of the principal maritime powers and by the proximity of the Islands to the part of the continent forming the Vice-Royalty of Buenos Aires upon whom (?) Government they depended. The Government of the Republic having succeeded to rights exercised by Spain, they claimed that possession of the Islands naturally reverted to them.

In 1829, the British Government protested against various acts of sovereignty committed by the Buenos Aires Government and reiterated their claim to the Falkland Islands.

In 1831, the Governor appointed by Buenos Aires seized three United States vessels engaged in fishing on the coasts of the Islands on a charge of contravening Argentine fishing rights. A United States warship was thereupon sent to the Falkland Islands which destroyed the fort and re-took the stores and property which had been taken from the United States vessels. In the correspondence which ensued between the United States and Argentine Governments the former questioned the Argentine title to exercise sovereign jurisdiction in the Islands.

As no satisfaction was obtained, His Majesty's Government sent a warship in 1833 to exercise British rights of sovereignty and the Argentine garrison was expelled.

The Argentine Government thereupon formally protested and declared the firm determination of the Republic to support her rights. The British reply maintained that the claim of Great Britain to the sovereignty of the Falkland Islands had

Received 15.2.43.

TELEGRAM.

Secretary of State for Dominion Affairs, London.
Minister of External Affairs, Cape Town.

13th February, 1943.

Circular D.No. 92. SECRET. (DCE)

By telegram of 9th February, D.68. Following historical notes on Falkland Islands and Dependencies may be of interest:

The Falkland Islands were discovered by an Englishman, John Davis, in 1592 and named the Falklands in 1690. In 1768, the British Government resolved to establish a colony there but the Spanish Government remonstrated so strongly that the project was abandoned. In 1764, however, M. de Bougainville founded a French colony on East Falkland Islands. The French were therefore the first to settle on the islands. In the following year, the British Government decided to revive their former project and accordingly West Falkland Island was taken possession of in the name of the Crown. The Spanish Government resisted these attempts of Great Britain and France to appropriate these islands to which they laid claim. The French agreed to withdraw their colony in return for an indemnity but the British refused to comply with Spanish demands. The British settlers were ejected by Spanish troops in 1770 but after negotiations with the Spanish Government they were permitted to return in the following year. In 1774, however, the islands were entirely abandoned by the British who left an inscription behind them stating that the Falkland Islands belonged to the King of Great Britain. The Spanish Government thereupon continued in undisturbed exercise of all rights of sovereignty not only over West Falkland Island but over the whole group until about the year 1818 when Spain abandoned the islands and has not since directly laid claim to them. The party apparently representing Spain in her title to these islands was the Government of Buenos Aires, and on the overthrow of the Spanish supremacy in the Vice-Royalty of La Plata these islands were claimed by the newly constituted United Provinces of Rio de la Plata. This claim rested on the grounds that in 1816 when the United Provinces of the Rio de la Plata separated from Spain, that country possessed the islands by right of first occupancy, by the ascent of the principal maritime powers and by the proximity of the islands to the part of the continent forming the Vice-Royalty of Buenos Aires upon whom (?) Government they depended. The Government of the Republic having succeeded to rights exercised by Spain, they claimed that possession of the islands naturally reverted to them.

In 1829, the British Government protested against various acts of sovereignty committed by the Buenos Aires Government and reiterated their claim to the Falkland Islands.

In 1831, the Governor appointed by Buenos Aires seized three United States vessels engaged in fishing on the coasts of the islands on a charge of contravening Argentine fishing rights. A United States warship was thereupon sent to the Falkland Islands which destroyed the fort and re-took the stores and property which had been taken from the United States vessels. In the correspondence which ensued between the United States and Argentine Governments the former questioned the Argentine title to exercise sovereign jurisdiction in the islands.

As no satisfaction was obtained, His Majesty's Government sent a warship in 1833 to exercise British rights of sovereignty and the Argentine garrison was expelled.

The Argentine Government thereupon formally protested and declared the firm determination of the Republic to support her rights. The British reply maintained that the claim of Great Britain to the sovereignty of the Falkland Islands had

has unequivocally asserted during discussions with Spain in 1770 and 1771, which had nearly led to war between the two countries; and Spain having restored to Great Britain the places from which British subjects had been expelled, the Argentine Government could not expect that His Majesty's Government would permit any other State to exercise a right, so derived from Spain, which Great Britain had denied to Spain herself. The British remained in possession and continued to do so until the present day. The Argentine Government have repeatedly protested and still maintain their claim to these islands.

The South Orkneys, South Shetlands, South Georgia, Sandwich Islands and Graham Land were established as dependencies of the Falkland Islands in 1908. Annexation on behalf of the Crown was effected, in the case of South Georgia, in 1775 by Captain Cook; of the South Orkneys, in 1821 by their discoverer Captain Powell; of the South Shetlands after their discovery by Mr. Smith in 1819, by Captain Foster in 1829; and of Graham Land, by their discoverer Captain Biscoe in 1832.

3. Admiralty propose to publish statement on February 10th that British warship has paid visit to Antarctic waters and Falkland Island dependencies in search of enemy submarines and raiders. His Majesty's Ambassador at Buenos Aires has been instructed to draw attention of Argentine Minister for Foreign Affairs to this statement. Latter will be informed of our actions and will be warned that effect on Anglo-Argentine relations would be most serious if the Argentine Government were to interfere with emblems left by His Majesty's ship. It is being made clear that we have no intention of allowing our title to the islands to go by default or to be challenged by any other Power, but that in the interests of the traditionally friendly relations between our countries we are refraining from making a formal protest or giving the matter other than routine publicity.

Received
10.2.43

103/14

IMMEDIATE TELEGRAM.

FROM: Secretary of State for Dominion Affairs, London.
TO: Minister of External Affairs, Cape Town.

9th February, 1943.

Circular D. No. 68 MOST SECRET (DOM)

1. Dispute with Argentine Government and also Chilean Government over sovereignty of Falkland Island dependencies may be imminent. In recent years Argentine Government have repeatedly committed petty infringements of British sovereignty, including establishment of wireless station and post office in South Orkneys in 1941 and hoisting of Argentine flag on Deception Island in 1942.

2. Latest information is to the effect that Argentine Government have sent two transports, one to South Orkneys and one to South Shetlands, probably with object of strengthening their claim to territories within our jurisdiction. Chilean Government, which has also made claims encroaching on British sovereignty, accepted Argentine invitation to send Naval Officers on this expedition. In order to forestall Argentine manoeuvres, one of His Majesty's ships was despatched with instructions to take action to strengthen our claim but avoid incidents if possible. This ship has already removed marks erected by Argentine Government on Deception Island and replaced them with British emblems. At the same time, British Minister at Santiago made representations to Chilean Minister of Foreign Affairs who while alluding to possible adjustment of claims disclaimed any idea of Argentine-Chilean Agreement directed against His Majesty's Government.

3. Admiralty propose to publish statement on February 10th that British warship has paid visit to Antarctic waters and Falkland Island dependencies in search of enemy submarines and raiders. His Majesty's Ambassador at Buenos Aires has been instructed to draw attention of Argentine Minister for Foreign Affairs to this statement. Latter will be informed of our actions and will be warned that effect on Anglo-Argentine relations would be most serious if the Argentine Government were to interfere with emblems left by His Majesty's ship. It is being made clear that we have no intention of allowing our title to the islands to go by default or to be challenged by any other Power, but that in the interests of the traditionally friendly relations between our countries we are refraining from making a formal protest or giving the matter other than routine publicity.

*Mr. Keitz
Mr. [unclear]
I don't know whether it is for the sake of the Falkland Islands
You have to be for sovereignty & plan the
for Argentina & plan the
Chilean.*

*any case it might be put
as well as there is a possibility of
a suggestion by the [unclear]*

Mr. Keitz

I think we have preserved papers in this connection - please see old file PM 103/14 - if this does not refer please to [unclear] as I recollect something about this. On

SOUTH AND CENTRAL AMERICA.

June 27, 1942.

CONFIDENTIAL.

SECTION 1.

[A 5855/12/2]

Copy No. 072

Mr. Eden to Mr. Hadow (Buenos Aires).

(No. 85.)

Foreign Office, June 27, 1942.

Sir,

WITH reference to Sir Esmond Ovey's telegram No. 508 of the 23rd May regarding Argentine activities in the South Orkney and South Shetland Islands, I shall be glad if you will take a suitable opportunity of addressing to the Argentine Minister for Foreign Affairs a note in the terms of the enclosed draft.

I am, &c.

ANTHONY EDEN.

Enclosure.

*Draft Note to be addressed by His Majesty's Representative, Buenos Aires,
to the Argentine Minister for Foreign Affairs.*

M. le Ministre,

June 1942.

I HAVE the honour to recall to your Excellency that, in a note addressed to Mr. Haggard by Señor J. A. Terry on the 8th January, 1904, the Argentine Government accepted an offer communicated to them by His Majesty's Minister to authorise the Argentine Meteorological Office to take over the observatory installed by Mr. William S. Bruce in the South Orkney Islands and to establish there a meteorological observatory. On the 23rd August, 1906, Mr. Haggard addressed to Dr. Montes de Oca a note recalling that the South Orkney Islands group is British territory and that the intervention of His Majesty's Government in the matter of the transfer of the station was based on British ownership, a declaration which was renewed by Mr. Townley in a note dated the 4th January, 1907. On the 18th March, 1909, Señor V. de la Plaza acknowledged receipt of a note dated the 20th February under cover of which His Majesty's Chargé d'Affaires had transmitted to him a copy of the *Falkland Islands Gazette* containing letters patent issued on the 21st July, 1908, appointing the Governor of the Falkland Islands to be Governor of the South Orkneys and providing for the government of the latter as a dependency of the former group. The attention of the Argentine Government has been drawn on a number of subsequent occasions to the sovereignty exercised by His Majesty's Government over these islands.

2. Accordingly, it is with surprise that His Majesty's Government have received the intelligence that the Argentine Director of Posts and Telegraphs has declared the opening of a post office in the South Orkneys and that the Argentine Government have taken this action without requesting the authorisation of His Majesty's Government and have gone so far as to notify the establishment of a permanent Argentine post office in the South Orkneys to the International Bureau of the Universal Postal Union.

3. The attention of His Majesty's Government has, moreover, been drawn to a report which appeared in the Argentine press in March of this year to the effect that the Argentine naval transport *Primero de Mayo* called at Deception Island in the South Shetlands in the last week of January and that the commanding officer formally took possession of the island in the name of the Argentine Republic, hoisting an Argentine flag, depositing the Act of Possession in a chest on the island and painting the national colours of the Argentine Republic on the walls and roof of certain installations.

4. I am accordingly directed to draw your Excellency's formal attention to the fact that both the South Orkneys and the South Shetlands form part of the dependencies of the Falkland Islands, over which His Majesty's Government

in the United Kingdom exercises full sovereignty; to protest against the action taken by the Argentine Government in establishing a post office in the South Orkneys, which His Majesty's Government in the United Kingdom cannot recognise and to which they can afford no facilities; and to enquire whether there is any substance in the press report alluded to above regarding the action alleged to have been taken by an Argentine naval officer at Deception Island in the South Shetlands shortly after the visit of one of His Majesty's ships to these islands, made with the purpose of denying facilities and destroying installations which might be of use to His Majesty's enemies.

H111
Z. 96

MM 103/14
(file in the)

UNION OF SOUTH AFRICA.
Circular despatch D. No. 38

Dominions Office,
Downing Street,
10 March, 1941.

DEPT. OF EXTERNAL AFFAIRS
DEPT. VAN BUITENLANDSE ZAKKE
RECEIVED
20-3-1941
GENTVANG
CAPE TOWN
KAAPSTAD

Sir,

25/2/41.

With reference to my despatch No. 10 of the 25th of February, I have the honour to transmit a copy of a note which has been addressed to the Chilean Ambassador in London on the subject of the claim of the Government of Chile to the Falkland Islands Dependencies.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

Cranborne

Send to Den Haag 25/2/41

PC

Deed.
Gestuur and...
vir ink...
29 APR 28/4/41 1941
Bate

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

COPY

FOREIGN OFFICE, S.W. 1.

3/14
A)

No. A 38/320/9.

25th February, 1941.

Sir,

In His Excellency Senor Don Octavio Senoret's note No. 1007/116 of the 11th November 1940, he was so good as to communicate to my predecessor the text of a decree issued by your Government on the 6th November 1940, according to which the limits of Chilean and Antarctic territory shall consist of all mainland, islands, islets, reefs and pack ice known or to be discovered, together with the adjacent territorial waters, between longitude 53° west of Greenwich and longitude 90° west of Greenwich.

2. In reply I have the honour to invite your attention to the fact that the sector defined in this decree includes that part of His Majesty's possessions known as the Falkland Islands Dependencies of which the boundaries were defined by the letters patent of the 28th March 1917; namely, "all islands and territories whatsoever between the 20th degree of west longitude and the 50th degree of west longitude which are situated south of the 50th parallel of south latitude; and all islands and territories whatsoever between the 50th degree of west longitude and the 80th degree of west longitude which are situated south of the 58th parallel of south latitude". A copy of the full text of the letters patent is enclosed herein.

3. I have the honour to request that you will be so good, therefore, as to inform your Government that His Majesty's Government in the United Kingdom must decline to recognise the decree of the 6th November 1940 as

conferring

Senor Don Leon Subercaseaux,
etc., etc., etc.

PC

De
29 APR 28/4/41
John
Base

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

201/163/14
(File in Pla)

UNION OF SOUTH AFRICA.

NO. 10

also Canada No. 33

New Zealand No. 20

Dominions Office,
Downing Street,

25 February, 1941.

DEPT. OF EXTERNAL AFFAIRS
DEPT. VAN BURELAAR
RECEIVED
-2-4-1941
ONTVANG
CAPE TOWN
KAAPSTAD

Sir,

With reference to my despatch Circular D. No.152 of the 15th of October last, I have the honour to transmit a copy of a note from the Chilean Ambassador in London, together with a copy of a despatch from His Majesty's Ambassador at Buenos Aires, on the subject of the claim of the Government of Chile to the Falkland Islands and to territories in Antarctica.

11/11/40.

25/11/40.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

Cranborne

The Rt. Hon. Frederick Snellett, I.O.,
Principal Secretary of State for Foreign Affairs,
The Foreign Office,
London, W.1.

ds

Defence

27/4/41 *ndh*

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

File

My Lord,

BUENOS AIRES,
25th November, 1940.

Under cover of my despatch No. 251 of the 13th September last I had the honour to transmit to Your Lordship a copy of a note from the Argentine Minister for Foreign Affairs which expressed the view that, as soon as the international situation permitted, it would be proper to assemble a conference of the States interested in the Antarctic, in order to determine their respective territorial claims.

2. The vexed question of sovereignty over the Antarctic regions, which was so thoroughly ventilated in the Argentine press over a year ago (see Mr. Dodd's despatch No. 233 of the 31st July and subsequent reports from this post), has again been brought before the public eye, this time through the publication, on the 6th November, of a decree signed by the Chilean Minister for Foreign Affairs in which a Chilean claim is put forward to sovereignty over all the Polar territories situated between longitudes 53° and 90° west of Greenwich. It will be observed from the accompanying map that the Chilean claim not only overlaps that advanced by Argentina (i.e. to the territories between longitudes 40° and 68°) but also includes the South Shetlands and other islands belonging to the Falkland Islands Dependencies.

3. According to the Buenos Aires press the Chilean Minister for Foreign Affairs, in handing to the Argentine Chargé d'Affaires at Santiago a memorandum containing the text of the decree, expressed the hope that the Argentine Government would not hesitate to formulate their own views on the question of sovereignty, and suggested that the two Governments might appoint technical commissions to make a joint study of Antarctic problems and to endeavour in a friendly spirit to reconcile any conflicting points of view.

4. The Argentine reply to the Chilean approach was contained in a note addressed to the Chilean Ambassador at Buenos Aires on the 12th November. The note pointed out that Argentina's claims in the Antarctic rested not only upon geographical propinquity but also upon the fact that she was the only country to have uninterruptedly occupied a section of Antarctic territory, by virtue of the maintenance of a meteorological station in the South Orkneys for the last 37 years. It was in order to substantiate these claims and develop her interests in the Polar Regions that she had set up a permanent Antarctic Committee in Buenos Aires. As the Argentine Government had recently informed His Majesty's Government, while discussing the publication by the Government of Australia of a map of the Antarctic, Argentina was ready to uphold her claims at any time before an International Conference. The Argentine view was that the situation created by the existence of several unilateral claims, including the Chilean, to sovereignty over parts of the Antarctic Continent could only be dealt with by such a Conference. The Argentine Government were therefore, while formulating the necessary reserves to the Chilean declaration, glad to observe that the Chilean Government were eager to enter into discussions with

them

The Right Hon. Viscount Halifax, K.G., G.C.S.I., G.C.I.E.,
etc., etc., etc.

FOREIGN OFFICE.

them, and they willingly accepted this friendly proposal, in the hope that any agreement that they might reach would serve to strengthen the rights of the two countries against all claims by third parties.

5. According to the press, the Argentine attitude has caused an excellent impression in Chile.

I am sending a copy of this despatch to His Majesty's Ambassador at Santiago de Chile.

I have, etc.

(Signed) ESMOND OVEY.

SOUTH AND CENTRAL AMERICA.

February 25, 1941.

CONFIDENTIAL.

SECTION 1.

[A 320/320/9]

Copy No. 072

(1)

Sir E. Ovey to Viscount Halifax.—(Received January 17, 1941.)

(No. 303.)

My Lord,

Buenos Aires, November 25, 1940.

UNDER cover of my despatch No. 251 of the 13th September last, I had the honour to transmit to your Lordship a copy of a note from the Argentine Minister for Foreign Affairs, which expressed the view that, as soon as the international situation permitted, it would be proper to assemble a conference of the States interested in the Antarctic, in order to determine their respective territorial claims.

2. The vexed question of sovereignty over the Antarctic regions, which was so thoroughly ventilated in the Argentine press over a year ago (see Mr. Dodd's despatch No. 233 of the 31st July and subsequent reports from this post), has again been brought before the public eye, this time through the publication, on the 6th November, of a decree signed by the Chilean Minister for Foreign Affairs in which a Chilean claim is put forward to sovereignty over all the Polar territories situated between longitudes 53° and 90° west of Greenwich. It will be observed from the accompanying map⁽¹⁾ that the Chilean claim not only overlaps that advanced by Argentina (*i.e.*, to the territories between longitudes 40° and 68°), but also includes the South Shetlands and other islands belonging to the Falkland Islands Dependencies.

3. According to the Buenos Aires press the Chilean Minister for Foreign Affairs, in handing to the Argentine Chargé d'Affaires at Santiago a memorandum containing the text of the decree, expressed the hope that the Argentine Government would not hesitate to formulate their own views on the question of sovereignty, and suggested that the two Governments might appoint technical commissions to make a joint study of Antarctic problems and to endeavour in a friendly spirit to reconcile any conflicting points of view.

4. The Argentine reply to the Chilean approach was contained in a note addressed to the Chilean Ambassador at Buenos Aires on the 12th November. The note pointed out that Argentina's claims in the Antarctic rested not only upon geographical propinquity but also upon the fact that she was the only country to have uninterruptedly occupied a section of Antarctic territory, by virtue of the maintenance of a meteorological station in the South Orkneys for the last thirty-seven years. It was in order to substantiate these claims and develop her interests in the Polar regions that she had set up a permanent Antarctic Committee in Buenos Aires. As the Argentine Government had recently informed His Majesty's Government, while discussing the publication by the Government of Australia of a map of the Antarctic, Argentina was ready to uphold her claims at any time before an International Conference. The Argentine view was that the situation created by the existence of several unilateral claims, including the Chilean, to sovereignty over parts of the Antarctic Continent could only be dealt with by such a conference. The Argentine Government were, therefore, while formulating the necessary reserves to the Chilean declaration, glad to observe that the Chilean Government were eager to enter into discussions with them, and they willingly accepted this friendly proposal, in the hope that any agreement that they might reach would serve to strengthen the rights of the two countries against all claims by third parties.

5. According to the press, the Argentine attitude has caused an excellent impression in Chile.

I am sending a copy of this despatch to His Majesty's Ambassador at Santiago de Chile.

I have, &c.

ESMOND OVEY.

⁽¹⁾ Not reproduced.

Sir C. Orde to Viscount Halifax.—(Received January 28, 1941.)

(No. 205.)

My Lord,

Santiago, November 13, 1940.

WITH reference to my telegram No. 271 of the 10th instant, I have the honour to transmit herewith a translation of a decree issued by the Chilean Government declaring a sector of the Antarctic region to be Chilean territory.

2. Señor Mora, who was in office as Minister for Foreign Affairs when the decree was issued, was immediately afterwards transferred to the post of Minister of Finance, and I had no opportunity till to-day of speaking to his successor on the subject. I have now informed Señor Bianchi that while I had no instructions I thought it desirable to let him know informally without delay that His Majesty's Government claimed territory which fell within the limits specified in the Chilean decree. I left with him as a reminder an extract from "The Colonial Office List" showing the limits of the dependencies of the Falkland Islands, explaining that this was not an official statement but merely an indication of our interest in the matter. Señor Bianchi, who seemed ignorant of British claims in the region in question, took my observations in very good part.

I have, &c.

C. W. ORDE.

Enclosure.

(Translation.)

Santiago, November 6, 1940.

WHEREAS :

It is the duty of the State to fix, with exactitude, its territorial limits;

Up to the present the Chilean territorial limits in the Southern Polar region known as the American Antarctic have not been determined;

The Ministry for Foreign Affairs publicly declared in 1906 that the delimitation of the territory referred to was the subject of preliminary investigations which had not yet been completed;

The actual state of these investigations now enables a decision to be reached in this respect;

The special commission appointed by the Ministry for Foreign Affairs' decree No. 1541 of the 7th September, 1939, have established the limits of Chilean Antarctic territory in accordance with the data supplied by geographical, historical, juridical and diplomatic precedents which have been consulted and which have accumulated up to the present time;

I decree :

All lands, islands, islets, reefs of rocks, glaciers (pack-ice), already known, or to be discovered, and their respective territorial waters, in the sector between longitudes 53 and 90 West, constitute the Chilean Antarctic or Chilean Antarctic territory.

Take note, communicate, publish and insert in the Bulletin of Laws and Decrees of the Government.

PEDRO AGUIRRE CERDA.

MARCIAL MORA M.

[A 4828/4828/9]

M. Senoret to Viscount Halifax.—(Received November 20.)

Chilean Embassy,

London, November 11, 1940.

Your Excellency,

I HAVE the honour to inform your Excellency that my Government has issued the following decree :—

"In consideration that it is the duty of the State to fix with exactitude its territorial boundaries, which boundaries have not up to the present been defined by Chile in so far as concerns the polar region known as the

American Antarctic; and that this Ministry publicly stated in the year 1906 that the delimitation of such territory should become the subject of discussion, which discussion was initiated but not completed, though progressing sufficiently for a decision to be reached by the special commission appointed for the purpose by Ministerial Decree No. 1541 of the 7th September, 1939; wherefore this commission has now established the limits of Chilean antarctic territory, in conformity with the geographical, historical, juridical and diplomatic data accumulated, to be as follows:—

“ The Chilean Antarctic, of the Chilean Antarctic territory, shall consist of all mainland, islands, islets, reefs and pack-ice, known or to be discovered, together with the adjacent territorial seas, between longitude 53° west of Greenwich and longitude 90° west of Greenwich.”

I have, &c.

OCTAVIO SENORET,
Chilean Ambassador.

(4)

Mr. Winston Churchill to M. Subercaseaux.

Sir,

Foreign Office, February 25, 1941.

IN his Excellency Señor Don Octavio Senoret's note of the 11th November, 1940, he was so good as to communicate to my predecessor the text of a decree issued by your Government on the 6th November, 1940, according to which the limits of Chilean Antarctic territory shall consist of all mainland, islands, islets, reefs and pack ice known or to be discovered, together with the adjacent territorial waters, between longitude 53° west of Greenwich and longitude 90° west of Greenwich.

2. In reply I have the honour to invite your attention to the fact that the sector defined in this decree includes that part of His Majesty's possessions known as the Falkland Islands Dependencies of which the boundaries were defined by the letters patent of the 28th March, 1917; namely, “ all islands and territories whatsoever between the 20th degree of west longitude and the 50th degree of west longitude which are situated south of the 50th parallel of south latitude; and all islands and territories whatsoever between the 50th degree of west longitude and the 80th degree of west longitude which are situated south of the 58th parallel of south latitude.” A copy of the full text of the letters patent is enclosed herein.^(?)

3. I have the honour to request that you will be so good, therefore, as to inform your Government that His Majesty's Government in the United Kingdom must decline to recognise the decree of the 6th November, 1940, as conferring any title on your Government to any parts of antarctic territory within the boundaries of the Falkland Islands Dependencies as defined in the letters patent of the 28th March, 1917.

I have, &c.

WINSTON S. CHURCHILL.

(?) Not printed.

703/11
P. H. J. J.

UNION OF SOUTH AFRICA.

Circular despatch D No. 152

DOMINIONS OFFICE,

Downing Street,

15 October, 1940.



Sir,

I have the honour to transmit the accompanying copy of a translation of Argentine Decree No. 61,852 M.97 dated the 30th April, 1940, on the subject of the formation of a permanent North Antarctic Committee.

30.4.40.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

Craiborne

*of 15/10/40
in a meeting at
Paris 9/12*

Gestuur aan *Verdediging & Handel Myerburgh*

oorgeding
vir informasie
aflandeling

Datum... 7.12.40 Paraaf. *[Signature]*

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

*Records
we have a file dealing
with antarctic matters. Could
I have that too, please.
Paul
5/12*

*Added
12/12/40
see by [unclear]
6/12*

*File PH 103/14
attached at
855/12*

Argentine Decree No. 61,852.M.97 dated 30th April, 1940.

WHEREAS:

The Argentine Government on the 15th of July, 1939, issued Decree No. 53,821 setting up a Committee composed of Representatives of the Ministry of Foreign Affairs, the Ministry of Marine and the Ministry of Agriculture for the purpose of ensuring the due participation of Argentina in the International Polar Exhibition and the "Congress of Arctic Explorers" convoked by the Norwegian Government for October 1940; and

WHEREAS:

Subsequently the Norwegian Government stated that the above-mentioned Conference had been postponed sine die; and

WHEREAS:

The work of the Committee has revealed the necessity for a permanent organisation to be set up, composed of permanent delegates, in order to centralise and be responsible for the consideration and handling of all matters connected with the defence and development of Argentine interests in the Antarctic or in the Antarctic continent;

And in view of the reports submitted by the Departments of Foreign Affairs, Marine and Agriculture,

THE PRESIDENT OF THE ARGENTINE NATION, IN AGREEMENT
WITH THE MINISTERS OF STATE
D E C R E E S :

Article I. - A permanent organisation is set up in dependence upon the Ministry of Foreign Affairs, entitled the National Antarctic Committee, which shall centralise and be responsible for the consideration and handling of all questions connected with the defence and development of Argentine interests in the Antarctic.

Article II. - The Committee shall continue the research already undertaken regarding the present state of Antarctic problems, especially insofar as they affect Argentine interests, and shall submit to the Executive Power a plan of action covering all the aspects of the question whether of internal or of international character.

Article III. - The national Ministries and Departments and the competent institutes shall allow the Committee direct access to the documents and other material required by it for the accomplishment of its task.

Article IV. - Dr. Isidoro Ruiz Moreno, Captain Francisco J. Clarizza and Engineer Alfredo G. Gelmarini will be the permanent members of the National Antarctic Committee, which will be presided over by the first named. The permanent secretary of the Committee will be Dr. Raúl C. Migone.

Article V. - To be communicated, published in the Official Gazette, passed to the National Register, etc.

Signed) ORTIZ.
Countersigned) José María Cantilo, Diógenes Taboada,
Pedro Groppo, Carlos D. Márquez, León L. Scasso,
Jorge Coll, Luis A. Berberis, Cosme Massini Ezcurra.



P.M. 103/14

UNIE VAN SUID-AFRIKA
UNION OF SOUTH AFRICA

DEPARTEMENT VAN BUITELANDSE SAKE.
DEPARTMENT OF EXTERNAL AFFAIRS.

C A P E T O W N,

14th April, 1939.

Sir,

I have the honour to acknowledge the receipt of your letter Jnr. 354/39 of 3rd April, and to thank you for the copies of a publication containing a proclamation issued on 14th January, 1939, by His Majesty King Haakon regarding the occupation by Norway of a certain area in the Antarctic, and ~~a Recommendation of the same date from the Ministry of Foreign Affairs at Oslo, which you were so kind as to send me, and which were read with much interest.~~

I have the honour to be,

Sir,

Your obedient servant,

SECRETARY FOR EXTERNAL AFFAIRS.

The Consul-General for Norway,
Royal Norwegian Consulate-General,
28 St. George's Street,
CAPETOWN.

96
Royal Norwegian Consulate-General

41/103/14/101
3/12 - 1/12
Cape Town, April 3rd, 1939.

Jnr. 354/39



Sir,

For the interest you might take in the matter I have the honour to forward you two copies (translated into English) of a publication containing a Proclamation issued on the 14th of January 1939, by His Majesty King Haakon regarding the occupation by Norway of a certain area in the Antarctic and a Recommendation of the same date from the Ministry of Foreign Affairs at Oslo.

I have the honour to be,

Sir,

Your obedient servant,

T. Seippel

T. Seippel.
Consul General.

The Secretary for External Affairs,

CAPE TOWN.

COPY

ROYAL NORWEGIAN CONSULATE-GENERAL,

CAPETOWN,

Jnr. 354/39.

April 3rd, 1939.

Sir,

For the interest you might take in the matter I have the honour to forward you two copies (translated into English) of a publication containing a Proclamation issued on the 14th of January 1939, by His Majesty King Haakon regarding the occupation by Norway of a certain area in the Antarctic and a Recommendation of the same date from the Ministry of Foreign Affairs at Oslo.

I have the honour to be,

Sir,

Your obedient Servant,

Die Sekretaris van *Nanse & Reperteer*

Deurgestuur aan u vir *oeweging* informasie *handeling*

Ref. *PM/103/34* Datum *15/4/39*

H. J. Borchstein

SEKRETARIS VAN BUITELANDESE SAKE

(Sgd.) T. Seippel.

CONSUL-GENERAL.

THE SECRETARY FOR EXTERNAL AFFAIRS,

CAPETOWN.

NORWEGIAN CLAIMS IN THE ANTARCTIC.

*Die Ofs,
Gans moet astand
op die Noorse Koning
re brief van 3 April
was in den 1929 was was
inverittsame was in die
van die Residule -
poolstreek deur
Norwe. Die
Skrutaris was met
van die Gebede's
west 8 km. S. tye
het beide puse
opgeat.*

27/6

According to a communication received from the Norwegian Consul-General in Capetown, the King of Norway issued a Proclamation on the 14th January, 1939, to the effect that part of the Mainland coast in the Antarctic extending from the limits of the Falkland Islands Dependencies in the West (the boundary of Coats Land) to the limits of the Australian Antarctic Dependency in the East, with the land lying within this Coast and the environing sea, had been brought under Norwegian Sovereignty.

On the same day a recommendation from the Ministry of Foreign Affairs, that Bouvet Island and Peter 1st Island be placed under Norwegian Sovereignty, was approved by Order-in-Council.

As regards the Proclamation of Norwegian Sovereignty over a part of the Mainland Coast in the Antarctic lying between the Falkland Island Dependencies and the Australian Antarctic Dependency, the following events are of interest:

In November, 1929, we were advised by the United Kingdom Government that the Norwegian explorer, Lars Christensen, was carrying out extensive preparations for an expedition to the South Pole with the object of taking possession, in the name of the King of Norway, of any new land he may discover and which had not yet been occupied in due form by any other Government.

At.....

At that time there were only two Sectors in the Antarctic, to which the Norwegians could direct their attention, namely,

- (1) one extending from Ross Dependency to the Falkland Islands Dependencies;
- (2) the other extending from the Falkland Island Dependencies to Enderby Land.

Neither of these Sectors had at that time been claimed by any other Government, and they were both still unexplored.

The United Kingdom Government considered it unlikely that the Norwegians were contemplating the acquisition of Sector 1, namely the territory between Ross Dependency and the Falkland Island Dependencies, as this territory was from all accounts virtually inaccessible by sea. The Norwegians could therefore only contemplate the acquisition of Sector 2, namely the territory extending from the Falkland Island Dependencies in the West to Enderby Land in the East.

The United Kingdom Government thought it advisable to decide in advance what attitude they should take up in the event of the Norwegian Government communicating their intention ^{to occupy land} in this Sector. The general opinion was that the United Kingdom Government had no grounds on which objection to such occupation could be based, but it was felt that on account of the geographical position of this Sector, the Union Government might be interested in the contemplated operations of the Norwegian expedition, and the Union Government were.....

were accordingly requested to indicate whether they concurred in the view of the United Kingdom Government that there would be no grounds for raising objections to a claim to that Sector if the Norwegian Government should proceed to explore it and annex it to the Norwegian Crown.

In our telegram No. 170 of the 5th December, 1929, we advised the United Kingdom Government that the Union Government shared their view that there were no grounds for raising objections to a claim in the Sector between the Falkland Island Dependencies and Enderby Land if the Norwegian Government should proceed to explore and annex it to the Norwegian Crown.

The Norwegian Government were informed accordingly, and the Norwegian expedition set out for the Antarctic, exploring and charting the mainland extending from the Falkland Island Dependencies in the West to the boundary of Coats Land i.e. part of Sector 2 mentioned above. Our attitude towards the proclamation of Norwegian Sovereignty over this area is therefore quite clear - the Union Government would not at this stage be in a position to raise objections thereto.

The proclamation of Norwegian Sovereignty over Bouvet Island already took place as far back as 1931, after the British Government had waived their claim to that Island in favour of Norway.

In the same year Norwegian Sovereignty was proclaimed over Peter I Island which is on account of its geographical position outside the sphere of our interest.

C A P E T O W N,
9th May, 1939.

J.S. 9/5/39.

We HAAKON, King of Norway, do hereby proclaim :

That part of the mainland coast in the Antarctic extending from the limits of the Falkland Islands Dependencies in the West (the boundary of Coats Land) to the limits of the Australian Antarctic Dependency in the East (45° E.Long.) with the land lying within this coast and the environing sea, shall be brought under Norwegian sovereignty.

Given at Oslo Palace on the 14th day of January 1939.

Under Our Hand and the Seal of the Realm.

HAAKON

(L.S.)

Johan Nygaardsvold

B. Rolsted

Recommendation from the Ministry of Foreign Affairs of the 14th January 1939, approved by Order in Council the same day :

By Order in Council of the 23rd January 1928, Bouvet Island in the Antarctic Ocean was brought under Norwegian sovereignty, and by Order in Council of the 1st May 1931 the same thing was done with Peter I. Island in the same ocean.

Bouvet Island lies in 3° 24' E. Long. and 54° 26' S. Lat., i.e. in that part of the Antarctic region often called the Atlantic Sector. Peter I. Island is situated 90° 35' W. Long. and 68°50' S. Lat., i.e. in the Pacific Sector of the Antarctic region.

Our object in bringing these islands in the Southern Ocean under Norwegian sovereignty was to give the Norwegian whaling industry in that region points of support and to guard it against possible encroachment on the part of foreign powers.

Since that time there have been discussions between the Government authorities and the Norwegian interested parties as to whether it would not be right and useful to bring a part of the Antarctic mainland under Norwegian sovereignty.

Of this mainland with adjacent sea and islands, Great Britain brought under her dominion in 1908 the area that has been named the Falkland Island Dependencies. The region Ross Dependencies was brought under New Zealand in 1923; and the largest of all the Antarctic areas, from 160° to 45° E. Long., was brought under Australia in 1933. In this latter area, however, France had previously taken possession of a small area with a few islands, viz., Adélie Land around 140° E. Long.

Bouvet Island lies in the ocean between the British and the Australian sectors. The land filling this intervening area is what has often been called the Atlantic Sector, and here no state has yet claimed sovereignty.

The mainland in this region long remained unknown and unexplored. We know that certain discovery expeditions long ago penetrated the seas adjacent to this mainland, e.g., a Russian expedition in 1820 and two English expeditions in 1831 and 1843. But none of these expeditions got so far in as to sight land and still less to put people ashore.

It was not until 1929 that exploring expeditions reached the mainland in this part of the Antarctic, and these expeditions were Norwegian. In the summer of 1929-30 the whaler Lars Christensen sent out an expedition under the command of Captain Riiser-Larsen accompanied by Captain Lutzow-Holm, who did exploration work and took cartophotographs from the air along great areas of the country, including the region that was subsequently given the name of Kronprinsesse Märthas Land. On a second expedition in 1930-31 fitted out by Lars Christensen a further large area was discovered

and explored by airplane; that land was named Prinsesse Ragnhilds Land. It was to this land that Captain Riiser-Larsen and others came on an expedition they made with the support of the Norwegian Government in 1932-33, and there, as well as at other points within the sector here in question, Norwegian whalers were close to the coast on many occasions during those years. Finally, in the summer of 1936-37 Lars Christensen despatched still another expedition to the Antarctic, and on that occasion Lieutenant Widerøe piloted a plane over extensive areas, so that a great deal of new land was discovered and mapped both without and within the territory which the former expeditions had visited, a territory then explored between Dronning Louds Land and Prinsesse Ragnhilds Land was named Prins Haralds Land. On all these expeditions practically the whole of the mainland within the Atlantic Sector bordering the sea was explored and mapped so well that we may say that not many parts of the Antarctic continent are better known.

It should be mentioned that Norwegian explorers, Roald Amundsen and others, have explored also other parts of the Antarctic, and in particular they have in recent years explored and mapped much of the land which was brought under Australia in 1933. There should, however, not be any question of Norway laying claim to any land that has previously been taken possession of by another state. This accords with the promise given by the Norwegian Government to Great Britain in 1929 to the effect that it would not raise any claim in respect of land within the region which had then been brought under the dominion of the British Empire.

But Norway considers that it may with full right claim dominion over that land which until now has lain unclaimed and, which none but Norwegians have explored and mapped.

It is this very area which in recent years has been of capital importance to Norwegian whaling. This fishery is now prosecuted on the high seas, but as the summer advances the catches are

made closer and closer to land. The mainland coast in these parts runs approximately along the 70th degree of latitude and in the beginning of the summer - in December - the edge of ice is usually along the 60th degree. It is not until February that the factory boats draw near to shore.

A question that may have an important bearing on the freedom to be extended to whaling expeditions is the determination of the limit of territorial waters. But on this question there still exists a good deal of uncertainty. It has been maintained that the ice-limit in the Antarctic must be regarded as the limit of the continent, and Great Britain and the two British dominions that have taken land here have in the main drawn the limit along the 60th degree of latitude. What this implies in respect of the right to sovereignty does not appear to be quite clear; one thing is, however, certain, namely that Norwegian whalers operating within this limit were for a number of years required to pay a licence.

For the very reason that such questions of territorial limits remain undecided, it is most desirable for the Norwegian whaling industry in those seas that Norway should hold dominion over a wide tract of the mainland with adjacent waters. Norway for her part will not claim any right to exclude other nations from the waters over which she might thus have dominion, or prevent them in any way from carrying whaling operations there. But Norwegian whalers should be ensured against the possibility of other nations excluding them from these waters or committing any action that might involve their industry in injury or loss.

The Norwegian Government has for a long time been alive to this requirement, and ever since the question arose it has been giving its attention to the preparation of an arrangement that would

meet natural Norwegian demands. The Government finds that the time has now come to take the final decision.

As mentioned above, Norway's right to bring the said unclaimed land under her dominion is founded on the geographical exploration work done by Norwegians in this region, in which work they have been alone.

The practical considerations which should lead to Norway's making use of the right it must thus be said to have won, arise from the Norwegian whaling operations in the Southern Ocean, and more particularly in the seas adjacent to the territory here in question.

The Ministry of Foreign Affairs therefore submits the following :

That Your Majesty be pleased to assent and subscribe to a presented draft of an Order in Council to the effect that such part of the coast of the Antarctic Continent as extends from the limits of the Falkland Islands Dependencies in the West (the boundary of Coats Land) to the limits of the Australian Antarctic Dependency in the East (45° E. Long.) with the territory lying within this coast and the adjacent seas, be brought under Norwegian sovereignty,

and that the Ministry of Justice be empowered to draw up regulations for the exercise of police authority within this region.

POLAR TERRITORIAL CLAIMS.

November 11, 1938.

CONFIDENTIAL.

SECTION 1.

[W 14013/1084/50]

Copy No.

039

Sir G. Mounsey to M. Colban.

Dear M. Colban,

Foreign Office, November 11, 1938.

YOU called at the Foreign Office on the 27th May in order to enquire whether His Majesty's Government in the United Kingdom were aware of any recent developments in the Antarctic such as might alter the territorial position as set out in Sir Robert Vansittart's letter to you of the 5th October, 1934, or of any fresh claim to, or occupations of, territory in the Antarctic. You stated that you had seen press reports of French action in Adélie Land and of Soviet and United States action in other parts of the Antarctic, and you expressed the desire to receive an assurance that His Majesty's Government still maintain the attitude and views which had previously been communicated to you.

You will recall that Sir Robert Vansittart's letter of the 5th October, 1934, was followed by an official note of the 23rd October, 1934, in paragraph 4 of which Sir John Simon stated that he desired to repeat the assurance already given informally to the Norwegian Government that there was no intention of claiming British sovereignty over the region lying between the western boundary of the Australian Antarctic Territory as defined in the Order in Council of the 7th February, 1933, and the eastern boundary of Coats Land, as mentioned in the summary of proceedings of the Imperial Conference of 1926. I have pleasure in informing you that His Majesty's Governments in the United Kingdom, the Commonwealth of Australia and New Zealand now desire to reaffirm that assurance.

The Commonwealth Government, however, feel it necessary to express their concern at the failure of certain Norwegian explorers on occasions in the past to respect British sovereignty over the Australian Antarctic Territory, and I would mention the following cases of flights and landings for which no authorisation was sought:—

- (1) *December 22, 1929.*—A flight was made from *Norvegia* over Enderby Land 46°–52° east. A landing was made and a flag hoisted. This act, it is recognised, was repudiated by the Norwegian Government (see memorandum communicated to the Norwegian Government by His Majesty's Legation at Oslo on the 20th January, 1930 and connected correspondence).
- (2) *January 1934.*—Flights were made from the *Thorshavn* in the vicinity of 65°–86° east.
- (3) *January 1935.*—A landing was made from the *Thorshavn* at 80° east. A flag was hoisted and a depot established.
- (4) *January 1937.*—M. Lars Christensen made flights over land at 68° and 50° east, and a flag was dropped. A landing was made at 70° east and at 66° east and a flag hoisted and a depot established.

These cases are readily available from Norwegian sources and have been published over a number of years. In this connexion, it will be recalled that in view of a contemplated expedition to the Antarctic by the *Norvegia* and of the authority given to her captain to take possession of land hitherto occupied, Sir Francis Lindley, His Majesty's Minister at Oslo, in a note dated the 13th February, 1928, reminded the Norwegian Government of the discussions in regard to those regions which took place in 1926 at the Imperial Conference in London, and referred to the account of the discussions contained on pp. 33 and 34 of the published Summary of Proceedings. Sir Francis Lindley added that the motive of his communication was merely the desire to avoid the risk of complications arising as a result of any acts which might be performed by the expedition in ignorance of the existence of a British title to the areas referred to in the Imperial Conference report. It will also be recalled that in a memorandum

dated the 14th November, 1928, which was communicated by M. Vogt to this department, it was stated that the Norwegian Government had not sufficient knowledge of the basis upon which are founded the British claims to each one of the territories which the Imperial Conference of 1926 asserted to be British, but that the Norwegian Government were prepared to express their willingness to refrain from occupying any land within these territories.

While appreciating that in view of this assurance no Norwegian claim could be or has been made on the basis of these events, His Majesty's Government in the Commonwealth of Australia, in associating themselves with the renewed assurance to the Norwegian Government as above mentioned, now desire in view of these repeated events to receive, in return, from the Norwegian Government a specific assurance of their recognition of the Commonwealth boundaries in the Antarctic as defined in the Order in Council of the 7th February, 1933.

As regards French action in Adélie Land, the Norwegian Government will be aware of the decree dated the 1st April, 1938, which appeared in the French *Journal officiel* of the 6th April, 1938. As this decree merely defined the extent of Adélie Land, and as the French claim to this territory is recognised by His Majesty's Government in the United Kingdom and does not appear to have been disputed by any other Government, His Majesty's Government see no cause for concern in this matter.

The information of His Majesty's Government with regard to recent United States action is limited to a letter from Mr. Lincoln Ellsworth which appeared in the *New York Times* of the 6th May, 1938. In this letter Mr. Ellsworth announced his intention of undertaking another Antarctic expedition in the region of the "Enderby quadrant," and he specifically disclaimed any intention of asserting any rights over territory in this region already claimed by Australia.

In the early part of this year the attention of His Majesty's Government in the United Kingdom was drawn to a press report from Moscow relating to a proposed Soviet expedition to the Antarctic. As it appeared from the report that it was the intention of the expedition to establish its main base within the boundaries of the Falkland Islands sector of the Antarctic, an enquiry was made at Moscow as to the truth of this report, and the Soviet authorities stated that it should not be taken as being in any way an official announcement, and, further, that if the Soviet Government decided to organise any such expedition and if it were proposed that the expedition should establish its base within the dependencies of a British Colony, they would not fail to approach His Majesty's Government in the first place with a view to obtaining the necessary permission.

I am sorry for the delay in replying to your enquiry, which, however, you will realise has been due to the necessity of consulting the Dominion Governments concerned. I trust that the information now given will prove satisfactory to the Norwegian Government, and that they will be in a position to give the assurance desired by the Commonwealth Government.

Yours sincerely,
GEORGE MOUNSEY.

POWAR TERRITORIAL CLAIMS.

April 8, 1938.

CONFIDENTIAL.

SECTION 1.

[W 4586/1084/50]

Copy No. 039

Sir E. Phipps to Viscount Halifax.—(Received April 8.)
(No. 413.)

HIS Majesty's representative at Paris presents his compliments to the Secretary of State for Foreign Affairs, and, with reference to Paris despatch No. 281 of the 7th March, 1938, has the honour to transmit to him an extract from the *Journal officiel* of the 6th April, 1938, giving the text of a decree respecting Adélie Land.

Paris, April 6, 1938.

Enclosure.

Extract from the Journal officiel of April 6, 1938.

Limites des Territoires français de la Région antarctique dite "Terre Adélie."(¹)

LE Président de la République française,

Vu le sénatus-consulte du 3 mai 1854;

Vu le décret du 21 novembre 1924 rattachant les îles Saint-Paul et Amsterdam, les archipels Kerguelen et Crozet, la terre Adélie au Gouvernement général de Madagascar;

Sur le rapport du Ministre des Affaires étrangères et du Ministre des Colonies,

Décète :

Article 1^{er}. Les îles et territoires situés au sud du soixantième parallèle de latitude sud et entre les cent trente-sixième et cent quarante-deuxième méridiens de longitude est de Greenwich relèvent de la souveraineté française.

Art. 2. Le Ministre des Affaires étrangères et le Ministre des Colonies sont chargés, chacun en ce qui le concerne, de l'exécution du présent décret, qui sera publié au *Journal officiel* de la République française, au *Journal officiel* de la colonie de Madagascar et inséré au *Bulletin officiel* du Ministère des Colonies.

Fait à Paris, le 1^{er} avril 1938.

ALBERT LEBRUN.

Par le Président de la République :

Le Ministre des Affaires étrangères,

PAUL-BONCOUR.

Le Ministre des Colonies,

MARIUS MOUTET.

(¹) Corrected in accordance with rectifications published in the *Journal officiel* of the 14th April, 1938.

POLAR TERRITORIAL CLAIMS.

March 7, 1938.

CONFIDENTIAL.

SECTION 1.

[W 3061/1084/50]

Copy No.

039

Sir E. Phipps to Mr. Eden.—(Received March 7.)

(No. 281.)

HIS Majesty's representative at Paris presents his compliments to the Secretary of State for Foreign Affairs, and, with reference to Foreign Office despatch No. 1779 of the 16th September, 1937, has the honour to transmit to him a copy of a memorandum from the Ministry for Foreign Affairs, dated the 5th March, 1938, respecting Adélie Land.

Paris, March 7, 1938.

Enclosure.

Memorandum respecting Adélie Land.

PAR une note du 14 février 1933, l'Ambassade de Grande-Bretagne a bien voulu communiquer au Ministère des Affaires étrangères le texte d'un order in council relatif à la délimitation des territoires antarctiques de souveraineté britannique autres que la Terre Adélie.

Dans une récente note du 13 octobre 1937, l'Ambassade de Grande-Bretagne a résumé les divers points de vue examinés dans les correspondances échangées entre elle et le Ministère des Affaires étrangères au cours des dernières années.

D'un examen attentif de cette note, il résulte que la seule divergence de vues entre les deux Gouvernements réside dans la fixation de la limite orientale des possessions françaises dans l'Antarctique. La Terre Adélie étant contiguë à la Terre King George V et les cartes de l'Amirauté, en particulier celle qui porte le No. 3172, assignant comme limite occidentale à la Terre King George V le 143° méridien, le Gouvernement français serait fondé à étendre, à l'est, jusqu'audit méridien, sa souveraineté sur les terres antarctiques.

Toutefois, le Gouvernement français ne peut se refuser de prendre en considération le fait qu'un monument commémoratif a été élevé sur le Cap Dennison, c'est-à-dire à mi-chemin entre les 142° et 143° méridiens, à la mémoire des explorateurs australiens de l'Antarctique et de reconnaître la légitimité du souhait formulé par l'Ambassade de Grande-Bretagne, dans sa note précitée, de voir ce monument demeurer dans la zone de souveraineté britannique.

Le Ministère des Affaires étrangères a, en conséquence, l'honneur de porter à la connaissance de l'Ambassade de Grande-Bretagne que le Gouvernement français se propose d'assigner pour limites à la Terre Adélie les 136° et 142° méridiens est de Greenwich.

Par ailleurs, l'Ambassade de Grande-Bretagne a exprimé le désir que le droit de libre survol soit accordé aux avions britanniques au-dessus de la Terre Adélie.

Le Ministère des Affaires étrangères a l'honneur de faire savoir à l'Ambassade de Grande-Bretagne qu'il ne voit aucun inconvénient à consentir cette autorisation, étant entendu que, réciproquement, les avions français pourront librement survoler les territoires antarctiques de souveraineté britannique.

Paris, le 5 mars 1938.

POLAR TERRITORIAL CLAIMS.

September 16, 1937.

CONFIDENTIAL.

SECTION 1.

[W 17129/1365/50]

Copy No. 039

Mr. Chamberlain to Mr. Lloyd Thomas (Paris).

(No. 1779.)

Sir,

Foreign Office, September 16, 1937.

WITH reference to Mr. Eden's despatch No. 1748 of the 19th October last relative to the boundary of Adélie Land, I transmit to you herewith the draft of a note which you should address to the French Government at the instance of His Majesty's Governments in the United Kingdom and in the Commonwealth of Australia.

2. I have to explain that, although it would be possible to do so on the ground that possession of the whole of the South Polar Plateau was taken in 1909 in the name of His Majesty by Sir Ernest Shackleton, it is not proposed to challenge the French Government's claim to a sector extending southwards to the Pole on grounds of policy, because there are other areas in the Antarctic where His Majesty's Governments might wish to rely on the sector principle, and it is considered to be in the general interest to allow the sector principle to become established as a rule of law applying to Arctic and Antarctic territory. It is, however, desired that an arrangement should, if possible, be made whereby a free right of passage by air across the French sector between the Australian territories on either side should be recognised by the French Government. Such a right, indeed, exists under article 2 of the Air Navigation Convention of 1919, but it is desired that it should be reaffirmed specifically in this connexion in case that convention should be denounced. It is suggested that the concession which the Australian Government are prepared to make in the matter of the French claim to a sector might be used as a lever to secure the desired recognition by the French Government of the right of passage.

3. The Australian Government, while desirous of fixing the western boundary of Adélie Land at $136\frac{1}{2}$ degrees east, would be willing, if necessary, to agree to the French Government's suggestion of 136 degrees. In fact, the grounds on which the French claim to 136 degrees as the western boundary is founded are not strong, but the Australian Government are at present unwilling to depart from $136\frac{1}{2}$ degrees except as a concession in the last resort to secure the right of passage by air.

4. I shall accordingly be glad if you will at the time of the delivery of the enclosed note explain the requirement of the Australian Government in regard to the right of passage orally to the French Government and endeavour to secure the recognition of this right. For this purpose you will no doubt avail yourself at the time and in the manner which you consider most suitable of the concessions which the Australian Government are willing to make, as described in the preceding paragraphs.

I am, &c.

NEVILLE CHAMBERLAIN.

Enclosure.

Draft Note to French Government.

HIS Majesty's Governments in the United Kingdom and in the Commonwealth of Australia have given most careful consideration to your note of the 5th October last on the subject of the boundaries of Adélie Land, and I have the honour to inform you that, while appreciating the friendly spirit in which the French Government has acted in this matter, it is felt that, in view of the tremendous amount of work and expenditure that has already been undertaken by His Majesty's Governments in connexion with the exploration of the whole of

the coastline and portions of the interior of the Australian Antarctic Territory, and also of Adélie Land, and of the fact that the only French effort which has been directed towards this area of the Antarctic has been the extremely brief visit of Commodore d'Urville in 1840, the suggestion of the French Government that the eastern boundary of Adélie Land should be fixed to the east of the 142nd meridian of longitude east of Greenwich cannot be accepted.

While His Majesty's Governments would be happy to give the widest definition to the area over which the French Government have rights, it is clear that the only rights the French Government might maintain in international law in this area are those based on actual discovery, and His Majesty's Governments feel that the widest limits that the French Government can possibly claim are from 136° longitude to 142° longitude east of Greenwich. It is extremely doubtful whether the coastline seen by Commodore d'Urville would extend even to those limits. In arriving at this conclusion His Majesty's Governments are impressed by the remarkably accurate and painstaking manner in which all the charts and records of d'Urville were prepared, and by the fact that no mention is made of, nor claim laid to having seen, any land to the east of 142°, nor even to land as far east as 142° of longitude east of Greenwich.

In 1913, when Sir Francis Bertie's note was handed to M. Pichon, His Majesty's Government were, in the absence of any corroborating evidence as to the extent of coastline seen by Commodore d'Urville, unable to assess accurately the range of coastline that had been seen by d'Urville. Pending the return of Dr. Mawson, who was in the Antarctic at this time, 1913, the only information that was apparently available at that time was an account which appeared in a Sydney newspaper in 1840, and which, when speaking of d'Urville's discovery of Adélie Land, stated that "its extent, as seen, was about 150 miles, between 66° and 67° latitude, 136° and 147° longitude." As it was impossible to determine from the evidence available exactly where, within these limits, Adélie Land was to be drawn, and as the question at issue when this note was written was not what were the limits of Adélie Land, but whether the boundaries of King George V Land, as defined by Sir Francis Bertie, were outside those limits, his note cannot be regarded as any determination of the boundary issue.

Since that note was written two factors have come to light which make it certain that d'Urville could not have sighted land any further to the east than the 142nd degree of longitude east of Greenwich. In the first place, both Sir Douglas Mawson and Captain Davis are agreed as to the accuracy of d'Urville's work, and, secondly, recent research has shown that the account which was published in the Sydney newspaper was based upon an earlier account, apparently written on board the *Astrolabe*, which was published in the French language in a Hobart newspaper, and in which the following statement appears:—

" Le Commodore d'Urville a nommé la terre nouvellement découverte 'Terre Adélie.' La partie reconnue d'environ 150 milles d'étendue est comprise entre le 66° et 67° degré de latitude sud d'une part : entre 136° au 142° degré de longitude E. de l'autre "

As further research disclosed that there was other contemporary evidence to support this statement, His Majesty's Governments, therefore, felt that they were justified in restricting the possible length of coastline sighted by d'Urville to that shown on his charts, namely, the coastline lying between the 136½th and 142nd meridians of longitude east of Greenwich.

Bearing this in mind, His Majesty's Governments, on perusing the report of the Minister of the Colonies relating to, *inter alia*, Adélie Land, which appeared in the *Journal officiel de la République française* of the 27th November, 1924, came to the conclusion that the French Government had thus officially acknowledged that they claimed only the area actually sighted by d'Urville, which had been shown by Sir Douglas Mawson's discoveries to extend at the most from the 136½th meridian to the 142nd meridian.

The statement upon which His Majesty's Governments relied in coming to this conclusion read as follows:—

" Dans l'ignorance où l'on fut longtemps de la valeur économique de ces terres inhabitées, situées à l'écart des grandes routes maritimes, il n'avait point paru indispensable, en effet, de confirmer, par l'établissement d'une autorité effective, les droits de souveraineté que, de longue date, la France s'était acquis sur les archipels et sur les parties du continent antarctique reconnues par nos navigateurs."

As no reason has since been advanced by the French Government that would justify His Majesty's Governments in relinquishing their title to an area in which a great deal of exploratory work has been done by British enterprise, and which was formally claimed on behalf of His Majesty by Sir Douglas Mawson at Cape Denison in March 1912, His Majesty's Governments regret that they are unable to agree to the delimitation of the boundary between Adélie Land and the eastern portion of the Australian Antarctic Territory at any other point than the 142nd degree of longitude east of Greenwich.

In this connexion His Majesty's Governments would like to emphasise that Cape Denison, which is only 16 miles to the east of the 142nd meridian, has, by the labours of the Australasian Antarctic Expedition of 1911-14, become indelibly associated with Australian tradition and history.

On Cape Denison itself is erected a memorial cross to the two members of the expedition who so tragically lost their lives in the exploration of the icy waters of this region. Cape Denison was again visited by the members of the British, Australian and New Zealand Antarctic Research Expedition of 1929-31, and will undoubtedly be revisited by British expeditions in the near future.

In many other directions His Majesty's Governments have taken steps actively to exercise the sovereignty of His Majesty over King George V Land, and are now arranging for a further survey of this area.

His Majesty's Governments are prepared to accept the 60th parallel of south latitude as the northern limit of the area within which the land is to be considered to be French.

12.103/14

639



UNION OF SOUTH AFRICA

Circular despatch A No. 121

Confidential

Downing Street,

2 September, 1933.

Sir,

With reference to my despatch Circular A No.93 of the 27th May, 1931, I have the honour to transmit, for the information of His Majesty's Government in the the Union of South Africa, the accompanying copy of a despatch from His Majesty's Minister at Oslo communicating translations of a Norwegian law of the 24th March last declaring Peter I's Island to be taken under Norwegian sovereignty, and of a Royal resolution of the 13th July respecting the administration of that island.

Fr. H. M. Min. Oslo
25th July

h.c.a.

2. A translation of the Norwegian law of the 27th February, 1930, concerning Bouvet Island, which is by the new law made also applicable to Peter I's Island, was enclosed in Lord Passfield's Confidential despatch Dominions No.225 of the 15th April, 1930.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

J. H. M. Min. Oslo
Legal Advisor
M

Prothonotary

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

J. M. G. 22/9
Secretary

NOT TO BE PUBLISHED
WITHOUT THE AGREEMENT OF
HIS MAJESTY'S GOVERNMENT
IN THE UNITED KINGDOM

POLAR TERRITORIAL CLAIMS.

July 31, 1933.

CONFIDENTIAL.

SECTION 1.

[W 8933/209/50]

No. 1.

Sir C. Wingfield to Sir John Simon.—(Received July 31.)

(No. 210.)

Sir,

Oslo, July 25, 1933.

WITH reference to Mr. Fullerton-Carnegie's despatch No. 55 of the 27th February last, I have the honour to transmit to you herewith translations of a law of the 24th March last declaring Peter I's Island to be taken under Norwegian sovereignty, and of a Royal resolution of the 13th instant respecting the administration of that island.

2. A translation of the law of the 27th February, 1930, concerning Bouvet Island, which is by the new law made also applicable to Peter I's Island, was furnished under cover of my despatch No. 83 of the 18th March, 1930.

3. Two copies of *Norsk Lovtidende*, Nos. 13 of the 28th March and 29 of the 14th July, in pp. 127 and 575-576 of which the Norwegian texts of the law and Royal resolution will be found, are also enclosed.⁽¹⁾

I have, &c.

CHARLES WINGFIELD.

Enclosure 1 in No. 1.

*Law regarding Alteration in the Law of February 27, 1930, concerning
Bouvet Island.*

(Translation.)

I.

IN the law concerning Bouvet Island, No. 3 of the 27th February, 1930, the heading is altered so as to read:—

“Law concerning Bouvet Island and Peter I's Island.”

II.

In the same law the following regulations shall read:—

“§ 1. Bouvet Island and Peter I's Island are placed under Norwegian sovereignty as a possession.

“§ 2. First point. Norwegian civil law and criminal law and the Norwegian legislation concerning judicial procedure shall be applied to Bouvet Island and Peter I's Island.”

III.

This law comes into force immediately.

Oslo, March 24, 1933.

Enclosure 2 in No. 1.

Royal Resolution, July 13, 1933.

(Translation.)

I. THE Ministry of Commerce assumes the administration of Peter I's Island. The authority which, by the legislation of the kingdom, is vested in

⁽¹⁾Not printed.

103/14
1933

POLAR TERRITORIAL CLAIMS.

July 17, 1933.

CONFIDENTIAL.

SECTION 1.

[AMENDED SECTION.]

[W 8471/209/50]

No. 1.

Papers communicated by Dominions Office, July 17, 1933.

(1)

1932-33: *The Parliament of the Commonwealth.*

HOUSE OF REPRESENTATIVES.

Read 1^o 24th May, 1933.

(Brought in by the Minister for External Affairs, the Right Hon. J. G. Latham.)

A Bill for an Act to provide for the acceptance of Certain Territory in the Antarctic Seas as a Territory under the authority of the Commonwealth and for the Government thereof.

BE it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

Short Title.

1. This Act may be cited as the *Australian Antarctic Territory Acceptance Act, 1933.*

Acceptance of the Territory.

2. That part of the territory in the Antarctic seas which comprises all the islands and territories, other than Adelie Land, situated south of the 60th degree south latitude and lying between the 160th degree east longitude and the 45th degree east longitude, is hereby declared to be accepted by the Commonwealth as a territory under the authority of the Commonwealth, by the name of the Australian Antarctic Territory.

Ordinances.

3.—(1) The Governor-General may make ordinances having the force of law in and in relation to the territory.

(2) Every such ordinance shall—

(a) Be notified in the *Gazette*;

(b) Take effect from the date of notification, or from such date, whether before or after such date of notification, as is specified in the ordinance; and

(c) Be laid before both Houses of the Parliament within thirty days of the making thereof, or, if the Parliament is not then sitting, within thirty days after the next meeting of the Parliament.

(3) If either House of the Parliament passes a resolution, of which notice has been given at any time within fifteen sitting days after such ordinance has been laid before the House, disallowing the ordinance, the ordinance shall thereupon cease to have effect.

(2)

*Extract from Commonwealth of Australia Parliamentary Debates No. 11,
May 26, 1933.*

AUSTRALIAN ANTARCTIC TERRITORY ACCEPTANCE BILL.

(Second Reading.)

MR. LATHAM (Kooyong—Attorney-General): I move—

That the Bill be now read a second time.

This Bill provides for the acceptance by the Commonwealth of certain territory in the Antarctic regions. The Bill is founded upon an order in council made by

His Majesty the King on the 7th February last, and upon section 128 of the Commonwealth Constitution, which provides, *inter alia*, that this Parliament—

may make laws for the government of any territory . . . placed by the King under the authority of and accepted by the Commonwealth. . . .

This territory has been placed under the authority of the Commonwealth by His Majesty the King, and it is now proposed that it shall be accepted by this Parliament. The area referred to in the Bill is shown on the small map, which has been prepared for the information of honorable members. It will be seen that it includes all the land in the Antarctic, with the exception of the French dependency of Adelie Land, lying south of the 60th parallel of latitude and between the 45th and the 160th meridian of east longitude. It includes the eastern part of Queen Maud Land, Enderby Land, Kemp Land, MacRobertson Land, Lars Christensen Land, Princess Elizabeth Land, Queen Mary Land, Knox Land, Banzare Land, Wilkes Land, King George V Land and Oates Land, and certain small islands lying off the mainland.

Enderby Land was discovered and named by a British sealer, John Biscoe, in February 1831. Kemp Land was observed by another British sealer, Kemp, between October and December 1833, Knox High Land was sighted by an American, Lieutenant Charles Wilkes, of the United States navy, in January 1840. Adelie Land was discovered by the Frenchman, Captain Dumont d'Urville, on the 19th January, 1840. After these discoveries, almost a century ago, there was a long period marked by no further discoveries. With the opening of the present century, active exploration recommenced, and in 1902 the German Antarctic expedition, led by Professor Drygalski, discovered and named the Gaussberg, in 67 degrees south 89 degrees west. The area surrounding the Gaussberg was explored by the Australian Antarctic Expedition in 1911-14, and named Queen Mary Land. This expedition also explored and named Wilkes Land and King George V Land. That expedition was led by the well-known Australian, Sir Douglas Mawson, who has done wonderful and distinguished work in these southern regions. It proceeded to the Antarctic in December 1911, in the ship *Aurora*, commanded by Captain J. K. Davis. The leader, Sir Douglas Mawson, and a party of seventeen others, were landed at Commonwealth Bay at the western end of what is now King George V Land. Captain Davis then proceeded 1,500 miles further west to Queen Mary Land, where a party, under Lieutenant Frank Wild, which is known in Antarctic history as "The Wild Party," was landed. The Mawson party did exploration work towards the magnetic pole, and in easterly and westerly directions. It encountered very great difficulty, but covered some 300 miles. Unfortunately, two of the party, Ninnis and Mertz, were killed, and Sir Douglas Mawson only regained his base after a feat of almost superhuman endurance scarcely equalled in the annals of history. The *Aurora* returned in December 1913 and picked up Sir Douglas Mawson and his comrades and brought them back to civilisation. In the course of the seasons 1929-30 and 1930-31, the British Australian New Zealand Antarctic Research Expedition—the initial letters of which form the word Banzare that was given to a part of this territory—explored the greater portion of the sector between 45 degrees east and 160 degrees east, including Enderby Land, Kemp Land, new areas (which it named MacRobertson Land and Princess Elizabeth Land) and new land linking Knox and Wilkes Lands (which was named Banzare Land). In January 1930 the Norwegian, Captain Riiser Larsen, in the *Norvegia*, visited, shortly after the *Discovery*, the area west of Enderby Land, and gave it the name of Queen Maud's Land, and in 1931 another Norwegian vessel, the *Torlyn*, gave the name Lars Christensen Land to an area between MacRobertson Land and Princess Elizabeth Land, which the *Discovery* had explored some days before.

Honorable members will notice that on the map which is provided for their information there appear a number of Norwegian names. A request has been made that we should continue to recognise certain Norwegian names that have been given to various parts of this area, and the Commonwealth Government is glad, indeed, to accede to the request to perpetuate the association of these intrepid Norwegian sailors with this area.

There are two Australian names which will be for ever associated with Australian Antarctic exploration. Sir Douglas Mawson was a member of the party which Sir Ernest Shackleton took to the Antarctic region in 1907 in the

Nimrod. He also led the Australian party in 1911-14, and spent two winters at Commonwealth Bay. His record on that occasion, and also in 1929-31, when he did distinguished work in the Antarctic, is one of which Australia is entitled to be proud. Captain J. K. Davis was also one of the members of Sir Ernest Shackleton's expedition in 1907. He was master of the *Aurora* in the 1911-14 expedition, and in 1916 was sent with a relief expedition to rescue the survivors of the Ross Sea party of the Sir Ernest Shackleton Expedition. He served with the British-Australian-New Zealand Antarctic Research Expedition when he commanded the *Discovery* during the 1929-30 season, and has therefore rendered distinguished service in the exploration of the Antarctic.

An injustice would be done if I did not also mention the name of Sir Edgeworth David—a gentleman whose name is honoured far beyond Australia, and very highly in Australia. At an age when most men would not have contemplated for a moment undergoing the dangers, difficulties, and trials of Antarctic exploration, Sir Edgeworth David led an exploration party into this area. There are other regions in the Antarctic than those to which I have referred, with which the names of other distinguished Australians are inseparably connected. I need only mention the name of Sir Hubert Wilkins to remind honorable members of this fact.

I have endeavoured to describe geographically, the area with which we are concerned, and to show how largely its discovery has been due to Australian enterprise. The need for some authority over this region has arisen because of the development of the whaling industry there. In the absence of some regulation of this industry, it is likely that the stock of whales there would be greatly diminished, and conceivably totally destroyed. The following figures show the tremendous growth of the whaling activities in this area since the war:—

Year.			Number of whales.	Barrels of oil.
1919-20	...	...	11,369	407,327
1920-21	...	...	12,174	471,141
1921-22	...	...	13,940	639,276
1922-23	...	...	18,120	817,314
1923-24	...	...	16,839	716,246
1924-25	...	...	23,253	1,040,408
1925-26	...	...	28,193	1,152,536
1926-27	...	...	23,195	1,176,882
1927-28	...	...	23,224	1,319,294
1928-29	...	...	27,556	1,867,848
1929-30	...	(over)	30,000	2,777,100
1930-31	...	(over)	40,000	3,250,000

In 1930-31 43 floating factories, 232 whale catchers, and 10 transport vessels owned by 33 companies set sail for the Antarctic. In addition, six land stations were in operation. In recent years the methods of whaling have been completely revolutionised. Those of us who got our ideas of whaling from boys' books, such as those of W. H. G. Kingston, or from Herman Melville's classic *Moby Dick*, must revise them very much indeed in order to bring them up to date. To-day whales are caught by "catchers," vessels of from 100 to 200 tons, speedy craft which go to the Antarctic under their own steam. Whales are captured by means of explosive harpoons, and when a whale is killed it is buoyed, and the catcher immediately chases its companions. The captured whales are brought by the catchers to the floating factory, which has a large opening in the rear with an inclined plane leading down into the water. Tackle is placed round the body of the whale, and the carcass is hauled aboard and treated. Some of these vessels cost from £500,000 to £750,000, fully equipped. Once it was possible to send an expedition to the Antarctic, and from one season's catch practically repay the cost of a floating factory. It will therefore be seen that the profits were enormous. Speaking without reference to any recent authority, whale oil used to bring £80 a ton; but now brings only £13 a ton. Accordingly the industry is nothing like so profitable as it was. Economic forces have come into play. When the oil produced in 1930-31 was in excess of the demand, the price fell to a level which made much of the industry unremunerative. As a result, an agreement has been reached between the various enterprises concerned to limit the total catch to about 2 million barrels. Not only does this represent a tremendous capture of whales;

it also measures to some extent the greatly improved methods of the whaling industry. In the past, when a whale was flensed alongside a vessel, the skeleton and some part of the carcass, containing much valuable oil, was set adrift. To-day nothing is wasted. The whole whale is taken aboard the vessel, and the oil is extracted from all the fleshy parts; even the internal organs are dealt with. The skeleton and head are crushed, the oil extracted therefrom, and the residue made into a form of manure. Regulations have been made which control, for example, the Norwegian vessels and those fishing from the Falkland Islands, and elsewhere, in an endeavour to reduce the toll on whales in those regions. There was an agreement between some of the enterprises which limited the catches before, but one important enterprise stood out. The present agreement binds all parties.

Mr. Maxwell: Is there a close season?

Mr. Latham: The season for fishing opens about October; during the winter months fishing is impracticable. In the convention on whaling to which I shall refer, provision is made for the protection of immature whales and calves. But the protection of whaling has not been allowed to depend on private agreement. Agreement between enterprises is of valuable assistance, because it limits the number of whales to be killed; but, should the demand increase, the restriction may be lessened, or even abolished. Protection of another kind has been given by an international convention for the regulation of whaling, which has been drawn up and signed by a majority of the countries concerned, including Australia. This was done at the Twelfth Assembly of the League of Nations in 1931. This convention is likely to come into operation at an early date, as soon as the necessary number of ratifications has been received. The convention prohibits the killing of certain species of whales, whale calves, immature whales and female whales accompanied by calves. It requires the fullest use to be made, in the manner which I have already indicated, of every carcass. It regulates the terms of employment of the crews, provides for the licensing or notification of vessels engaged in whaling, and for the supply of certain statistics.

The growth of the whaling industry and its regulation, the presence of numbers of vessels every season in Antarctic waters—some of which have from time to time used Australian ports—are matters requiring consideration. [*Quorum formed.*] There is need, too, for some protection of other Antarctic fauna and birds, if these are not to be killed off indiscriminately. There have been proposals from time to time to send expeditions to the Antarctic for the purpose of utilising in a commercial way penguins, penguin eggs and seals, and it might very well be that special steps should be taken to deal with that subject.

In 1908 the Antarctic territory south of the Falkland Islands was placed under the administration of the Falkland Island Colony, and ordinances were issued for the regulation of whaling and the licensing of whalers. In 1924 the French Government issued a decree placing Adelle Land under the administration of the French Colony of Madagascar, and the Governments of Great Britain and Australia have tacitly recognised the claim of the French to Adelle Land. The annexion of that territory by France called attention to Australia's unsatisfactory position with regard to the Antarctic regions south of this continent, and in 1925 a deputation from the Australian National Research Council urged upon the then Prime Minister (Mr. Bruce) the desirability of seeking sanction for the administration by Australia of the area in the Antarctic between 90 degrees and 160 degrees east. The matter was discussed at the Imperial Conference of 1926, at which both Mr. Bruce and I were present, and a great deal of attention was given to it. The report of that conference placed it on record that there were certain areas to which a British title already existed by virtue of discovery, including Enderby Land, Kemp Land, Queen Mary Land, the area lying to the west of Adelle Land, which has been named Wilkes Land, after its discovery in 1912, King George V Land and Oates Land. In the meantime whaling enterprises, some of them based on Hobart, were beginning to operate in the area, making the matter of its administration more and more urgent. The publication of the report of that conference was a notification to the world of the British claim to that area.

In 1928 the Commonwealth Government decided that the time had come to make a more thorough exploration of the whole Australian sector. In conjunction with the Governments of the United Kingdom and New Zealand, and generously assisted by certain private individuals—I especially mention the name of

Sir M. Pherson Robertson, of Melbourne—an expedition was fitted out, and, under the leadership of Sir Douglas Mawson, in the Royal research ship *Discovery*, explored the greater portion of the sector between 160 degrees east and 45 degrees east. In connexion with all the arrangements for this exploration, the Government was greatly assisted by the Australian National Research Council, and particularly by Sir David Orme Masson. In the course of the two seasons which Sir Douglas Mawson spent in this area, he proclaimed on various occasions, and at various points, British sovereignty over the whole area between 45 degrees east and 160 degrees east, except Adelie Land. Such a proclamation was made at the Scullin monolith, and another at Cape Bruce, the contribution of these names linking the last two Prime Ministers of the Commonwealth with the history of the territory. As a result of the voyage of the *Discovery*, the area had been so thoroughly visited and British sovereignty so completely proclaimed that it was considered there was no longer need for delay in providing for the administration of the territory, and for taking it over on behalf of the Commonwealth. When I was in Great Britain last year I examined the matter carefully as it might be effected by international law, and from every other point of view, in conjunction with the authorities of the Dominions Office and the Foreign Office. The result was that, with the concurrence of the Government of the Commonwealth, it was determined to take definite action in Great Britain and Australia for the purpose of declaring our title and assuming control of this area. On the 7th February last an order in council was made, affirming that His Majesty the King has sovereign rights over the Antarctic territory, other than Adelie Land, south of 60 degrees south, between 160 degrees east and 45 degrees east, and placing that territory under the authority of the Commonwealth of Australia from the date when the necessary legislation is passed by the Commonwealth Parliament. That legislation is now submitted to the Parliament of the Commonwealth, and I have already invited the attention of honourable members to section 122 of the Constitution.

From the Australian point of view, there are good reasons for accepting the administration of this area. It has considerable actual and potential economic importance. It is near to Australia, and it is quite possible that embarrassing circumstances would arise if any other Power assumed the control and administration of the area. Parts of it have already been the scene of important whaling enterprises, and there are those who believe that a trade in productions of fur-bearing animals and bird life could be developed economically. If, however, such economic development is to take place—and he would be a bold man who would set a limit to such possibilities at the present time—without risk of the total extinction of the animals, there must be some regulation of the industry, or, at least, the possibility of such regulation, and there must be some authority charged with the enforcement of appropriate regulations. In the area south of Australia, this would be the duty of the Commonwealth Government. It will be remembered that the country now known as Alaska, containing great gold-fields, was regarded as valueless, much of it being within the Arctic circle. The land was sold to the United States of America for what, having regard to its mineral value, was a trifling and negligible sum. No one thought at the time that it was worth anything, yet it turned out to be a gold-mine in the true sense—one of the later Eldorados of the world. No one knows what these Antarctic regions may hold in the way of mineral wealth, though it is already known that there are in them some fine seams of coal.

There are those who believe that, from the study of the melting of ice in the Weddel Sea, winter conditions in Chili may be forecast. There are also those who believe that, in regard to Australia and New Zealand, reliable inferences could be drawn as to the character of the coming season in Australia and New Zealand, and the amount of rain we are likely to get, from a study of the melting of the ice in the Ross Sea. These may be dreams of the future, but many realities have first been in dreamland.

We ought to accept this responsibility. Some honourable members raised the subject of cost. At the outset, the cost will be nil. At any rate, the necessity for spending money would depend on the development of some enterprise there, and then the expenditure would be abundantly justified. Though I have referred to the economic value of this area, I cannot regard the matter solely from that point of view. All the activities of the last three Australian Governments in this direction have been directed towards the objective which is to be achieved by the

Bill now before the House. This measure will, I believe, be treated in an entirely non-party way, and I invite honourable members to support the action of the Government in assuming this responsibility in the southern seas.

Mr. A. Green (Kalgoorlie): I am sure that the interesting address of the Attorney-General (Mr. Latham) has given deep satisfaction to honourable members. The tale of the discoveries in the Antarctic is not less stirring than those with which we are familiar in regard to the exploration of the North Polar regions. In taking possession of this sector of the great Antarctic continent on behalf of Australia, we have the satisfaction of knowing that the land has come to us, not by right of conquest, but by right of discovery. The discoveries of Dr. Kane, Sir John Franklin, and, later, of Perry, the man who first carried the flag of any nation to the North Pole, do not stir the blood more strongly than do the stories of the exploration of the Antarctic regions, because these are so much nearer home, and much of the work has been done by Australians.

In 1912, the great British explorer, Scott, found his way to the South Pole, being the first to reach it, with the exception of Amundsen, who just forestalled him after secretly organising an expedition for the purpose. Scott's enterprise was one of the most heroic in history, and furnished the setting for one of the finest acts of gallantry in the records of the British Empire. On their return journey from the pole, he and his companions ran short of provisions, and established their camp in the Antarctic wilderness. Captain Oates, who had become ill, realising that it was impossible for the whole party to return to civilisation, handicapped with him, and with only a limited food supply, without a word to the rest of the party, walked out of the camp one day into a raging blizzard, deliberately going to his death rather than risk the lives of his comrades who, nevertheless, perished.

Australia has been well to the fore in Antarctic exploration. Sir Douglas Mawson, a man to whom every Australian should lift his hat, has led several expeditions to the Antarctic. Sir Hubert Wilkins is another Australian who has done valuable work in that area, but, unfortunately, he, like many other able Australians, has had to go abroad because Australia has not been able to recompense him as he deserves. However, his work for the American Government has reflected glory on Australia. He has the distinction of being the only man to fly in an aeroplane over the North Pole, and later, at the risk of what seemed almost certain death, he attempted to reach the North Pole in a submarine. Besides Sir Douglas Mawson and Sir Hubert Wilkins, another distinguished Australian Antarctic explorer is Sir Edgeworth David, who accompanied Mawson on one of his earlier expeditions. I remember listening to a lecture which he delivered on his return, in which this distinguished geologist described how he used to go in search of specimens, mounted on one of the Siberian ponies which accompanied the expedition. He said that, whenever they approached anything likely to be of value from a geological point of view, his pony would put his hoof on the rock, as much as to say, "here is something in your line." Whatever credence we may be expected to place in the story, it illustrates, at any rate, the humour and spirit of a man who has done so much to familiarise us with Antarctic conditions.

Australia is not taking possession of this area from a vainglorious desire to enlarge her possessions. We do not wish to dispossess any other people, but because Australia is the largest body of land close to the Antarctic region, we believe that we are entitled to share in the rich whaling industry carried on in those waters. On the coast of Western Australia, at Point Cloates, a whale fishery has been established to take the whales which periodically visit that region, but the exploitation of the valuable Antarctic whaling industry has been left exclusively to Norwegians. I believe that, by taking possession of this piece of coast, we shall be able to interest Australians in the whaling industry, and will develop in them that bold and adventurous maritime spirit which has for so many centuries characterised the people of Great Britain.

Mr. Casey (Coiro): I support the action of the Government in introducing this Bill for the acquisition of sovereignty over a substantial portion of the Antarctic continent. My reason for speaking is that I was intimately associated with the organisation and management at the London end of the two *Discovery* expeditions, and also with the expedition of Sir Hubert Wilkins. I had the advantage of close association with Sir Douglas Mawson, Sir Hubert Wilkins, and Captain J. K. Davis. While the expeditions of the *Discovery* were in

progress, I was in daily communication with them, by means of short-wave wireless. This Bill is not an isolated incident, but is the culminating point of twenty years of continuous and concerted effort on the part of Australians to consolidate their interests in the Antarctic. [*Quorum formed.*] Our association with the Antarctic began with the Shackleton expedition in 1908, of which Mawson was a member, and was further strengthened by the Australian expedition of 1911-14, of which Mawson was the leader, followed by the two Antarctic expeditions under Mawson in the *Discovery* in 1929-30 and 1930-31, and also the activities of Sir Hubert Wilkins in the Antarctic.

The honourable member for Kalgoorlie (Mr. A. Green) referred to Sir Hubert Wilkins. That gentleman, as is well known, is an Australian, though, not being able to raise sufficient funds in Australia for his exploring efforts, he has worked with the assistance of funds provided by Americans. But Sir Hubert Wilkins, whether exploring the North Pole or the Antarctic, has always carried an Australian flag with him, and has made it clear to his American sponsors and backers that, although assisted with American money, no political inference was to be drawn from the fact. We are now laying claim to almost 115 degrees of an arc, or almost exactly one-third of the coastline of the Antarctic continent. The size of the Antarctic continent is not generally realised. Its area is about 5 million square miles, that of Australia being about 3 million square miles. In other words, the Antarctic continent is roughly half as big again as Australia, and by this Bill we are laying claim to sovereignty over roughly one-third of that area. The coastline of this section is, roughly, 2,000 miles in length, which is approximately the length of the Australian coastline between Melbourne and Fremantle. The distance between Melbourne and the Antarctic mainland is about the same as that which separates Melbourne from Perth. We are, indeed, much closer to the Antarctic than is generally realised.

The Attorney-General spoke of the economic possibilities of the Antarctic. Unfortunately, I did not hear the first part of his speech, and therefore I do not know whether he stated that Sir Edgeworth David made mention some years ago of an enormous coal-field in the Ross sector, which is about 1,000 miles long, and from 50 to 80 miles wide, and described it as the biggest unworked coal-field in the world. Other economic possibilities of the Antarctic are reasonably well known. This area is a fruitful whaling field, and those who have read Sir Douglas Mawson's reports are aware that one of the great whaling centres of the Antarctic may be in this new Australian sector, the other two centres being in the Falkland Islands and Ross Sea. The value of these economic possibilities can be estimated by the fact that while I was in London connected with the Antarctic activities, I was constantly asked if the Commonwealth Government would be open to negotiation for the exploitation of our sector of the Antarctic in respect of fur, seals, pelagic fishing of the coast, the farming of foxes, and the collection of penguin eggs. There is a definite interest in this sector, and when we are ready to set about its economic exploitation we shall find many private enterprises willing to co-operate with the Commonwealth Government. Inland, this Antarctic area is the greatest desert in the world. It is an enormous refrigerator, millions of square miles in extent, and difficult, of course, to exploit for its minerals.

Mr. A. Green: It is a high plateau.

Mr. Casey: It is a plateau rising to 10,000 feet in height, and almost inaccessible with the means at present at our disposal. But in the future we may be able quite well to exploit that unknown and possibly attractive geological field. The Attorney-General (Mr. Latham) referred to long-range weather forecasting, which, for many years, has been the dream of many scientists. One of those who was early to seize on the possibility of such long-range weather forecasting, so far as Australia is concerned, was Sir Hubert Wilkins, and it has been the dream of his life to see a ring of meteorological and wireless stations round the rim of the Antarctic continent, for the purpose of collecting day to day weather data to be sent to some common centre with the idea of forecasting weather conditions at long range for the benefit of the continents of the southern hemisphere. As the Attorney-General has said, a wireless station in the Falkland Islands dependency has taken up, in rather a piece-meal fashion, this idea of long-range weather forecasting for the southern tip of the South American continent.

The outer or northern limits of the land-borne ice varies considerably from year to year, and it is surmised by the meteorologists that the annual seasonal ebb and flow of this ice has some appreciable bearing, directly or indirectly, on our weather conditions three to six months afterwards. This theory has not yet been scientifically proved or universally accepted, but a number of meteorologists of consequence contend that there is a great deal in it, and that it is worthy of consideration.

As the Attorney-General has said, Norway is now and has always been in the forefront of the exploitation of whaling throughout the world, first in the Arctic regions and, when that was worked out, in the Antarctic. Norway is by far the greatest individual factor in the world's whaling industry. It can be taken for granted that Norwegian interests in whaling in the Antarctic will in no way suffer because of the action of the Commonwealth in acquiring sovereignty over this large sector.

The reasons for the Commonwealth's action have been admirably covered by the Attorney-General. I can conceive three principal reasons. The first is that if we do not take this sector, and claim sovereignty over it, some other country will, and it is undoubtedly to the benefit of Australia to be in possession of this land surface, with its unknown potentialities, so close to our shores. The second reason is that there are economic possibilities in the Antarctic, the fulfilment of which is by no means distant. When the world is restored to some sort of economic sanity, we shall probably be able to begin, without any great delay, the exploitation of the Antarctic, and, as I have said before, the people who have had many years of experience of Arctic conditions will be willing and ready to co-operate with us. The third reason is that there is the possibility of long-range weather forecasting. It is unnecessary to stress the benefit which the Australian pastoral and agricultural industries would receive if it could be predicted, six months ahead, even in the most general terms what sort of seasons we were likely to experience. The forecast would not, of course, be specific; but even to know in general terms that we would have a dry or wet season, or that the southern part of the continent would be wet and the northern part dry, would be of considerable benefit.

About six years ago, when the Mawson expedition was being considered, the editor of the London *Times* said to me: "I hope that one of these days we shall be able to write a leading article that we may call 'Australia, from the tropics to the pole.'" It is, I think, something to be proud of that this day has now arrived.

Dr. Maloney (Melbourne): There is one phase of this question which has not been touched upon by previous speakers. It seems to me that we shall give some of the strong nations of the East, who are jealous of our possession of Australia, and call it a vacant land, a stronger claim to this country if we add to our territory an area equal to that of Western Australia. I give the Government that warning. The League of Nations is much in the nature of a commission, and its dilatory methods remind me of the witty saying of a German scientist to the effect that if the Almighty had placed the making of the earth in the hands of a commission, it would never have been built. The League of Nations has, up to date, cost Australia £400,000, and yet it took eighteen months to decide that there was a war in China, simply because Japan had not actually declared war against that country. Sir John Simon made one announcement, and then ran away from it. He talked like a lion, but his action resembled that of a cat. I thank the Government for the plan of the Antarctic that has been placed in our hands. Two names which appear on it are those of Amundsen and Scott. Both men died the death of heroes, Scott to save his fellow comrades and Amundsen to save an Italian explorer who had previously tried to rob him. Why should not the nations of the world combine together to give Australia a mandate over the Antarctic region? I would welcome such a mandate, because it would enable us to preserve forms of animal life there which are at present disappearing because of the ruthless pursuit of men who traffic in the products derived from them. I recall meeting at the little island of Macquarie a man who held a lease there. He was making money by extracting fat from unfortunate penguins, which were being killed in thousands. This person said to me: "I must have oil, and I take it where I can." I replied: "You may profess to be a Christian, but I do not think that you are." I have seen a motion picture film showing huge leviathans of the sea basking near the shore. The same scene, shown twenty-four

hours after, was distressing beyond words. Nothing but the hides had been taken from these enormous creatures, and the rest of their bodies had been left to rot on the beach. It was a picture of desolation which could be surpassed only, perhaps, by the scene left after the slaughter of men, women and children in parts of China by the Japanese troops, who have invaded that country.

I earnestly appeal for some consideration of the possibility of setting up a committee of the League of Nations to supervise this area, mainly because I do not wish to give any justification to the people of eastern countries to charge Australia with greed for additional territory. If that cannot be done, I hope that the Government will make a success of its activities in the Antarctic. I sincerely trust that the expenditure there will not be too great. I have some experience of Government expenditure, and I know how easy it is to pile up costs.

Mr. Thorby (Calare): I congratulate the Government upon having made arrangements to assume responsibility for this territory. I hope that one result of its doing so will be that the whaling industry, which years ago was profitably conducted on the south coast of New South Wales, will be re-established. We know that, in consequence of the unrestricted slaughter of whales at all seasons of the year, the industry has been practically destroyed. It should be possible, by proper regulations, to build up this industry again. Recently, while I was at Twofold Bay, I was greatly impressed by the information given to me by old residents of the value of the whaling industry there in years gone by. It seems that the industry was destroyed by the practice adopted by Norwegian whalers of practically annihilating every school of whales that came within sight of our coast. It should be possible so to regulate this industry as to make it permanently profitable.

I suggest to the Government that steps should be taken to consolidate the two areas shown on the map which will come under our control. At present they are divided by a narrow strip of territory which is a French dependency. Surely some arrangement could be made to exchange part of our territory for the French territory, so that the areas for which we are responsible could be consolidated.

Mr. Collins (Hume): I also congratulate the Government upon having introduced this Bill. Like the honourable member for Calare (*Mr. Thorby*), I hope that an arrangement may be made for an exchange of part of our territory for the French territory shown on the map, so that our territory may be administered more efficiently and economically. I hope, also, that the result of this action by the Government will be that the whaling industry, referred to by the honourable member for Calare, will be revived. This should lead to the employment of a number of young Australians in an industry which would tend to develop in this country a liking for a seafaring life. In this way we should be able to build up our naval strength. It is highly desirable, in my opinion, that the naval arm of our defence forces should be strengthened. Whatever may be the result of the Disarmament Conference, I believe that it is likely that some time in the future we may be obliged to defend this island continent. In view of the fact that the territory of certain nations in the Far East is so overcrowded that people have to live on rafts on rivers and harbours, while we have not one person to the square mile in Australia, we must expect that, if ever the League of Nations is called upon to determine impartially whether we are entitled to hold this great continent under present conditions, it will find difficulty in deciding in our favour.

Question resolved in the affirmative.

Bill read a second time, and reported from committee without amendment.

By leave—report adopted, and Bill read a third time.

(3)

Extract from Commonwealth of Australia Parliamentary Debates No. 12 of June 1, 1933.

—
AUSTRALIAN ANTARCTIC TERRITORY ACCEPTANCE BILL.

(Second Reading.)

Senator Sir George Pearce (Western Australia, Minister for Defence):

I move—

That the Bill be now read a second time.

[869 r-1]

This measure is non-contentious in character. Its object is to enable the Commonwealth to accept, in accordance with section 122 of the Constitution, the administration of the Australian Antarctic Territory.

On the 7th February last an Order in Council was made affirming that His Majesty the King has sovereign rights over the Antarctic territory, other than Adelie Land, south of 60 degrees south, and between 160 degrees east and 45 degrees east, and placing that territory under the authority of the Commonwealth from the date when the necessary legislation was passed by the Commonwealth Parliament.

The area referred to is shown on the small map which has been prepared for the information of honourable Senators, and is reproduced on p. 1953 of the *Debates*. It will be seen that it includes the eastern part of Queen Maud Land, Enderby Land, Kemp Land, MacRobertson Land, Lars Christensen Land, Princess Elizabeth Land, Queen Mary Land, Knox Land, Banzare Land, Wilkes Land, King George V Land and Oates Land, and certain small islands lying off the coast. The name "Banzare," I point out, is not a variation of the Japanese word of acclamation, but is derived from the combination of the initial letters in "British and New Zealand Antarctic Research Expedition," which found and named the piece of land to which it is attached. Enderby Land was discovered as long ago as 1831 by a British sealer named John Biscoe. Two years later another British sealer named Kemp discovered the land which now bears his name. In 1902 the Australian Antarctic Expedition explored and named Wilkes Land, King George V Land and Queen Mary Land. The British, Australian and New Zealand Antarctic Research Expedition of 1929-30 and 1930-31 explored, during these two seasons, the greater part of the sector, including Enderby Land and Kemp Land, new areas which it named MacRobertson Land, Princess Elizabeth Land and Queen Mary Land, a new land linking Knox and Wilkes Lands, which it named Banzare Land, and King George V Land.

Foreign discoveries in the area have been that of Knox Land, in 1840, by Captain George Wilkes, of the United States navy, and, in 1902, that of the Gaussberg in what is now Queen Mary Land by the German Antarctic Expedition. In January 1930 the Norwegian captain, Riiser Larsen, in the *Norvegia*, closely following the *Discovery*, visited the area west of Enderby Land, and gave it the name of Queen Maud's Land, and in 1931 the captain of another Norwegian vessel, the *Torlyn*, gave the name Lars Christensen Land to an area between MacRobertson Land and Princess Elizabeth Land, which the *Discovery* had explored some days before. These names, it will be noted, we are retaining on our map.

The reason for asking the Senate to agree to this Bill is that the whaling season is approaching, and, while the Government of New Zealand is providing for the administration of its area in the Antarctic, and the British Government has taken action for the administration of the area south of the Falkland Islands, Australia has no administration for the remaining area. There is an international agreement for the regulation of whaling in order to prevent the extinction of these valuable animals.

The growth of the whaling industry and the matter of its regulation, the presence of numbers of vessels every season in Antarctic waters, and the need for some protection of other Antarctic fauna and birds, if they were not to be killed off indiscriminately for the sake of the fresh food their flesh and eggs provided for whalers, or for the oil that could be extracted from them, all emphasised the need for some administration of these areas. Accordingly, in 1908 the Antarctic territory south of the Falkland Islands was placed under the administration of that Colony, and ordinances were issued for the regulation of whaling and the licensing of whalers. In 1923 the Ross Dependency, comprising the area round the Ross Sea, was placed under the administration of New Zealand, and similar measures taken for the regulation of whaling there. In November 1924 the French Government issued a decree placing Adelie Land under the administration of the French Colony of Madagascar. This land had been discovered by a Frenchman, Captain Dumont d'Urville, in January 1840. The British Government had tacitly recognised the French claim to Adelie Land in 1911 and 1913.

The annexation by France of Adelie Land called attention to the unsatisfactory position, from the Australian point of view, with regard to the Antarctic regions south of Australia, and in 1925 a deputation from the Australian

National Research Council urged on the then Prime Minister, the Right. Hon. S. M. Bruce, that sanction be sought for the administration by Australia of the Antarctic continent between 90 degrees east and 160 degrees east. The matter was discussed at the Imperial Conference of 1926, and the report of the conference placed on record that there were certain areas to which a British title already existed by virtue of discovery, including Enderby Land, Kemp Land, Queen Mary Land, the area which lies to the west of Adelie Land, and which, on its discovery by the Australian Antarctic Expedition in 1912, was denominated Wilkes Land, King George V Land and Oates Land. Meanwhile, whaling enterprises, having to some extent Hobart as a port of departure, were beginning to operate in the area, and that made the matter of its administration more and more urgent.

In 1928 the Commonwealth Government decided that the time had come to make a more thorough exploration of the whole Australian sector. In conjunction with the Government of the United Kingdom and New Zealand, and generously assisted by certain private individuals, in particular Sir MacPherson Robertson, an expedition was fitted out, which, under the leadership of Sir Douglas Mawson in the Royal research ship *Discovery*, explored the greater portion of the sector between 160 degrees east and 45 degrees east. In the course of those two seasons Sir Douglas Mawson proclaimed, on various occasions and at various points, British sovereignty over the whole area between 45 degrees and 160 degrees, except Adelie Land. One of the points at which this was done was at the Scullin monolith, and another was at Cape Bruce, so associating the last two Prime Ministers with the history of the territory.

From the Australian point of view, there are good reasons for accepting the administration of the area. It has a considerable actual and potential economic importance. Parts of it have already been the scene of important whaling enterprises, and there is reason to believe that fur-bearing animals and some of the bird life could be developed economically. But, if such economic development is to take place without risking the total extinction of these creatures, there must be some regulation of the industries, and, obviously, there must be some authority charged with the enforcement of this and other regulations. In the area south of Australia this should be the duty of the Commonwealth Government. As the last three Commonwealth Governments have all been concerned in the stages preliminary to the present step, there should be general support for the Bill. It may occur to honourable Senators that the administration of this territory might involve Australia in considerable expense. I understand that that will not be so. The experience of the Government of New Zealand, upon which we shall largely base our methods, is that whaling vessels working in the New Zealand area make certain ports in New Zealand their base, and, as Hobart is the most convenient and economic point from which whaling ships can be operated in our area, it is expected that that port will be the base for this territory. Without great cost we shall be able to regulate, and subject to a certain amount of control, the whaling industry in the area, so fulfilling the international obligation into which we have entered, that of endeavouring to safeguard the native animals from extinction.

Senator Barnes (Victoria): I have no opposition to offer to this Bill. It would appear that this territory is another addition to the vast Empire of which we form a part. I assume that the Government, like most of us, is more or less in a state of ignorance concerning the potentialities of this territory. Certainly, honorable Senators are placed at a disadvantage in discussing the subject, as they have not received very much information upon it. No doubt the Commonwealth Government will exact a certain amount of revenue from the area in the form of royalties. I should like the Minister to give some indication of what the attitude of the Government would be if a suggestion were made that the terms of the Navigation Act should be applied in the waters of this territory. Probably a good many people will be employed in the Antarctic in the whaling and shipping industries at certain seasons of the year, and it is desirable that we should safeguard their interests, for they will necessarily be engaged in arduous and trying work. If an assurance could be given that the interests of these people will be adequately protected, and that they will not be called upon to suffer unnecessary hardships, I should feel somewhat more satisfied in mind.

Senator Collings (Queensland): We are, as usual, being asked to do something in a hurry, on totally inadequate information. No honourable Senator,

including the Leader of the Senate (Senator Pearce), who introduced the Bill, knows very much about the implications of this measure. When a Bill of this description is submitted to us for approval, we should have set out for our consideration the exact liabilities of Australia in respect of it. What are our functions in this territory to be? Who is to discharge those functions, and at what cost to the Commonwealth? What machinery is proposed to enable the work of administration to be performed there? Is there a likelihood of our acceptance of this territory bringing us into conflict with other interests; and, if so, what developments are likely to follow? The statement that this is a machinery measure is not sufficient. We are told that our acceptance of this territory will add something to the great Empire of which we form a part. Such words are positively meaningless to me. I want to know exactly what we are expected to do with this territory, and how we are expected to do it. I am not in a position to give an intelligent vote on the measure, nor is any other honourable Senator. I, therefore, ask the Minister to withdraw the Bill until he is in a position to furnish the Senate with full and complete information in regard to it.

Senator Sir George Pearce: I am in that position now.

Senator Collings: I am quite prepared to agree to the withdrawal of the Bill for the time being, to enable the Minister to prepare for us the information which he says he has available.

Senator MacDonald (Queensland): I also protest against the submission of this Bill to the Senate with so little information. We do not know where we are. This is, apparently, an important Bill. I suppose I read as many newspapers as any other honourable Senator. Some little time ago I read several press articles regarding a difference of opinion as to who actually should own the Antarctic region. I believe that there was some difficulty in regard to Norway, and that representations were made because of Norwegian explorations and whaling interests. I have not a very clear recollection of the contents of the newspaper articles to which I have referred, but I remember enough to realise that we are dealing with a very important subject. We should not be expected to pass this Bill at a moment's notice. I agree with the suggestion that the consideration of the measure should be adjourned until additional information is provided for us.

Senator O'Halloran (South Australia): My objection to this Bill is based upon other considerations than those mentioned by the three honourable Senators who have preceded me in this discussion. While I shall not register strong disapproval of the method by which Australian sovereignty over this land is to be implemented, I direct the attention of the Senate to the fact that we are once more being asked to do something which will increase the power of the Executive over Parliament. This Bill contains three clauses of which the really important one is clause 3, for it contains the provision that the Governor-General, acting on the advice of his Ministers, may make regulations for the control of this area. It will be competent, if this clause is agreed to, for this or any succeeding Government to make regulations respecting subjects which may or may not be connected with the control of this territory. It is possible, as mentioned by the leader of the Opposition, that we may be brought into difficulties respecting the application of the Navigation Act. International complications, such as those referred to by Senator Collings and Senator MacDonald, may also arise. Very little is known definitely regarding the area which we are asked to possess, but we know that it is visited periodically by those engaged primarily in the whaling industry. It may not be practicable for the Government to introduce a comprehensive measure to deal with the control of this territory, but we should at least know what we are committing Australia to. I hope that the Minister, in his reply, will furnish us with much fuller information than he gave us in his second-reading speech.

Senator Rae (New South Wales): I also think that we should have more information on this subject, particularly as to whether the stated object of our acceptance of sovereignty over this part of the Antarctic circle, which is the protection of whales from extermination, is likely to be achieved.

Senator Elliott: Whales have been exterminated from the Arctic region.

Senator Rae: It is very likely that they will also be exterminated from the Antarctic, and so, too, may the other animal and bird life there. Is there any guarantee that our acceptance of sovereignty over this area will do anything to

protect the native fauna? Other nations have taken possession of certain portions of the regions. On glancing at the map supplied to honourable Senators, I notice that a considerable area has been attached to the Falkland Islands in the South Atlantic, and another large portion lies opposite the southern end of the African continent. Australia, as usual, has obtained the largest area. Its dependency extends from the 45th to the 160th lines of east longitude. We have had no statement from the Minister as to the area of our new possession. It is intersected by a narrow strip of territory which embraces Adelie Land, and this is a French dependency. Adjoining the Australian dependency is another huge area which has been attached to New Zealand. It was stated recently in the cable news, that Norway had a portion of these regions allocated to her. If so, quite a number of countries will have separate portions of these regions under their sway; but I desire to know how in these circumstances it will be possible to prevent the destruction of the whaling industry. How can there be common agreement between the communities and nations interested in these regions unless they confer with one another and make a joint arrangement? The French dependency is a narrow strip which extends to the South Pole. If that nation undertook whaling expeditions, how would it be possible to keep the French, or any one of the several nationals, within the boundaries of their own territories? What method would be adopted to prevent the regulations framed by the various nations from clashing? Our mere acceptance of sovereignty over a portion of the Antarctic regions will do nothing except, possibly, cause complicated relations with other nations in the future. With the addition of its Antarctic dependency, Australia's territory will extend practically from the equator to the South Pole, and will be one of the largest areas under the control of any Power. I suppose that not a single human inhabitant is to be found in our Antarctic dependency at the present time.

Senator MacDonald: If gold were discovered in that region, it would soon be populated.

Senator Rae: No doubt; but I wish to know how it is possible to control the operations of expeditions in search of whales and seals, and to confine their activities to their own areas.

Senator Brown (Queensland): I should like to know under whose jurisdiction the regions indicated on the map by the uncoloured sectors come. Some time ago, I read certain statements about the Antarctic in the press of the United States of America, and it was said that the Government of that country should take action to obtain control of some of these regions. Has the leader of the Government any information on that matter? The explorers of Norway have played an important part in discoveries in the Antarctic. What is the opinion of that country with regard to Australia assuming control of a portion of these regions? It seems to me that the Governor-General will have complete control over the Australian dependency, because he will have power to make ordinances regarding it, and I am afraid that the present Government may antagonise the Governments of other countries which are interested in these regions. More time should be allowed for the discussion of this matter, so that additional information upon it may be supplied by the Leader of the Government.

Senator Payne (Tasmania): I agree with those honourable Senators who contend that it is desirable to obtain additional information on this important matter. I happen to know a little about the exploitation of the Antarctic regions by the Norwegian whaling companies, and I can make a fair estimate of the amount of wealth that they have wrested from this portion of the globe during recent years. It appears that they have exploited this territory to such an extent that they have voluntarily decided to have a close season for a period, in order to prevent the destruction of the source of their enormous profit. No visit has been paid to these regions in the last year or two by the Norwegian whaling fleet. I recall that, a few years ago, this fleet was fitted out in the port of Hobart, and it comprised a large mother- or factory-ship and hosts of smaller craft known as chasers. It has been fitted out at Hobart on several occasions. I understand that the operations in the Antarctic seas were so profitable that the value of the oil taken over the last year or two runs into considerably over £1 million. It would be possible for the Minister to obtain more accurate information than can be supplied to-day with regard to the profits of this fleet.

Senator Sir George Pearce: One company is said to have made a profit of nearly £500,000.

Senator Payne: In all probability that statement is correct. Many difficulties arise in connexion with the proposal that Australia should take control over a large area in the Antarctic regions, because very little revenue is obtainable by doing so.

Senator Sir George Pearce: That is not demonstrated by New Zealand's experience.

Senator Payne: The Minister gave us no information regarding the revenue obtained by New Zealand from these regions; but I agree with the Minister that some form of control should be exercised by Australia, in conjunction with New Zealand, to prevent the exploitation of the whaling industry. I suggest that the Minister should postpone the consideration of the Bill for a period, to enable further information to be obtained on the matter. I have not the slightest doubt that subsequently the Bill will be agreed to. I suggest that the debate be adjourned in order that fuller information may be made available to honourable Senators.

Senator Sir George Pearce: There is no necessity for that.

Senator Payne: It would help us if the Minister were to give us further information.

Senator Sir George Pearce (Western Australia, Minister for Defence): I curtailed my remarks because I thought that the advantages to Australia from this legislation were so obvious. I could have given much more detailed information than I gave, had I thought that honourable Senators desired it.

In reply to Senator Barnes, I have to say that the Navigation Act will not apply automatically to this territory any more than to other territories under the control of the Commonwealth. It could, however, be applied by the Commonwealth to any of these territories.

Senator O'Halloran: Would that be done by ordinance?

Senator Sir George Pearce: Yes. Senator Collings asked who would be responsible for the administration of the territory. The Commonwealth would be responsible. It will discharge its responsibilities in regard to this territory in exactly the same way that it does in relation to Norfolk Island and New Guinea. Legislation will be by means of ordinances, and, in the absence of any form of local government, the Commonwealth will administer the territory through the ordinary departments; matters under the head of external affairs will be dealt with by the External Affairs Department, and the regulation of whaling by the appropriate Commonwealth department. No new department will need to be set up.

Senator Collings: We cannot save the life of a whale by an ordinance made in Canberra, unless there is someone to supervise it.

Senator Sir George Pearce: The pursuit of whales in the Ross Sea is regulated through a Government department in New Zealand. Australia can act similarly.

At this juncture it is not possible to give any accurate estimate of the cost involved; but I am informed that when the products of the whaling industry were more profitable than they are now, New Zealand covered all expenses, and, in addition, made a profit of about £10,000 a year. In view of the fall in the price of whaling products, it is probable that New Zealand is now doing little more than paying expenses.

Senator Elliott: Was that accomplished by means of a levy of 2s. 6d. on every cask of oil?

Senator Sir George Pearce: It was done by means of licences.

I now have the figures relating to the Falkland Islands administration. They show a revenue of £48,000, and an expenditure of £31,000 during 1931—a clear profit of £17,000 in 1931 after spending a considerable sum in research.

Senator Collings: Those figures are of no value to us.

Senator Sir George Pearce: They are of value. Australia will control a larger area of ocean than is controlled by the Falkland Islands, and, consequently, our revenue should be greater. It will be a matter for Parliament to decide how much, if any, of the revenue is to be spent on research. Legislation will be by means of ordinances, which will have to be laid on the table of Parliament. It will therefore be competent for either House of the Parliament to disallow any ordinance. No more power is vested in the Executive by this legislation than exists in existing legislation relating to other territories under the control of the Commonwealth.

I shall now explain how New Zealand collects the revenue and polices the whaling industry in the territory under its control. In modern whaling, it is the practice for what is known as a factory ship to be sent down to the area in which operations are being conducted. This ship is accompanied by a number of smaller vessels, which catch the whales, and bring them to the factory ship for treatment. Every ship has to be licensed. Any unlicensed vessel is subject to very heavy penalties. On every factory ship there is a Government inspector, who remains on it for the whole of the whaling season, in order to ensure the due observance of the regulations.

Senator Collings: Then some expense is involved?

Senator Sir George Pearce: Yes; but, so far, New Zealand has always had an excess of revenue over expenditure.

Senator Rae asked what regulations the Government had in view, and how effect would be given to them. Some time ago there was an international conference on the subject of the preservation of whales. A convention was drawn up, prescribing the conditions which each of the nations undertook to observe in order to regulate whaling.

Senator Collings: Were any spheres of influence prescribed; and is there any danger of conflict with other nations?

Senator Sir George Pearce: There is no possibility of conflict. Each of the nations which accepted the convention, including New Zealand and the Falkland Islands, will apply the rules laid down at the international conference to the waters under its jurisdiction. Those rules prevent the killing of certain kinds of whales and young whales; they stipulate that all parts of a whale which are of any commercial value whatever shall be fully utilised, and also that all whalers must be licensed. All the nations which are interested in the Antarctic are in agreement regarding those conditions. A further condition is that the crew of a vessel may not be paid on the basis of the value of the products of the whales caught. It was found that that system led to the indiscriminate killing of whales, and to the use of only their most profitable parts, thereby causing great waste. France is observing that condition in regard to the waters off Adelle Land, and the Falkland Islands and New Zealand are also observing it. So far, no difficulty has arisen in that connexion, and it is not anticipated that Australia's experience will be different from theirs. If honourable Senators will study the map, they will see that the greater part of the territory in the region of the South Pole will be policed by countries which have pledged themselves to observe these conditions in order to ensure the perpetuation of the whaling industry.

Senator Rae: Can the right honourable gentleman give us any idea of the area affected?

Senator Sir George Pearce: No. Most of it is under snow and ice, and, although in the future minerals may be found there, its immediate value lies chiefly in its fish, birds, seals and whales.

Senator O'Halloran: Who controls the two unshaded areas shown on the map?

Senator Sir George Pearce: At present that is No Man's Land.

Senator MacDonald: The names shown on the map seem to indicate that one area belongs to the United States of America and the other to Norway.

Senator Sir George Pearce: At any rate, Great Britain is not laying claim to that part of the territory. I think that there is sufficient information before

this Senate to show that Australia, by consenting to police the whaling industry in these waters, is doing a good service to the world in general. I ask the honourable Senators to pass the Bill.

Question resolved in the affirmative.
Bill read a second time.

In committee:

Clauses 1 and 2 agreed to.
Clause 3 (ordinances).

Senator Dunn (New South Wales): In view of the fact that the policing of this territory and its waters will be undertaken by the Australian navy, I wish to know whether any provision is being made in the ordinances governing the territory for better conditions in respect of food, clothing and wages for the personnel, not only of the navy, but also of merchant ships that trade in these waters. Many Norwegian vessels engaged in the whaling industry have been manned by scab labour, and when they have been docked at Australian ports for overhaul and renovation, trade union officials, who have boarded them for the purpose of ensuring that they are manned under proper labour conditions, have been sent about their business. Are we to allow the whaling industry in the Antarctic waters to be exploited by foreign nations at the expense of our Australian seamen? A large number of Tasmanians have, at various times, shipped on whaling ships. They have had to work day and night throughout the whaling season, and their conditions have been bad indeed. I should like incorporated in this Bill a provision which would afford some protection to those seamen.

Senator Brennan: Why not provide radiators?

Senator Dunn: This is a question, not of providing radiators, but of treating our seamen fairly. Of course, the honourable Senator, who is a doctor of law, may want a radiator to warm his brains, which are, apparently, frigid.

The Chairman (Senator the Hon. Herbert Hays): Order! The honourable Senator must confine his remarks to the clause before the chair.

Senator Dunn: I appeal to you, Mr. Chairman, to protect me from the hostile attack of Senator Brennan, who is a member of the legal group headed by Mr. Menzies, K.C.

The Chairman: The Chair will give the honourable Senator the protection to which he is entitled as a member of this Chamber.

Senator Dunn: I shall be quite satisfied with an assurance from the leader of the Government (Senator Pearce) that some provision will be inserted in the Bill to compel foreign vessels employing Australian seamen to observe the union rates of wages and conditions.

Senator Payne (Tasmania): I cannot allow the remarks of Senator Dunn to pass without some contradiction. He has made it appear that the conditions under which Australian seamen engage in the whaling industry in the Antarctic are so bad that the intervention of this Parliament is necessary. I happen to know some men who have shipped on whaling vessels, and they are quite prepared to reship when the opportunity offers. This is not a kid-glove industry. The work is arduous, but that is well known to the men before they undertake it. The crews of the Norwegian vessels are perfectly satisfied with their conditions. Tasmanians who, from choice, have shipped on whaling vessels operating in the Antarctic, have told me that, although the life is hard, there is always plenty to eat. They have, invariably, enjoyed the best of health, and have been free from disease, and, unlike the residents of Canberra, have never known what it is to catch a cold. They were quite satisfied with the conditions, including the wages, and when employees are satisfied it is wrong to suggest that they have been badly treated by their employers.

Senator Dooley: Would the honourable Senator be surprised to learn that the men received no wages, and have to work for a share of the profits?

Senator Payne: Men are no longer paid according to the catch; these conditions disappeared years ago. Regular wages are paid, and anyone who

suggests that the conditions of modern whaling are in any respect comparable with those prevailing in the old days displays his ignorance of the subject.

Senator Dunn (New South Wales): We are concerned, not about foreigners, but about Australian nationals employed by foreign captains or agents to accompany whaling expeditions to the Antarctic, and we have evidence from trade union officials in Tasmania that the conditions obtaining on the floating sperm factories are not at all satisfactory. I am merely asking for an assurance by the Minister that action will be taken to protect the wages and conditions of men who may offer for service with foreign whaling expeditions.

Senator Sir George Pearce (Western Australia, Minister for Defence): This Bill does not purport to regulate conditions in the whaling industry. These conditions will be the subject of an ordinance, and the time to discuss them will be when the ordinance is presented to the Senate.

Clause agreed to.

Title agreed to.

Bill reported without amendment; report adopted.

File 103/14

UNION OF SOUTH AFRICA
Circular despatch A. No. 16

Downing Street,
28 January, 1932.



Sir,

With reference to Mr. Amery's despatch
Dominions No. 555 of the 21st November, 1928, and
connected correspondence, I have the honour to transmit
for the information of His Majesty's Government in the
Union of South Africa, the accompanying copy of a note
from the French Ambassador concerning Bouvet Island,
together with a copy of the note sent to the French
Ambassador in reply.

1st December, 1931.
14th January.

I have the honour to be,
Sir,
Your most obedient,
humble servant,

Thomas

JP

Passed to... *Defence*
for INFORMATION

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

Date *17/2/32* Initials *JKL*

File

COPIE

(W. 13677/29/50)

Le 20 février 1928, la question des droits à la possession de l'Ile Bouvet avait fait l'objet d'une déclaration du Secrétaire d'Etat pour les Affaires Etrangères à la Chambre des Communes.

Le Gouvernement français désirerait, si cela était possible, connaître l'état de cette question.

1er décembre, 1931.

COPY

No.W.192/192/50.

FOREIGN OFFICE, S.W. 1.

14th January, 1932.

Your Excellency,

With reference to the enquiry of the 1st December concerning Bouvet Island, I have the honour to inform Your Excellency that the Norwegian Minister informed Sir Austen Chamberlain in a note, dated the 19th January, 1928, that a Norwegian expedition to the South Atlantic in the steamship "Norvegia" had been authorised to take possession for Norway of any new land which might be found, and that the master of the "Norvegia" had occupied Bouvet Island on the 1st December, 1927, established a depot there and hoisted the Norwegian flag.

2. The statement made by Sir Austen Chamberlain in the House of Commons, to which you referred, was based on a note of the 15th February, in which His Majesty's Government in the United Kingdom replied to the Norwegian Government, informing them of the existence of a prior British claim and formally reserving all their rights.

3. In November 1928, however, after a careful review of the issues involved and having regard to the friendly relations existing between the two countries, His Majesty's Government in the United Kingdom decided to waive their claim to Bouvet Island in favour of Norway.

4. Further I have the honour to transmit herewith to you copies of the Parliamentary Question and Answer, in which this decision was publicly announced in the House of Commons on the 19th November, 1928.

I have, etc.,

(For the Secretary of State)

(Sd.) C. HOWARD SMITH.

His Excellency,
Monsieur A. de Fleuriau, G.C.V.O.,
etc., etc., etc.

10103/14

UNION OF SOUTH AFRICA

Downing Street.

Circular despatch A. No. 93

27 May 1931.



Sir,

I have the honour to state, for the information of His Majesty's Government in the Union of South Africa, that His Majesty's Minister at Oslo has reported that Norwegian sovereignty over Peter I Island was proclaimed at a Cabinet Council held at Oslo on the 1st May.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

Handwritten signature

*Order of the day
1931*

Handwritten initials

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

Am 10-3/14

UNION OF SOUTH AFRICA

Circular despatch A. No. 94

SECRET.



Downing Street.

27 May 1931.

Sir,

In connection with my despatch Circular A. No. 93 of today's date, regarding the proclamation of Norwegian sovereignty over Peter I Island, I have the honour to invite reference to Lord Passfield's Secret despatch Dominions No. 313 of the 10th July, 1929.

golog

I have the honour to be,

Sir,

Your most obedient,

humble Servant,

Prothonotary

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

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DUPLICATE

Pm 103/14

UNION OF SOUTH AFRICA

Circular despatch A. No. 94

SECRET.

Downing Street.

27 MAY 1931

Sir,

In connection with my despatch Circular
A. No. 93 of today's date, regarding the proclamation
of Norwegian sovereignty over Peter I Island, I have
the honour to invite reference to Lord Passfield's
Secret despatch Dominions No. 313 of the 10th July,
1929.

I have the honour to be,

Sir,

Your most obedient,
humble servant,

(Signed) J. H. THOMAS

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

Am 103/14



UNION OF SOUTH AFRICA
Circular despatch A. No. 60

Downing Street,
18 March, 1931.

Sir,

With reference to my despatch No.505 of the 24th December, 1930, I have the honour to transmit for the information of His Majesty's Government in the Union of South Africa, the accompanying copies of Treaty Series Paper No.14 of 1931 (Cmd. 3792) containing the text of the notes exchanged between His Majesty's Government in the United Kingdom and the Norwegian Government respecting the recognition of Norwegian Sovereignty over Jan Mayen Island.

Cmd. 3792.

2. Further copies are being sent by Library despatch.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

*Records,
The original copy
was forwarded
me.*

Prothonotary

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

Jell



.M. 103/14.

affairs,

December, 1930

ary, 1931.

Treaty Series No. 14 (1931)

Exchange of Notes

BETWEEN HIS MAJESTY'S GOVERNMENT
IN THE UNITED KINGDOM AND THE
NORWEGIAN GOVERNMENT

respecting the

Recognition of Norwegian Sovereignty over

JAN MAYEN ISLAND

Oslo, November 18/19, 1930

Presented by the Secretary of State for Foreign Affairs
to Parliament by Command of His Majesty

LONDON:

PRINTED AND PUBLISHED BY HIS MAJESTY'S STATIONERY OFFICE
To be purchased directly from H.M. STATIONERY OFFICE at the following addresses:
Adastral House, Kingsway, London, W.C.2; 120, George Street, Edinburgh;
York Street, Manchester; 1, St. Andrew's Crescent, Cardiff;
15, Donegall Square West, Belfast;
or through any Bookseller

1931

Price 1d. Net

Cmd. 3792

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SECRETARY FOR EXTERNAL AFFAIRS.

THE MINISTER OF EXTERNAL AFFAIRS.

UNION OF SOUTH AFRICA.

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your information*

Exchange of Notes between His Majesty's Government
in the United Kingdom and the Norwegian Govern-
ment respecting the Recognition of Norwegian
Sovereignty over Jan Mayen Island.

Oslo, November 18/19, 1930.

No. 1.

Mr. Johnstone to M. Mowinckel.

M. le Ministre d'Etat, Oslo, November 18, 1930.
As your Excellency is doubtless aware, on the 9th May, 1929,
the Norwegian Minister in London addressed a note to His Majesty's
Principal Secretary of State for Foreign Affairs, announcing that,
by a Royal decree dated the 8th May, Jan Mayen Island had been
placed under Norwegian sovereignty.

I now have the honour by direction of His Majesty's Secretary
of State for Foreign Affairs to inform your Excellency that His
Majesty's Government in the United Kingdom have taken note of
this decree and formally recognise Norwegian sovereignty over
Jan Mayen Island.

I am instructed to add that, His Majesty's Government not
having been informed of the grounds on which Norwegian
sovereignty was extended to Jan Mayen Island, their recognition
of that sovereignty is accorded independently of and with all due
reserves in regard to the actual grounds on which the annexation
may have been based.

I avail, &c.

KENNETH JOHNSTONE.

No. 2.

M. Mowinckel to Mr. Johnstone.

Det Kgl. Utenriksdepartement,
Oslo, 19. november 1930.

Herr Chargé d'Affaires,
I EN note av 18. ds. har De hatt den godhet å meddele, at Hans
Britanniske Majestetets Regjering anerkjenner Norges suverenitet
over den Jan Mayen.

Jeg har den ære, idet jeg erkjenner mottagelsen av denne Deres
note, å be fremført for Deres Regjering den norske regjerings takk

SECRETARY FOR EXTERNAL AFFAIRS.

THE MINISTER OF EXTERNAL AFFAIRS.

UNION OF SOUTH AFRICA.

M. 103/14.

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for det venskapelige sindelag overfor Norge, som har gitt sig uttrykk i den ovennævnte anerkjennelse.

Motta Herr Chargé d'Affaires, forsikringen om min særlige høiaktelse.

(For Utenriksministeren),
AUG. ESMARCH.

(Translation.)

*The Ministry for Foreign Affairs,
Oslo, November 19, 1930.*

M. le Chargé d'Affaires,

In a note of the 18th instant you were so good as to state that His Britannic Majesty's Government recognise Norway's sovereignty over Jan Mayen Island.

I have the honour, while acknowledging the receipt of your note, to ask you to convey to your Government the thanks of the Norwegian Government for their friendly attitude towards Norway, which has found expression in the above-mentioned recognition.

I avail, &c.

(For the Minister for Foreign Affairs),
AUG. ESMARCH.

N. 103/14.

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Arch No. 471

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SECRETARY FOR EXTERNAL AFFAIRS.

THE MINISTERS OF EXTERNAL AFFAIRS

UNION OF SOUTH AFRICA.

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UNION OF SOUTH AFRICA.

Department of External Affairs,
Parliament Street,
CAPE TOWN.

20th January, 1931.

- The Secretary for Justice.
- " " " Interior,
- " " " Native Affairs.
- " " " Finance.
- " " " Lands.
- " " " Defence.
- " Postmaster-General.
- " Chairman, Board of Trade and Industries, Pretoria.
- " Commissioner of Customs and Excise.
- The Secretary for Labour.
- " " " Agriculture.
- " " " Education (Union).
- " " " Public Health.
- " Chief Conservator of Forests.
- " Secretary for Mines and Industries.

.....

I forward herewith, for your information, copies of notes exchanged between the British and Norwegian Governments on the 18th and 19th November, 1930, regarding the recognition by His Majesty's Government in the United Kingdom of Norwegian Sovereignty over Jan Mayen Island.

EH

SECRETARY FOR EXTERNAL AFFAIRS.

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103/14



UNION OF SOUTH AFRICA

Downing Street.

No. 505

24 December, 1930.

Sir,

With reference to my despatch No. 471 of the 1st December, I have the honour to transmit, for the information of His Majesty's Government in the Union of South Africa, the accompanying copies of notes exchanged with the Norwegian Government on the 18th and 19th November regarding the recognition by His Majesty's Government in the United Kingdom of Norwegian Sovereignty over Jan Mayen Island.

18th November.
19th November.

I have the honour to be,

Sir,

Your most obedient,
humble Servant,

Thomas

*Received at 11
19/11/31
JWS*

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

11/12/31

*The Secy.
for your information
15/1/31*

Copy

No. 128

BRITISH LEGATION

OSLO.

18th November 1930.

Monsieur le Ministre d'Etat,

As Your Excellency is doubtless aware, on May 9th, 1929 the Norwegian Minister in London addressed a note to His Majesty's Principal Secretary of State for Foreign Affairs, announcing that, by a Royal Decree dated May 8th Jan Mayen Island had been placed under Norwegian sovereignty.

I now have the honour by direction of His Majesty's Secretary of State for Foreign Affairs to inform Your Excellency that His Majesty's Government in the United Kingdom have taken note of this Decree and formally recognise Norwegian sovereignty over Jan Mayen Island.

I am instructed to add that, His Majesty's Government not having been informed of the grounds on which Norwegian sovereignty was extended to Jan Mayen Island, their recognition of that sovereignty is accorded independently of and with all due reserves in regard to the actual grounds on which the annexation may have been based.

I avail myself of this opportunity to renew to you, Monsieur le Ministre d'Etat, the assurance of my highest consideration.

(Sgd.) KENNETH JOHNSTONE.

Son Excellence

Monsieur J.L. Mowinkel,
etc., etc., etc.

19th November 1930.

The Ministry for Foreign Affairs.

Monsieur le Chargé d'Affaires,

In a note of the 18th instant you were so good as to state that His Britannic Majesty's Government recognises Norway's sovereignty over Jan Mayen Island.

I have the honour, while acknowledging the receipt of your note, to ask you to convey to your Government the thanks of the Norwegian Government for their friendly attitude towards Norway, which has found expression in the above-mentioned recognition.

I avail myself, etc.

(For the Minister of Foreign Affairs)

(Sgd.) AUG. ESMARCH.

Mr. Kenneth Johnstone,
H.B.M. Chargé d'Affaires,
etc., etc., etc.

121 103/14

DUPLICATE



UNION OF SOUTH AFRICA

No. 505

24th September 1930.
Downing Street.

24 December, 1930.

Monsieur le Ministre d'Etat.

As Your Excellency is doubtless aware, on May 9th, 1929

the 18th November Sir, Minister in London addressed a note to His

Majesty's Government. With reference to my despatch No. 471 of

announced the 1st December, I have the honour to transmit, for

Island the information of His Majesty's Government in the

18th November

19th November

Union of South Africa, the accompanying copies of

notes exchanged with the Norwegian Government on the

18th and 19th November regarding the recognition by

Kingdom His Majesty's Government in the United Kingdom of

Norwegian Sovereignty over Jan Mayen Island.

I am pleased to have the honour to do,

and which is based on which Norwegian

sovereignty was established by Sir, Your most obedient,

recognition of this sovereignty as recognized independently of

and with all the necessary details (Signed) J. H. THOMAS

while the recognition may have been made.

I avail myself of this opportunity to renew to you,

Minister in London with the assurance of my highest

regards.

Yours faithfully,
ARTHUR JONES

San Francisco

London S.W. 1, New Zealand

THE MINISTER OF EXTERNAL AFFAIRS,

UNION OF SOUTH AFRICA.

Copy

BRITISH LEGATION

OSLO.

No.128

18th November 1930.

Monsieur le Ministre d'Etat,

As Your Excellency is doubtless aware, on May 9th, 1929 the Norwegian Minister in London addressed a note to His Majesty's Principal Secretary of State for Foreign Affairs, announcing that, by a Royal Decree dated May 8th Jan Mayen Island had been placed under Norwegian sovereignty.

I now have the honour by direction of His Majesty's Secretary of State for Foreign Affairs to inform Your Excellency that His Majesty's Government in the United Kingdom have taken note of this Decree and formally recognise Norwegian sovereignty over Jan Mayen Island.

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(Sgd.) KENNETH JOHNSTONE.

Son Excellence

Monsieur J.L. Mowinckel,
etc., etc., etc.

19th November 1930.

The Ministry for Foreign Affairs.

Monsieur le Chargé d'Affaires,

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I have the honour, while acknowledging the receipt of your note, to ask you to convey to your Government the thanks of the Norwegian Government for their friendly attitude towards Norway, which has found expression in the above-mentioned recognition.

I avail myself, etc.

(For the Minister of Foreign Affairs)

(Sgd.) AUG. ESMARCH.

Mr. Kenneth Johnstone,

H.B.M. Chargé d'Affaires,

etc., etc., etc.

DUPLICATE



Ex/ma 103/18

UNION OF SOUTH AFRICA

Downing Street,

NO. 472

1 December, 1930.

SECRET.

Sir,

With reference to my Secret telegram No. 111 of the 2nd August, I have the honour to state, for the information of His Majesty's Government in the Union of South Africa that, by an exchange of notes completed at Oslo on the 5th November, the Norwegian Government have recognized the Sovereignty of His Majesty the King over the Otto Sverdrup Islands.

2. His Majesty's Minister at Oslo has therefore been authorized to address a note to the Norwegian Government informing them that His Majesty's Government in the United Kingdom recognize Norwegian Sovereignty over Jan Mayen Island.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

(Signed) J. H. THOMAS

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

File



M. 103/14

UNION OF SOUTH AFRICA

NO. 471

Downing Street,

1 December, 1930.

Sir,

With reference to my despatch Dominions No. 601 of the 18th November, I have the honour to transmit, for the information of His Majesty's Government in the Union of South Africa, the accompanying extract from House of Commons Official Report of the 17th November containing a statement regarding the recognition by His Majesty's Government in the United Kingdom of Norwegian Sovereignty over Jan Mayen Island.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

J. G. Thomas

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

M. 103/14
[Signature]

Extract from Official Report of 17th November, 1930.

JAN MAYEN ISLAND.

17. Commander SOUTHEY asked the Secretary of State for Foreign Affairs whether, in view of his reply to a question asked on the 19th May, 1930, he is now in a position to give any information regarding the ownership of Jan Mayen island?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Mr. Dalton):
My right hon. Friend has within the last few days instructed His Majesty's Chargé d'Affaires at Oslo to hand in a note to the Norwegian Minister for Foreign Affairs announcing the recognition by His Majesty's Government in the United Kingdom of Norwegian sovereignty over Jan Mayen Island.

DUPLICATE

Prm 103/14



UNION OF SOUTH AFRICA

NO. 471

Downing Street,

1 December, 1930.

Sir,

With reference to my despatch, No. 501 of the 16th November, I have the honour to transmit, for the information of His Majesty's Government in the Union of South Africa, the accompanying extract from House of Commons Official Report of the 17th November containing a statement regarding the recognition by His Majesty's Government in the United Kingdom of Norwegian Sovereignty over Jan Mayen Island.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

(Signed) J. H. THOMAS

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

Extract from Official Report of 17th November, 1930.

JAN MAYEN ISLAND.

17. Commander SOUTHEY asked the Secretary of State for Foreign Affairs whether, in view of his reply to a question asked on the 19th May, 1930, he is now in a position to give any information regarding the ownership of Jan Mayen island?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Mr. Dalton):
My right hon. Friend has within the last few days instructed His Majesty's Chargé d'Affaires at Oslo to hand in a note to the Norwegian Minister for Foreign Affairs announcing the recognition by His Majesty's Government in the United Kingdom of Norwegian sovereignty over Jan Mayen Island.

Am 103/14

UNION OF SOUTH AFRICA.

Dominions No 602

Confidential.

Downing Street,

18 November, 1930.

Sir,

In connection with my despatch Dominions No. 601 of to-day's date regarding the administration of Bouvet and Jan Mayen Islands, I have the honour to invite reference to Lord Passfield's Confidential despatch Dominions No.225 of the 15th April, 1930.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

Thomas

THE MINISTER OF EXTERNAL AFFAIRS,

UNION OF SOUTH AFRICA.

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UNION OF SOUTH AFRICA.

Dominions N o. 601

Downing Street,

18 November, 1930.



PM, 103/14

Sir,

I have the honour to transmit, for the information of His Majesty's Government in the Union of South Africa, the accompanying copy of a despatch from His Majesty's Minister at Oslo communicating the text of a Norwegian Royal Resolution dated the 19th September, on the subject of the application of Norwegian law to Bouvet Island, and a memorandum explaining the nature of the Norwegian Courts to which reference is made.

29.9.30.

Memorandum

21.10.30.

2. I take the opportunity to enclose also a copy of a despatch from His Majesty's Minister communicating the text of a Royal Resolution published in the "Norsk Lovtidende" of the 8th October last, respecting the administration of Jan Mayen Island.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

Prothomas

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

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PM 103/14

UNION OF SOUTH AFRICA.

601
Memorandum No.

Downing Street,

18 November, 1930.
BRITISH LEGATION.

CHELO.

September 28th, 1930.

Sir,

Sir,

I have the honour to transmit, for the information of His Majesty's Government in the Union of South Africa, the accompanying copy of a despatch from His Majesty's Minister at Oslo communicating the text of a Norwegian Royal Resolution dated the 10th September, on the subject of the application of Norwegian law to Bouvet Island, and a memorandum explaining the nature of the Norwegian Courts to which reference is made.

29.9.30.

Memorandum

21.10.30.

I take the opportunity to enclose also a copy of a despatch from His Majesty's Minister communicating the text of a Royal Resolution published in the "Norsk Lovtidende" of the 8th October last, respecting the administration of Jan Mayen Island.

I have the honour to be,
Sir,
Your most obedient,
humble servant,

(Signed) J. H. THOMAS

THE MINISTER OF EXTERNAL AFFAIRS,

UNION OF SOUTH AFRICA.

COPY

BRITISH LEGATION,

No. 258,

OSLO.

September 29th, 1930.

Sir,

With reference to my despatch No. 83 of March 18th last dealing with legislation providing for the application of Norwegian law to Bouvet Island, I have the honour to inform you that the issue of the "Norsk Lovtidende" dated the 22nd instant contained the text of a Royal Resolution of the 19th instant, of which the following is a translation:-

"Royal Resolution.

"I. The Department of Commerce takes over the administration of Bouvet Island. The authority devolving upon the "Fylkesmann" (Superior Authority) under the Kingdom's legislation shall in the case of Bouvet Island be exercised by the Department of Commerce.

"II. The duties of the Chief Constable (Chief of the Police) on Bouvet Island are allocated to the Department of Justice.

"III. The Lagmannsrett for the Oslo Lagsogn shall for the present be the Lagmannsrett for Bouvet Island.

"IV.

THE RIGHT HONOURABLE
ARTHUR HENDERSON, M.P.,
HIS MAJESTY'S PRINCIPAL SECRETARY OF STATE
FOR FOREIGN AFFAIRS,
LONDON.

"IV. Bouvet Island constitutes a separate
Domssogn. The business which by law belongs to the
Herreds and Byretter is allocated for the present to
the Oslo Urban Court.

"The stipulations contained in the law
respecting Svalbard of July 17th, 1925 §§ 9 to 12,
(please see Sir Francis Lindley's despatch No.170 of
June 18th, 1925) are to apply mutatis mutandis to
Bouvet Island."

2. I enclose herein a memorandum in which I have
endeavoured to explain briefly the nature of the
Norwegian courts to which reference is made in the
above paragraphs and the areas in which they exercise
jurisdiction.

I have, etc.,

(sd.) CHARLES WINGFIELD.

MEMORANDUM.

In accordance with the law respecting Courts of Justice of August 13th, 1915, Norway is divided into a number of "Lagdommer" (Circuits) one for each "Lagmannsrett" or Assize Court. This Court consists of three or more judges and tries civil or criminal cases having, when the law so directs, the assistance of a jury or of lay associate-judges (Lagrette or "Domsmenn"). The "Lagdommer" in their turn are divided into "Lagsogn" which may be different for criminal or civil cases. In such "Lagsogn" there are one or more assize towns where the "Lagmannsrett" sits at specified dates.

The kingdom is also divided into "Domssogn", each corresponding to a Rural or Urban Court (Herreds or Byrett.) Each "Domssogn" either constitutes a "Tinglag" or is split up into two or more "Tinglag" either for criminal cases or for civil ones, or for both. In each "Tinglag" one or more spots are fixed for the rural or urban courts on fixed dates. In ordinary cases which come before these courts only one judge will sit, but he can be assisted by "Domsmenn" (lay associate judges) in those criminal or civil cases in which the law provides for this.

In every commune there are one or more Conciliation Councils. Each such Council consists of three Conciliators and as many substitutes. They meet on fixed days at a fixed spot, generally at least once a month. They can, however, meet on other dates and at other places.

BRITISH LEGATION,

OSLO.

October 21st, 1930.

Sir,

With reference to my despatch No. 83 of March 18th last, I have the honour to transmit to you herewith a copy of the "Norsk Lovtidende" of the 8th instant containing a Royal Resolution respecting the administration of Jan Mayen Island, of which the following is a translation:-

Royal Resolution.

I. The "Sysselmann" in Svalbard shall provisionally serve as "Sysselmann" for Jan Mayen.

II. The extent of the duties of the "Sysselmann" on Jan Mayen is the same as was fixed for the "Sysselmann" on Svalbard in law No. 11 of July 17th, 1925 (please see Sir Francis Lindley's despatch No. 170 of June 18th, 1925.).

III. The "Lagmannsrett" for the Troms "Lagsogn" shall for the present be the Lagmannsrett for Jan Mayen.

IV. Jan Mayen constitutes a separate "Domssogn".

The business which by law belongs to the "Herredsa" and "Byretter" is allocated for the present to the office of the Tromsø "Byfoged".

The

The Right Honourable
Arthur Henderson, M.P.,
His Majesty's Principal Secretary of State
for Foreign Affairs,
London.

The stipulations contained in the law respecting Svalbard of July 17th, 1925 §§9-12 are to apply mutatis mutandis to Jan Mayen.

2. In the memorandum contained in my despatch No.258 of the 29th ultimo, I have endeavoured to explain the nature of the Norwegian Courts referred to above. I need only add that a "Byfoged" is a Sheriff whose duties are often extensive, including those of a mayor in some of the smaller towns as well as magisterial ones.

I have, etc.,

(Sd.) CHARLES WINGFIELD.

COPY

BRITISH LEGATION,

No. 258.

OSLO.

September 29th, 1930.

Sir,

With reference to my despatch No. 63 of March 18th last dealing with legislation providing for the application of Norwegian law to Bouvet Island, I have the honour to inform you that the issue of the "Norsk Lovtidende" dated the 22nd instant contained the text of a Royal Resolution of the 19th instant, of which the following is a translation:-

"Royal Resolution.

"I. The Department of Commerce takes over the administration of Bouvet Island. The authority devolving upon the "Fylkesmann" (Superior Authority) under the Kingdom's legislation shall in the case of Bouvet Island be exercised by the Department of Commerce.

"II. The duties of the Chief Constable (Chief of the Police) on Bouvet Island are allocated to the Department of Justice.

"III. The Lagmannsrett for the Oslo Lagsogn shall for the present be the Lagmannsrett for Bouvet Island.

"IV.

THE RIGHT HONOURABLE
ARTHUR HENDERSON, M.P.,
HIS MAJESTY'S PRINCIPAL SECRETARY OF STATE
FOR FOREIGN AFFAIRS,
LONDON.

"IV. Bouvet Island constitutes a separate
Domssogn. The business which by law belongs to the
Herreds and Byretter is allocated for the present to
the Oslo Urban Court.

"The stipulations contained in the law
respecting Svalbard of July 17th, 1925 §§ 9 to 12,
(please see Sir Francis Lindley's despatch No.170 of
June 18th, 1925) are to apply mutatis mutandis to
Bouvet Island."

2. I enclose herein a memorandum in which I have
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Norwegian courts to which reference is made in the
above paragraphs and the areas in which they exercise
jurisdiction.

I have, etc.,

(Sd.) CHARLES WINGFIELD.

MEMORANDUM.

In accordance with the law respecting Courts of Justice of August 13th, 1915, Norway is divided into a number of "Lagdommer" (Circuits) one for each "Lagmannsrett" or Assize Court. This Court consists of three or more judges and tries civil or criminal cases having, when the law so directs, the assistance of a jury or of lay associate-judges (Lagrette or "Domsmenn"). The "Lagdommer" in their turn are divided into "Lagsogn" which may be different for criminal or civil cases. In such "Lagsogn" there are one or more assize towns where the "Lagmannsrett" sits at specified dates.

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In every commune there are one or more Conciliation Councils. Each such Council consists of three Conciliators and as many substitutes. They meet on fixed days at a fixed spot, generally at least once a month. They can, however, meet on other dates and at other places.

BRITISH LEGATION,

OSLO.

October 21st, 1930.

Sir,

With reference to my despatch No. 83 of March 18th last, I have the honour to transmit to you herewith a copy of the "Norsk Lovtidende" of the 8th instant containing a Royal Resolution respecting the administration of Jan Mayen Island, of which the following is a translation:-

Royal Resolution.

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II. The extent of the duties of the "Sysselmann" on Jan Mayen is the same as was fixed for the "Sysselmann" on Svalbard in law No. 11 of July 17th, 1925 (please see Sir Francis Lindley's despatch No. 170 of June 18th, 1925.).

III. The "Lagmannsrett" for the Troms "Lagsogn" shall for the present be the Lagmannsrett for Jan Mayen.

IV. Jan Mayen constitutes a separate "Domssogn".

The business which by law belongs to the "Herreds" and "Kyrretter" is allocated for the present to the office of the Troms "Byfoged".

The

The Right Honourable
Arthur Henderson, M.P.,
His Majesty's Principal Secretary of State
for Foreign Affairs,
London.

The stipulations contained in the law respecting Svalbard of July 17th, 1925 §§9-12 are to apply mutatis mutandis to Jan Mayen.

2. In the memorandum contained in my despatch No.258 of the 29th ultimo, I have endeavoured to explain the nature of the Norwegian Courts referred to above. I need only add that a "Byfoged" is a Sheriff whose duties are often extensive, including those of a mayor in some of the smaller towns as well as magisterial ones.

I have, etc.,

(Sd.) CHARLES WINGFIELD.

Orig. on Pm 103/18

Pm 103/14

TELEGRAM.

FROM: Secretary of State for Dominion Affairs.
TO: Minister of External Affairs.

2.8.30.

1930.

Secret as a result of negotiations conducted with the Norwegian Government at the instance of His Majesty's Government in Canada it is expected that the Norwegian Government will shortly recognise the sovereignty of His Majesty over Otto Sverdrup Island(s) (certain islands in Canadian Arctic sector discovered by Captain Sverdrup as leader of the second Norwegian Polar expedition 1898-1902). When they have done so it is proposed to instruct His Majesty's Minister at Oslo to address a note to Norwegian Minister of Foreign Affairs intimating that recognition by His Majesty's Government in the United Kingdom of Norwegian sovereignty over Jan Mayen Island (See my despatch of 17th February 1930 and subsequent correspondence). This island which lies between Iceland and Spitzbergen was discovered by a British subject in 1607 but has hitherto been regarded as terra nullius.

- Commonwealth of Australia 144. New Zealand 138.
- Union of South Africa 111 (also sent to Y)
- Irish Free State.

Handwritten signature and initials
M/18

Secretary of State for Dominion Affairs
Minister of External Affairs
Minister of the Interior

JU/BS

P.M. 103/14.

CAPE TOWN.

8th May, 1930.

CONFIDENTIAL

THE SECRETARY FOR JUSTICE,
CAPE TOWN.

With reference to my Confidential Minute P.M. 103/14 of the 3rd April, 1930, I beg to transmit for your information, the accompanying copy of a despatch No. 83 of the 18th March, 1930 and enclosures addressed by His Britannic Majesty's Minister at Oslo to His Britannic Majesty's Principal Secretary of State for Foreign Affairs communicating the texts of two Norwegian laws, the first declaring the island of Jan Mayen to be incorporated in the Kingdom of Norway and the second declaring that Bouvet Island is taken under Norwegian Sovereignty as a possession. It will be observed that in each case provision is made for the application of Norwegian law to the Islands.

L. Insprant
SECRETARY FOR EXTERNAL AFFAIRS.

Also to: The Chairman, Board of Trade and Industries.
The Secretary for Defence.
The Secretary for the Interior.

File

103714



UNION OF SOUTH AFRICA.

Dominions No. 225

Confidential.

15 April, 1930.

Sir,

Memorandum

18th March.

With reference to my Confidential despatch Dominions No.122 of the 6th March I have the honour to transmit for the information of His Majesty's Government in the Union of South Africa, the accompanying copy of a despatch from His Majesty's Minister at Oslo communicating the texts of two Norwegian laws, the first declaring the Island of Jan Mayen to be incorporated in the Kingdom of Norway and the second declaring that Bouvet Island is taken under Norwegian Sovereignty as a possession. It will be observed that in each case provision is made for the application of Norwegian law to the Islands.

M. J. 27/4/30

I have the honour to be

Sir,

Your most obedient
humble servant,

Ransfield

THE MINISTER OF EXTERNAL AFFAIRS,
THE UNION OF SOUTH AFRICA.

Under seal 570

British Legation,

O S L O.

No.83.

18th March 1930.

Sir,

With reference to my despatch No.61 of the 20th ultimo, I have the honour to transmit to you herewith a translation of the text of a law dated the 27th ultimo, declaring the Island of Jan Mayen to be incorporated in the Kingdom of Norway and providing for the application of Norwegian law ----- to that island.

2. I also beg leave to enclose herein a translation of the text of another law of the same date, declaring that Bouvet Island is taken under Norwegian Sovereignty as a possession, and providing ----- for the application of Norwegian law to that island.

3. Two copies of "Norsk Lovtidende" No.9, 1930, containing the Norwegian texts of the above-mentioned ----- laws are also transmitted herewith.

I have the honour to be,
with the highest respect,

Sir,

Your most obedient, humble servant,

(Sd.) CHARLES WINGFIELD.

The Right Honourable

Arthur Henderson, M.P.

His Majesty's Principal Secretary of
State for Foreign Affairs,

etc., etc.

1.

TRANSLATION.

Law concerning Jan Mayen, 27th February 1930.

§ 1. The Island of Jan Mayen is a part of the Kingdom of Norway.

§ 2. Norwegian civil law, criminal law and laws on judicial procedure shall be applied to Jan Mayen. The King shall decide as to the extent to which other laws shall be applicable. The King is empowered to make such modifications with regard to the laws concerning judicial procedure as may be necessitated by local conditions.

The clause in § 4 of the Law concerning Svalbard of July 17th 1925 shall have corresponding application.

§ 3. All land which has not been transferred to private owners belongs to the State.

No person can acquire ownership or usufruct over State land.

Rights possessed by the State over transferred land cannot be lost by prescription.

§ 4. Special rights possessed over real property on Jan Mayen and which were acquired before May 5th 1929 must, in order to be retained, be notified to the public registrar for entry in the folio of the property within six months after this law comes into force.

§ 5. This law comes into force at once.

TRANSLATION.

Law concerning Bouvet Island, February 27th 1930.

§ 1. Bouvet Island is taken under Norwegian sovereignty as a possession.

§ 2. Norwegian civil law, criminal law and laws on judicial procedure shall be applied to Bouvet Island. The King shall decide as to the extent to which other laws shall be applicable. The King is empowered to make such modifications with regard to the laws concerning judicial procedure as may be necessitated by local conditions.

The clause in § 4 of the Law concerning Svalbard of July 17th 1925 shall have corresponding application.

§ 3. All land which had not been transferred to private owners belongs to the State.

No person can acquire ownership or usufruct over State Land.

Rights possessed by the State over transferred land cannot be lost by prescription.

§ 4. This law comes into force at once.

P.M. 103/14

CAPE TOWN,

3rd April, 1930.

CONFIDENTIAL.

THE SECRETARY FOR JUSTICE,
CAPE TOWN.

With reference to my Minute of the 24th March, 1930, I forward herewith, for your information, the accompanying copy of a further despatch No. 61 of the 20th February, 1930, addressed by His Britannic Majesty's Minister at Oslo to His Majesty's Principal Secretary of State for Foreign Affairs, London, regarding the annexation of Jan Mayen Island by Norway, and the application of Norwegian laws to Jan Mayen and Bouvet Islands.

Innocent
2
SECRETARY FOR EXTERNAL AFFAIRS

Also to: The Chairman, Board of Trade & Industries;
The Secretary for Defence,
The Secretary for Interior.

File
25



Mm 103/14

UNION OF SOUTH AFRICA.

Dominions No. 122

Confidential.

Downing Street,

6 March, 1930.

Sir,

With reference to my Confidential despatch Dominions No. 91 of the 17th February, I have the honour to transmit, for the information of His Majesty's Government in the Union of South Africa, the accompanying copy of a further despatch from His Majesty's Minister at Oslo regarding the annexation of Jan Mayen Island by Norway, and the application of Norwegian laws to Jan Mayen and Bouvet Islands.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

Passfield

61: 20. 2. 30.

Handwritten notes:
- "The [unclear] inform?"
- "27/3/30"
- "Jan Mayen"
- "Bouvet Islands"
- "27.3.1930"
- "24/3"

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

DUPLICATE



Pr. 103/14

UNION OF SOUTH AFRICA.

Despatches No. 122

Confidential.

Downing Street,

British Legation,

Oslo. 6 March, 1930.

20th February, 1930.

Sir,

With reference to my Confidential despatch
of the 1st Despatches No. 91 of the 17th February, I have the
honour to transmit, for the information of His
Majesty's Government in the Union of South Africa,

~~61: 20. 2. 30.~~ the accompanying copy of a further despatch from
on the 14th His Majesty's Minister at Oslo regarding the

1. Annexation of Jan Mayen Island by Norway, and the
Bill, by the application of Norwegian laws to Jan Mayen and
of the King Bouvet Islands, as well as Spitzbergen. Bouvet
Island, however, is to be

2. I have the honour to be,
possession, and in this context Sir, Tidens Segn points
out that it is therefore not in Your most obedient,
and in this context Sir, Tidens Segn points

3. The Bill will now, in accordance with the usual
procedure, be laid before the Lagting, after which,
if it is passed by that body, it will be submitted
to the Royal Assent.

(Signed) PASSFIELD,

I have, etc.,

(Sd.) CHARLES PASSFIELD.

THE MINISTER OF EXTERNAL AFFAIRS,

UNION OF SOUTH AFRICA.

His Majesty's Principal Secretary of State

for Foreign Affairs,

etc., etc., etc.

COPY.

British Legation,

Oslo.

No.61.

20th February, 1930.

Sir,

With reference to my despatch No.9 of the 14th ultimo I have the honour to report that the Bill proposing that Norwegian Civil law, criminal law and laws on judicial procedure shall be applied to Bouvet and Jan Mayen islands was adopted unanimously by the Odelsting on the 14th instant without debate.

2. According to "Tidens Tegn", Jan Mayen Island will, by the terms of this Bill, become an integral part of the Kingdom in the same manner as Spitsbergen. Bouvet Island, however, is to be considered as a Norwegian possession, and in this connection "Tidens Tegn" points out that it is therefore not untransferable("uavhendelig").

3. The Bill will now, in accordance with the usual procedure, be laid before the Lagting, after which, if it is passed by that body, it will be submitted for the Royal assent.

I have, etc.,

(Sd.) CHARLES WINGFIELD.

The Right Honourable

Arthur Henderson, M.P.,

His Majesty's Principal Secretary of State

for Foreign Affairs,

etc., etc., etc.

ED.

P.M. 103/14.

CAPE TOWN, S.O.

24th March, 1930.

THE SECRETARY FOR JUSTICE,
CAPE TOWN.

I forward herewith, for your information,
a copy of a despatch No. 9 of the 14th January, addressed
by His Britannic Majesty's Minister at Oslo to His
Majesty's Principal Secretary of State for Foreign
Affairs, London, regarding the annexation of Jan Mayen
Island by Norway and the application of Norwegian laws to
Jan Mayen and Bouvet Islands.

W. J. van der Merwe
SECRETARY FOR EXTERNAL AFFAIRS.

ALSO TO:

THE SECRETARY FOR THE INTERIOR, CAPE TOWN.

THE CHAIRMAN, BOARD OF TRADE AND INDUSTRIES, CAPE TOWN.

THE SECRETARY FOR DEFENCE, CAPE TOWN.

7.

Handwritten notes and signatures at the bottom of the page, including "W. J. van der Merwe" and other illegible scribbles.

COPY.

No. 2.

BRITISH LEGATION

OSLO.

January 14th, 1930.

Sir,

I have the honour to inform you that, in the King of Norway's Speech opening the Storting on the 13th instant, His Majesty mentioned that Jan Mayen Island had been taken under Norwegian sovereignty by Royal Proclamation on May 8th last.

2. To-day the Minister of Social Affairs introduced into the Odelsting a Bill proposing that Norwegian Municipal law, Criminal law and laws on judicial procedure shall be applied to the new Norwegian possessions of Bouvet and Jan Mayen Islands. It provided, however, that with regard to the judicial procedure laws, the King is empowered to introduce such modifications as are necessitated by the conditions obtaining, whilst His Majesty is also empowered to make regulations for carrying out the legislation in force.

I have, etc.,

(SGD.) Charles Wingfield.

The Right Honourable
Arthur Henderson, M.P.,
His Majesty's Principal Secretary
of State for Foreign Affairs,
London.

DUPLICATE

102/2/1
AM 66/41
(Original on 102/2)

UNION OF SOUTH AFRICA

Dominions No. 39

SECRET.



Downing Street.

14 January, 1930.

Sir, It was also stated in the press that the
 With reference to my despatch Dominions No. 389 of the 6th August, 1929, and previous correspondence, I have the honour to transmit, for the information of His Majesty's Government in the Union of South Africa, the accompanying copy of a despatch from His Majesty's Representative at Washington on the subject of Commander Byrd's expedition to the Antarctic.

No. 3162. 22nd Nov.
18th Nov.

17th Nov. 1929.

2. I take this opportunity of enclosing a copy of the note from His Majesty's Ambassador to the United States Government of the 17th November, 1929, which is referred to in Mr. Cotton's letter of the 16th November, 1929.

3. His Majesty's Ambassador at Washington has since reported by telegram that the substance of His Majesty's Ambassador's note and the United States reply have been communicated to the press, and that press articles on the subject have in general taken the line that the possibility of controversy over the question of sovereignty in the Antarctic has been referred by Mr. Cotton's reply. It was observed, however, by the press that the door had been left open for further discussions, and there it was

thought,

THE MINISTER OF EXTERNAL AFFAIRS,

UNION OF SOUTH AFRICA.

file

thought, would be initiated sooner or later in view of possible United States claims to Wilkes and Graham Land and the territories discovered by Commander Byrd. It was also stated in the Press that the applicability of the Monroe Doctrine was receiving consideration at the State Department.

WASHINGTON, D.C.

November 23rd, 1911

I have the honour to transmit herewith Your most obedient,
Humble servant,
which I have now received from the Dep^t of State in the note which His Majesty's Ambassador addressed to them on this subject in November last.

(Signed) PASSFIELD.

It appears from this reply that the United States Government have no immediate intention of contesting British claims in the Antarctic, on the lines forecasted by the American press in April last and reported in Sir E. Howard's despatch under reference. Now that Commander Byrd and his party have emerged from their winter quarters, the "New York Times" and other papers are taking a renewed interest in their doings but I have as far seen no further references in the press to the possibility of their discoveries or of any other potential American claims to territory in the Antarctic being taken up by the United States Government.

I have, etc.,

(Signed) Ronald Campbell.

The Right Hon. Arthur Henderson, M. P.,

etc., etc., etc.

COPY.

(W 11298/98/ 50)

No. 2160

BRITISH EMBASSY,

WASHINGTON, D.C.

November 22nd, 1929.

Sir,

With reference to Sir E. Howard's despatch No. 721 of April 12th last and previous correspondence regarding Commander Byrd's expedition to the Antarctic, I have the honour to transmit herewith a copy of a reply which I have now received from the Department of State to the note which His Majesty's Ambassador addressed to them on this subject in November last.

2. It appears from this reply that the United States Government have no immediate intention of contesting British claims in the Antarctic, on the lines forecasted by the American press in April last and reported in Sir E. Howard's despatch under reference. Now that Commander Byrd and his party have emerged from their winter quarters, the "New York Times" and other papers are taking a renewed interest in their doings but I have so far seen no further references in the press to the possibility of their discoveries or of any other potential American claims to territory in the Antarctic being taken up by the United States Government.

I have, etc.,

(Signed) Ronald Campbell.

The Right Hon. Arthur Henderson, M. P.,

etc., etc., etc.

COPY.

Department of State,

Washington, D.C.

November 15th, 1929.

My dear Mr. Chargé d'Affaires,

My attention has been called to a note, No. 526 of November 17th, 1928, from the Ambassador, regarding Commander Byrd's scientific expedition into the Antarctic regions, which apparently has not been acknowledged.

I therefore hasten to express to you the Department's regret at the apparent oversight and at the same time to express its appreciation of the interest of your Government in Commander Byrd's expedition.

The reference in the Ambassador's note to the summary of proceedings of the Imperial Conference of 1926 containing an account of discussions concerning certain regions of the Antarctic, has been noted, but since it is assumed that this was merely brought to the Department's attention for its information, no comment by the Department would seem to be called for at this time.

I am, my dear Mr. Campbell,

Sincerely yours,

(Signed) J.P. Cotton.

Mr. Ronald Ian Campbell,
Chargé d'Affaires ad interim
of Great Britain.

031 Byrd South Polar
Expedition/38

COPY

No. 526.

BRITISH EMBASSY,
WASHINGTON, D.C.

November 17th, 1928.

Sir,

I have the honour to inform you, in accordance with instructions received from His Majesty's Acting Principal Secretary of State for Foreign Affairs, that His Majesty's Governments in different countries of the Empire have learnt that an American expedition, under Commander Byrd, has started on a voyage of scientific research in the Antarctic regions. His Majesty's Governments concerned will watch with especial interest the progress of this expedition on account of the interest which they themselves take in the regions in which they understand that the bulk of the research by Commander Byrd and his party is to be undertaken. It will probably be recalled that certain regions of the Antarctic formed the subject of discussions which took place at the Imperial Conference held in London in 1926. An account of these discussions is given on Pages 33 and 34 of the Public Summary of Proceedings, a copy of which I have the honour to transmit to you herewith.

I am to add that His Majesty's Governments wish every success to the expedition, and that, if the United States Government so desire, instructions will be issued to the appropriate authorities to afford Commander Byrd every assistance in their power while the expedition is in the Ross Dependency and the Falkland Islands Dependencies.

I have, etc.,

(Signed) ESME HOWARD.

The Honourable
Frank B. Kellogg,
Secretary of State of the United States,
Washington, D.C.

TRANSLATION

P.M. 103/14

(N. 2325/1804/30)

Norwegian Legation,

London,

No. 56/1929.

9th May, 1929.

The Right Honourable

Sir Austen Chamberlain, K.C., P.C. etc.

Sir,

By order of my Government I have the honour to inform Your Excellency that Jan Mayen Island has been taken under Norwegian Sovereignty by Royal Decree of the 8th May, 1929.

Police authority on the island is exercised by the Head of the Meteorological Station.

I have etc.

(Sgd.) B. Vogt.

N

TRANSLATION

NORWEGIAN LEGATION,

London,
P.M. 103/14

10th May, 1929.

No. 56/1929.

Norwegian Legation,

London,

9th May, 1929.

(N.2325/1804/30)

No.56/1929.

Monsieur le Ministre,

Pour votre bon Gouvernement, j'ai l'honneur
de porter à la connaissance de Votre Excellence

que l'île de Jan Mayen, par Décret Royal du 8 mai
1929, est soumise à la souveraineté de la

Sir Austen Chamberlain, K.C., P.C. etc.

L'autorité de police dans l'île est exercée
par le Chef de la station météorologique.

Sir,

Veuillez agréer, Monsieur le Ministre, les

By order of my Government I have the honour
to inform Your Excellency that Jan Mayen Island has
been taken under Norwegian Sovereignty by Royal
Decree of the 8th May, 1929.

Police authority on the island is exercised
by the Head of the Meteorological Station.

I have etc.

(Sgd.) B. Vogt.

COPY.

(N 2325/1804/30).

NORWEGIAN LEGATION,

Londres,

No. 56/1929.

le 9 mai, 1929.

Monsieur le Ministre,

D'ordre de mon Gouvernement, j'ai l'honneur de porter à la connaissance de Votre Excellence que l'île de Jan Mayen, par Décret Royal du 8 mai 1929, a été soumise à la souveraineté de la Norvège.

L'autorité de police dans l'île est exercée par le chef de la station météorologique.

Veuillez agréer, Monsieur le Ministre, les assurances de ma plus haute considération.

(Signé) B. Vogt.

The Right Honourable

Sir Austen Chamberlain, K.G., P.C.,

etc., etc., etc.

experiments was very promising, and the expedition would, besides feeding the crew on the whale meat, prepare about twenty tons of tinned meat for sale. A further subject on which Mr. Christensen was working was the utilization of the glands, marrow and brains of whale for medical use.

I have etc.,

(Signed) F. O. LINDLEY.

File
ms

bays. Soundings would be taken by means of the echo sounding apparatus, and samples of the bottom of the sea would be examined. These observations would be carried out from a number of different points, probably about a hundred.

The expedition would also attempt to bring home living specimens of fur-bearing animals for the zoological gardens, as well as specimens of other animals and samples of stone, moss, etc.

3. Mr. Christensen mentioned further that twenty-five whales had been marked last year by the "Norvegia", and that further marking would be carried on during the coming expedition. Special darts had been constructed, on which was engraved the capital letter "N" and a number; and it was very much hoped that anyone who took whales with these marks on them would report the occurrence to him.

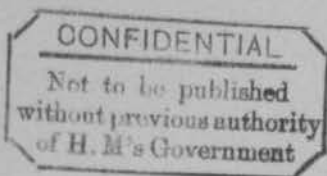
4. Mr. Christensen continued that the "Norvegia" would sail over the area where the mysterious Niarod Islands were placed, and would again look for Dougherty Island in the position given by Bull. During the flights the aeronauts would attempt to discover whether the top of Bouvet Island was a crater, as well as to chart that island and Peter Island with the help of photographs from the air. In Bouvet Island a new depôt would be placed instead of the one which was carried away last winter.

5. Finally, it was mentioned that the "Thorshammer" would have on board the first machinery for preparing whale meat hermetically. The inventor was a Mr. Vetlesen, who had been experimenting for over three years with the object of eliminating the taste of oil in the meat. The result of his experiments....

GOP

No. 329.9

(W.8349/98/50)



British Legation,

OSLO.

22nd August, 1929.

Sir,

With reference to my despatch No.188 of the 29th May last I have the honour to report that an interview with Mr. Lars Christensen on the subject of the forthcoming cruise of his ship "Norvegia" in the Antarctic was published in the Norwegian "Shipping Gazette" last night. Mr. Christensen is reported as having stated that the "Norvegia" was now lying in South Georgia, and that the "Thor I" was leaving Norway tomorrow with the crew of the "Norvegia" on board, and that the "Thorshammer", with Captain Riiser--Larsen and Mr. Lutzow--Holm and their flying machines was leaving the day after. It is intended that the "Norvegia" should meet the "Thorshammer" at Bouvet Island and take on board the flying machines and act as their mother-ship. The "Norvegia" and the airmen would help Captain Bull in the "Thorshammer" as long as it was desirable, but as soon as Captain Nils Larsen and the "Norvegia" had obtained their object, it was intended that the "Norvegia" should follow the ice barrier right round the Antarctic basin.

2. It was reckoned that the voyage would take about four months. Capter Riiser-Larsen would undertake the scientific work which would include investigations regarding the ice, the ocean currents, the temperature of the sea and the presence of whale food along the ice and within the open bays.....

The Right Honourable

Arthur Henderson, M.P.,

His Majesty's Principal Secretary of State
for Foreign Affairs,

LONDON.

Jan 103/14

9B



UNION OF SOUTH AFRICA

Dominions No. 441

SECRET

Downing Street,

18 September, 1929.

Sir,

With reference to my Secret despatch Dominions No. 313 of the 10th July, I have the honour to transmit, for the information of His Majesty's Government in the Union of South Africa, the accompanying copy of a despatch from His Majesty's Minister at Oslo regarding a proposed Norwegian expedition to the Antarctic.

329. 22nd August

I have the honour to be,

Sir,

Your most obedient,
humble servant,

Parfield

*Mr. Lyell
10/20/29*

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

Passed to... *D. Lyell*
CONSIDERATION
for INFORMATION
DISPOSAL

File

11/10/29..... Initials... *W. L. G.*

COPY.

(W 5456/98/50)

98

No. 188.

British Legation,

Oslo.

29th May, 1929.

Sir,

It was not until this morning that I had an opportunity of speaking to the Prime Minister on the subject of Dougherty Island, in accordance with the instructions contained in your despatch No.188 (W 3397/98/150) of the 8th instant. I reminded His Excellency that I had already mentioned to him, (see last paragraph of my telegram No.7 of the 27th February last), that Mr. Bull, a Norwegian subject, had been granted a licence by His Majesty's Government in respect of this island in 1913, and I also drew his attention to the fact that Consul Lars Christensen, the owner of the s.s. "Norvegia", had himself applied to His Majesty's Government for a licence in respect of the same island in 1926. Both these facts were mentioned in Imperial Conference Paper No.E.130 and in its Appendix A. As regards Mr. Christensen's application, I mentioned that the Norwegian Naval Attaché in London had personally intervened on his behalf.

2. Mr. Mowinkel took careful note of what I had to say, but did not go further than to state that Dougherty Island would not be annexed by the Norwegian Government without further communication with His Majesty's Government.

I have, etc.,
(For H. M. Minister)
(Signed) Alvary Gascoigne.

Right Honourable
Sir Austen Chamberlain, K.G., M.P.,
His Majesty's Principal
Secretary of State for Foreign Affairs,
etc., etc., etc.

2.

File gya.

COPY.

(W 3397/98/50)

No.188.

FOREIGN OFFICE, S.W.1.

8th May, 1929.

Sir,

With reference to your despatch No.73 of February 28th, I have to inform you that it is not desired that you should volunteer any statement to the Norwegian Government on the subject of the reported official occupation of Peter I Island by the s.s. "Norvegia". If, however, the Norwegian Government should themselves approach you in the matter you should reply that His Majesty's Government in the United Kingdom make no claim to the island. You should at the same time, in view of the reported intention of the s.s. "Norvegia" to visit Dougherty Island, take the opportunity of drawing the attention of the Norwegian Government (a) to the circumstances relating to the issue of a licence to a Norwegian subject in 1913 in respect of Dougherty Island, as summarised in Appendix A to Imperial Conference Paper No. E 130, a copy of which is understood to be in your possession; and (b) to the fact, also recorded in paper No. E 130, that in 1926 Captain Christensen, the owner of s.s. "Norvegia", himself applied to His Majesty's Government in the United Kingdom for a whaling licence in respect of Dougherty Island. You should add that, in reply to enquiries made by the Dominions Office, additional information in connexion with his application was supplied by the Naval Attaché at the Norwegian Legation in London, who personally intervened on Captain Christensen's behalf.

I am, etc.,
(For the Secretary of State)
(Signed) A. W. A. Leeper.

The Honourable
Sir Francis Lindley, K.C.M.G., C.B.,
etc., etc., etc.,
Oslo.

During the voyage from South Shetlands no shoals of whales were seen nor any copepods.

The "Norvegia" left Peter Ist Island on February 9th and met the pack ice at 70° South Latitude and 92° 30' West Longitude. At 109° 30' West Longitude it was impossible to proceed farther south. The ice there was on a level with the ship's bulwarks, and there was not the slightest opening in it. At 122° West Longitude the ice forced the "Norvegia" to the north west. On February 15th the ship was at 69° South Latitude and 127° West Longitude and steered to the north west towards the Ross Sea sector. During that voyage the "Norvegia" sailed over areas which were quite unknown, and some distance to the south of the line which is marked on charts as the ice barrier, in a sea which was named after Roald Amundsen. According to a wireless message received today the "Norvegia" was yesterday at 50° South Latitude and about 170° West Longitude, seeking Swain's Island, concerning which I reported in my articles on the 25th and the 26th instant.

As was the case during the voyage of "Odd I" it was also found this year that the waters of the west of the Shetland Islands are practically devoid of whales and copepods. Thus the "Norvegia" reports from Peter Ist Island that they only met 25 whales in all, blue whales, finbacks and humpbacks.

The idea of establishing a meteorological station on Bouvet Island this year had to be entirely abandoned, but a fresh attempt would be made next year.

Fredriksvern, February 26, 1929.

The Geographical Journal in an article concerning Bouvet Island produced in No. 6, 1928, maintained that in consideration of Captain Morris's decided contention that he discovered Thompson Island in 1825, and on the basis of the confirmation which Captain Fuller had given with regard to the existence of the Island in 1893, there was no reason to doubt the existence of the Island. Lieutenant Commander R. T. Gould, R.N. (retired) came to a similar conclusion and maintained this in his recently published book "Oddities". In that connection Captain Larsen on the "Norvegia" received telegraphic orders to make a careful search for Thompson Island and "The Chimnies".

In conformity with these instructions the "Norvegia" left Bouvet Island on the 20th December, and cruised about for 8 days within an area limited by $40^{\circ} 35'$ west Longitude and $6^{\circ} 17'$ East Longitude and 52° South Latitude and 55° South Latitude searching for Thompson Island, but without result. No land or signs of land were observed in or near the positions given by Morris, Fuller and Gould. It must therefore be taken for granted that what Morris saw on December 13th, 1825, and which he believed to be an island, was nothing but a large capsized iceberg upon which there had fixed themselves stones and gravel whilst it was aground on the west coast of the Island which we now call Bouvet Island. Similar black icebergs were observed by the "Norvegia" expedition this year, and Captain M. Halbert Mikkelsen, on Consul Lars Christensen's tankship the "Thorby", in a letter to the owners written on board that vessel at sea, 40° South Latitude, dated January 9th, 1929, reported that on the way home from the pack ice his ship passed the position given on the British Admiralty's charts for Thompson Island and "The Chimnies", without having seen them. On the other hand he met several coal black icebergs which at first he took to be islands. To one of them he had even given the name "Thorby" before he discovered his mistake.

If Norris and Fuller really saw Thompson Island and "The Chimnies" in 1825 and 1893 respectively, which is very doubtful, then the only explanation of the disappearance of the island and rocks is that after 1893 they must have been swallowed up by a submarine sinking of the crust of the earth, a deluge, or by a volcanic eruption similar to that at Krakatau.

After these resultless investigations the "Norvegia" went back to the "Thorshammer" in order to bunker, and left that vessel on January 4th with Deception Island as its destination. The "Norvegia" arrived there on January 23rd, and also during that voyage scientific investigations were made, and she then proceeded to Peter 1st Island which one of Christensen's sailing ships, "Odd I" had visited in the season 1926-27. On that island, which was discovered by the Russian Circumnavigator von Bellingshausen on January 10th, 1921, the Norwegian flag was hoisted and the island taken in to possession in the name of King Haakon VII on February 2nd, 1929. During their stay at the island the weather was very bad, and storms and fog rendered the work difficult.

(Enclosure to Sir F. Lindley's Despatch No. 73, 28.2.29.)

TRANSLATION FROM:

"Norges Handels og Sjøfartstidende".

(The Norwegian Journal of Commerce and Shipping.)

February 27th, 1929.

"The area west of South Shetlands practically devoid of whales.

"In the Roald Amundsen's Sea the "Norvegia" saw only 25 whales and no copepods.

"The vessel has been farther south in those waters than any other expedition. Bouvet Island is not to have a wireless station this season.

"Coal black drifting icebergs which looked surprisingly like islands.

"Thompson Island is probably such an "island".

By Bjarne Aagaard.

As mentioned in the official communiqué yesterday, the "Norvegia" left South Georgia on November 18th, 1928, on its new expedition under the command of Captain Nils Larsen, who was first officer on the previous voyage.

On the way to Bouvet Island meteorological and oceanographical investigations were constantly undertaken by Dr. Olstad's assistant, who went on board in South Georgia, whilst Dr. Olstad, who was the scientific leader of the expedition, was to join at Bouvet. He left for Bouvet Island on October 14th, on board the floating factory "Thorshammer", and on his arrival went on board the "Norvegia", which in the meantime had reached the meeting place agreed upon. From December 9th to 13th a quantity of material belonging to the meteorological station was transferred from the "Thorshammer" to the "Norvegia". This was finished just before the arrival of the "Pythia", another floating factory belonging to Christensen, whereupon, a quantity of material was taken from the latter. On December 16th investigations were made with regard to a suitable spot for the meteorological station and this work was continued on the 17th and following days. The results were that the only suitable spot was found to be Lars Island, and doubts were even expressed regarding that. The weather was very bad most of the time, with storms, fog and high seas. As long as they remained at the island wireless connection was very bad, a phenomenon which was also noticeable during the "Norvegia's" first voyage. Bouvet appeared to be what is known as "a dead point". During their stay there members of the expedition went ashore in Bouvet Island and also on Lars Island.

his mistake. This may possibly be the explanation of the myth concerning these islands.

From Bouvet Island the ship proceeded to the edge of the ice and thence to Deception on South Shetlands where it took a full cargo of coal, and further westward to Peter 1st Island, which on February 7th by authority from the Norwegian Government was occupied as Norwegian territory. No claim to Peter 1st Island has been made by other Powers. It was first seen in 1821 by a Russian expedition under the command of Admiral von Bellinghausen and later by a Frenchman Charcot. But no one had been on shore there before. The island is 9 nautical miles long in a northerly to southerly direction.

As will be remembered, Consul Christensen sent his ship "Odd I" to the Island in 1927. They succeeded for the first time in approaching close to it but nobody went on shore. However, maps were made and photographs taken, soundings were made in the vicinity, and by bottom scraping a collection was made for samples of stone which have subsequently been scientifically investigated and described by Herr Olaf Anton Broch, B.Sc.

TRANSLATION FORM

"Tidens Tegn"

27.2.29.

In connection with the above report Consul Christensen has given us the following complete information regarding the expedition.

The "Norvegia", which as will be remembered was severely damaged during her last expedition, has been lying at South Georgia for repairs during the winter under the direction of Larsen, first mate, who is in command of the vessel on the present expedition. In order to achieve its object, viz., to investigate the occurrence of whales off the Falkland Islands, the "Norvegia" has a complete scientific equipment on board. Thus there are all kinds of instruments for sounding deep water, for measuring temperatures and for obtaining samples of water from the depths of the sea. The expedition has paid special attention to securing complete observations of the occurrence of ice and the direction of currents, matters which are of great interest to whalers. The occurrence of copepods is also of course of the greatest importance, and whenever there has been an opportunity the lanes in the ice have been entered and samples taken of the copepods beneath the surface of the ice, where as a rule they are deposited like a brown layer. There is also on board a complete equipment for undertaking bottom scraping, and this has been done extensively around Bouvet and Peter 1st Island. According to the reports discoveries have been made there which Dr. Olstad, who is a Zoologist and was in South Shetlands and South Georgia last year, considers to be hitherto unknown species. The expedition has twice crossed the old whaling area in the Falklands section, and in addition, has followed the ice for some distance eastward, south of Bouvet. They have thus undoubtedly made valuable observations regarding the stock of whales, observations which in future will be of great importance for Norwegian whaling. Besides landing on Bouvet Island they also went ashore on a little island in the neighbourhood which has been given the name Lare Island after Consul Christensen's little son.

Great interest is attached to the information that the expedition was not able to find Thompson Island and "The Chimnies", although it cruised for nine days, from December 20th - 29th, in the waters where Englishmen assert that the Islands lie, and the soundings were taken down to 1500 m. without reaching bottom. In this connection it may also be stated that the Captain on Consul Christensen's tank boat "The Thoröy", when he returned home in January, had orders to make his course according to the alleged position of the islands, but he, too, saw nothing of them. In his report to the owners the Captain of "The Thoröy" wrote that he had observed no islands but had several times been deceived by coal black icebergs, and that in one case he had even named a large iceberg "Thoröy" before he discovered

reports an interview with Mr. Christensen on the subject of the expedition.

3. I should perhaps mention that the "Arbeiderblad", in commenting last night on the latest acquisition of new territory by Norway, sounds a warning note and seems to assume that negotiations with Russia, as the country which first discovered Peter Ist Island, would be necessary before the Norwegian title is recognised.

I have the honour to be,
with the highest respect,

Sir,

Your most obedient,
humble servant,

F.O. Lindley.

OSLO.

February 28th, 1929.

Sir,

With reference to my telegrams Nos. 7 and 8 of the 27th instant, I have the honour to report that the message published by the official Norwegian Telegraph Bureau in the evening newspapers of the 26th regarding Peter 1st Island runs as follows in translation :-

"The owners of the 'Norvegia' inform us that the vessel left South Georgia on November 8th, 1928. The principal object of the expedition is to search for whales and in that connection make observations of ice, currents, the temperature of the water, the appearance of whale food along the ice and within the water channels, make notes of all whales seen, take soundings, etc. Trawls will be lowered and collections made for scientific examination." The leader of the expedition is Dr. Ola Olstad.

"The ship first sailed across the Falkland Sector and thereafter followed the ice and in the new whaling area south and east of Bouvet. A number of landings were made on the Island. Afterwards the ship searched the waters in which Thompson Island and "The Chimnies" are marked as lying. It is the opinion of the expedition that neither of these two exist.

"Thence the ship took a more southerly course over the Falkland Sector to South Shetland. The course then was led to Peter 1st Island, which was occupied for Norway on February 2nd. Thence the ship penetrated into the pack ice as far as 70° South Latitude, from which point she worked her way westward until about the edge of the Ross Sea Sector at 140° West Longitude.

"The ship has apparently sailed over unknown areas. The area where Peter 1st Island lies has been christened Roald Amundsen's Sea.

"The ship is now looking for the mysterious Swain's Island, or Dougherty, which is supposed to have been observed several times but which it has not been possible to rediscover."

2. I have the honour further to transmit translations of two articles from the Norwegian press on the subject of the Island. The first article, which appeared in the Shipping Gazette last night, is written by the well-known authority on Arctic research, Mr. Bjarne Aagaard. It will be seen from this article that very few whales were observed by the "Norvegia" during her cruise. The second article is from "Tidens Tegn" of yesterday and

The Right Honourable
Sir Austen Chamberlain, K.G., M.P.,
His Majesty's Principal Secretary
of State for Foreign Affairs,
London.

1.

103/14

103/14

UNION OF SOUTH AFRICA.

Dominions No. 313

Secret.



Sir,

With reference to my predecessor's Confidential despatch Dominions No. 591 of the 18th December, 1928, and connected correspondence, I have the honour to transmit, for the information of His Majesty's Government in the Union of South Africa, the accompanying copy of correspondence with His Majesty's Representative at Oslo on the subject of the official occupation of Peter I. Island by the s.s. "Norvegia" and the reported intention of that vessel to visit Dougherty Island.

28th Feb.
8th May
29th May

2. A copy of the Imperial Conference Paper No. E. 130 to which reference is made was enclosed in Mr. Amery's Secret despatch of the 5th January, 1927.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

Pasfield

*Asst. Secy
29/7/29
JLP*

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

Passed to *Deputy*.....

CONSIDERATION
for
INFORMATION
DISPOSAL

Mo/Sye
29.7.29
File 944

x Index

Date *30/7/29*..... Initials..... *JLP*.....

BRITISH LEGATION,

OSLO.

23rd November, 1928.

My Lord,

With reference to my despatch No. 497 of the 17th instant, I have the honour to report that the "Arbeiderblad" of the 21st instant, an afternoon paper representing the views of the Labour Party and the National Communists, published an unexpectedly friendly leading article in regard to Bouvet Island.

2. The "Arbeiderblad" states that, although the island is only a bagatelle, Great Britain's action in relinquishing her claims thereto augurs well for the future relations between the two countries, and makes an assertion to the effect that this is the first time in history that Great Britain has voluntarily given up her claim to any territory. The article concludes by stating that this action on the part of Great Britain shows that even a great country can make a sacrifice in the interests of friendly international relations.

3. As Your Lordship is no doubt aware, Mr. Frannel, the leader of the National Communists, is the editor of this newspaper, and it seems probable that the article in question came from the pen of Advokat Karl Johansen, whose name I recently had cause to bring to your notice in connection with an article signed by him, and published in the same organ, on the subject of Finnish-Norwegian relations (see my despatch No. 479 of the 30th ultimo).

I have etc.
(sgd) A. GASCOIGNE.

The Right Honourable
The Lord Cunsandun.

Spanish Jews was perhaps, with certain exceptions, not quite so attainable as might have been expected (please see my despatch No. 197 of the 17th instant); the decision of His Majesty's Government appears to have been very thoroughly considered from both by official and private persons.

I have etc.

(sgd) LEVANT BARONET.

30

30/10/1914
14. 11100/200/1011

British Legation,

17/10/14

17th October, 1914.

My Lord,

It is understood by the Japanese Legation that you are to visit the Japanese Legation in London on the 20th inst. I think it may interest your Lordship to know that the Japanese Legation in London is at present in the hands of the Japanese Legation in London. It is expected that the Japanese Legation will be re-opened in London in the near future.

1. It is an official Japanese party given by the Prime Minister yesterday, in which I had the honor to be invited. The Japanese Legation in London is at present in the hands of the Japanese Legation in London. It is expected that the Japanese Legation will be re-opened in London in the near future.

2. Referring to the Japanese Legation, which is at present in the hands of the Japanese Legation in London. It is expected that the Japanese Legation will be re-opened in London in the near future.

3. The Japanese Legation in London is at present in the hands of the Japanese Legation in London. It is expected that the Japanese Legation will be re-opened in London in the near future.

The Right Honorable
The Lord Chamberlain

Yours faithfully

Mm 103/14



UNION OF SOUTH AFRICA.
Dominions No. 591
Confidential.

Downing Street,

18 December, 1928.

Sir,

With reference to my despatch Dominions No. 568 of the 30th November, I have the honour to transmit, for the information of His Majesty's Government in the Union of South Africa, the accompanying copies of despatches from His Majesty's Representative at Oslo reporting Norwegian comments on the decision of His Majesty's Government in Great Britain with regard to Bouvet Island.

502: 21st Nov.

505: 23rd Nov.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

J. Smey

The Asst. Secretary
16 JAN. 1929

THE MINISTER OF EXTERNAL AFFAIRS,

UNION OF SOUTH AFRICA.

Passed to Secr. for Defence
for REVISION

W. van Ryn
17.1.1929

Date 17/1/29 Initials W.C.D.

75

pm. 103/14



UNION OF SOUTH AFRICA.

Dominions No. 568

Downing Street,

30 November, 1928.

Sir,

With reference to my despatch Dominions No. 555 of the 21st November, I have the honour to transmit, for the information of His Majesty's Government in the Union of South Africa, the accompanying copy of a despatch from His Majesty's Representative at Oslo summarising the comments which have appeared in the Norwegian press on the decision of His Majesty's Government in Great Britain with regard to Bouvet Island.

17th November, 1928.

I have the honour to be,

Sir,

Your most obedient,
humble servant,

Isaacs

Minister you

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

The Secretary
27 DEC 1928

*Copy sent to Sec for Defence
28 Dec. 28*

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Copy

No.497.

BRITISH LEGATION,

OSLO.

17th November, 1928.

My Lord,

With reference to Your Lordship's telegram No.44 of the 14th instant, I have the honour to report that the Norwegian press, as a whole, have, apart from merely reporting the decision arrived at by His Majesty's Government in regard to Bouvet Island and referring to the history of the Norwegian occupation, offered surprisingly little comment.

2. "Tidens Tegn" of November 16th, however, contains an article by Consul Aagaard, a Norwegian business man, praising Great Britain for the self sacrifice which she has displayed in renouncing her claim to that "outpost of Empire". Consul Aagaard further states that the recognition by Great Britain of Norwegian sovereignty over the Island is a "triumph of our good cause, our Ministry for Foreign Affairs, and for British fair play".

3. The same newspaper also publishes a leading article expressing satisfaction and praising the attitude adopted by His Majesty's Government. The article concludes with these words:-

"The annexation was somewhat in the nature of an adventure but real interests were at stake. The annexation was defensible on the grounds that Norwegians utilise these regions more than any other nation. Although Norwegian whaling will be more and more independent of foreign concessions the moral and political importance of a permanent footing in the

Antarctic

The Right Honourable

The Lord Cushendun.

Antarctic should not be underestimated.

"The attitude of Great Britain will arouse general satisfaction in Norway. There was reason to believe that Great Britain regarded the Norwegian annexation with mixed feelings in view of her own efforts to develop her whaling industry and there is therefore all the more reason to regard the action of Great Britain as evidence of the close and good relations existing between the two nations.

"This thought was also given a form in the British official communiqué which should meet with general approval"

4. "Morgenbladet", the leading conservative organ, limits itself to giving a history of the Norwegian occupation of the Island and states that, according to the united press, the recognition of Norwegian sovereignty must be regarded as a friendly gesture and not as a sign that it is acknowledged that the British claims were unjustifiable.

5. Of the organs of the Left "Arbeiderbladet" merely reports His Majesty's Government's decision and offers no comments. "Norges Kommunistblad", however, the organ of the Moscow communists, referring to the British communiqué, expresses the opinion that it is as a favour that Great Britain has given the Island to Norway -- "an act of favour as thanks for Norway's excellent performance of the role of lackey which she has been awarded by British imperialism and which role she will continue to play in the future.

Norway's acquisition of Bouvet Island is thus neither a victory for Norwegian diplomacy nor for Norwegian military force, but it has been arrived at by the grovelling of capitalist Norway before 'British predatory imperialism';

I have etc.

(sgd) A. GASCOIGNE.

On the same occasion Norwegian Minister read two memoranda (1) stating that the Norwegian Government were prepared to express their willingness to refrain from occupying any land within the territories referred to in the Summary of Proceedings of the Imperial Conference 1926 (2) expressing the great interest of his government in the question of the preservation of the stock of whales and the protection of animal life in the Arctic and Antarctic, summarizing the legislation they have in mind for prohibiting the capture of fur seals and controlling the capture of whalebone whales, and stating their willingness to discuss at any time such questions of common interest to Norway and the British Empire. Norwegian Minister was informed in reply that the statement contained in (1) above was greatly appreciated and that with regard to (2) it was possible that we might have proposals to make to the Norwegian Government for devising machinery with a view to closer co-ordination of our mutual interests as regards the preservation of the whaling industry. Norwegian Minister expressed confidence that his Government would be anxious to further this aim by any means which were practicable.

Copies of record of conversation and of the two memoranda read by Norwegian Minister follow by mail in continuation of my despatch of 6th November Dominions No. 525.
Secret.

Copy

D.11846/28.

TELEGRAM from the Secretary of State for Dominion Affairs to the Governor General of New Zealand.

(Sent 2.45 p.m. 16th November 1928)

16th November. No.166 Secret.

My telegram 11th October No.143 Secret. Antarctic. From attitude which Norwegian Minister assumed in course of negotiations over Bouvet Island it became clear that it would serve no useful purpose to attach conditions to our offer to withdraw our claim to the Island since such a course might result only in antagonising the Norwegian Government without effecting their withdrawal from the Island of which they may be regarded as in occupation (see last enclosure in my despatch 6th November Dominions No.525 Secret) and would thus render more difficult the achievement of the main objects which we have in view. The wiser course seemed to be to withdraw our claim at once as an act of grace and to rely on the goodwill which such action would be likely to inspire to move the Norwegians to reciprocate by giving us assurances which they know that we are anxious to receive as to (1) abstention from further annexations (2) control of pelagic whaling. Norwegian Minister was accordingly informed verbally on 14th November that His Majesty's Government in Great Britain withdrew any claim they might have had to Bouvet Island and would raise no objection to its annexation by the Norwegian Government. Norwegian Minister expressed the liveliest satisfaction at this announcement and said that it would greatly gratify his Government.

On

(W. 0837/532/50)

Duplicate.

P.M.

The Norwegian Government have learnt with satisfaction that His Britannic Majesty's Government are favourably disposed as regards the question of the Norwegian sovereignty over Bouvet Island. They would be glad to receive as early as possible H.B.M.'s Government's official communication on the subject. The Norwegian Government strongly hold the opinion that it would be best to decide this question upon its own merits and that it should not be connected with other questions.

However, the Norwegian Government take the greatest possible interest in the question of the preservation of the stock of whales and the protection of animal life in the Arctic and Antarctic Regions. H.B.M.'s Government will be aware that a provisional Order in Council was issued on the 10th of August, 1928, prohibiting the capture of fur seals by Norwegians. The Bill proposing the enactment of this measure will be submitted to the next Storting. The Norwegian Government will submit to the same Storting a Bill proposing regulations for the capture of whalebone whales. This Bill is now under preparation.

The Norwegian Government would be glad at any time to discuss with H.B.M.'s Government such questions of common interest to Norway and the British Empire, and in this connexion they would like to say that they sincerely desire to meet the wishes of H.B.M.'s Government as far as in any way possible having regard to Norwegian interests in Arctic Regions.

Norwegian Legation,

London, 16/10/1928.

Duplicate.

P.M.

The Norwegian Government have not sufficient knowledge of the basis upon which are founded the British claims to each one of the territories which the last Imperial Conference asserted to be British. The Norwegian Government however are prepared to express their willingness to refrain from occupying any land within these territories.

Norwegian Legation.

London, 14/11/1928.

Government would on all occasions give them the most sympathetic consideration possible. He greatly appreciated the statement which the Minister had made to him in regard to the territories mentioned in the Imperial Conference proceedings, and thought it possible that His Majesty's Government might have proposals to make to the Norwegian Government for the devising of machinery with a view to closer co-ordination of the interests of the two countries as regards the regulation of the whaling industry. Monsieur Vogt replied that he felt quite confident that the Norwegian Government would be anxious to further this aim by all practicable means.

I am, etc.,

(For Lord Cushendun)

(Sd.) R.H. CAMPBELL.

COPY.

No. 497.

(W.10837/532/50).

FOREIGN OFFICE, S.W.1.

November 15th, 1928.

Sir,

The Norwegian Minister called yesterday on Sir R.Lindsay to continue the discussion regarding the sovereignty of Bouvet Island.

2. On Sir R. Lindsay remarking at the outset that he felt confident the matter would be settled that day, the Minister expressed his gratification and proceeded to read the two memoranda of which copies are enclosed.

3. Sir R.Lindsay then reminded Monsieur Vogt that when he had seen him on a previous occasion he had carefully refrained from making the attitude of His Majesty's Government in regard to Bouvet Island in any way conditional on the fulfilment of the desiderata which he had expressed to the Minister on behalf of His Majesty's Government. He was now anxious to carry the logical implications of that attitude a step further by stating formally that His Majesty's Government withdrew all claim to Bouvet Island, and would raise no objection to its annexation by the Norwegian Government. Monsieur Vogt expressed the liveliest satisfaction at this announcement and said that it would be a source of much gratification to his government.

4. Sir R.Lindsay then went on to say that His Majesty's Government still attached great importance to the desiderata which he had mentioned on a previous occasion and I had subsequently repeated, and he hoped the Norwegian
Government

A.D.F. Gascoigne, Esq.,
etc., etc., etc.,
Oslo.

Nov. 15th.

16th Nov.

3. I enclose a copy of a despatch to His Majesty's Representative at Oslo giving an account of the conversation with the Norwegian Minister and containing copies of the two memoranda referred to above. The considerations which have influenced the attitude of His Majesty's Government in Great Britain in this matter are explained in the telegram to New Zealand, a copy of which is also enclosed.

4. It will be appreciated that it is important that, in any public statement which may be made on the matter, no particulars should be given beyond those contained in the announcement which has been made in Parliament in this country, the terms of which are being communicated to you in my despatch Dominions No. 555 of to-day.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

J. A. Amery

PM 102/14

SECRET

UNION OF SOUTH AFRICA



Downing Street,

Secret.

21 November, 1928.

Sir,

In connection with my despatch Dominions No. 555 of the 21 November, on the subject of Bouvet Island, I have the honour to invite reference to my Secret despatch Dominions No. 525 of the 6th November.

Attached B //

2. I would explain that, in the course of the interview at the Foreign Office during which the Norwegian Minister was informed of the decision of His Majesty's Government in Great Britain to withdraw their claim to this Island, M. Vogt read two memoranda which had been communicated to him by his Government. The first of these memoranda stated that the Norwegian Government were prepared to express their willingness to refrain from occupying any land within the territories referred to in the Summary of Proceedings of the Imperial Conference, 1926. The second memorandum expressed the great interest of the Norwegian Government in the question of the preservation of the stock of whales and the protection of animal life in the Arctic and Antarctic, summarised the legislation which they have in mind for prohibiting the capture of fur seals and controlling the capture of whale-bone whales, and intimated their willingness to discuss at any time such matters of common interest.

Theresa Secretary 12.12.28

1. The King
Also Desp. memoranda

2. Hogg 12.12.28

3.

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

Passed to *Sec for Defence*
CONSIDERATION
for INFORMATION
DISPOSAL

File

Date *13/12/28* Initials *rd*

Am 103/14

UNION OF SOUTH AFRICA

Dominions No. 555



Downing Street,

21 November, 1928.

Sir,

I have the honour to state, for the information of His Majesty's Government in the Union of South Africa, that after careful consideration of the issues involved, His Majesty's Government in Great Britain have decided to waive their claim to Bouvet Island and withdraw their opposition to its annexation by the Norwegian Government. A verbal communication in this sense was made on the 14th November to the Norwegian Minister, who expressed the liveliest satisfaction at this intimation and said that it would greatly gratify his Government.

1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

2. An announcement of the decision reached by His Majesty's Government in Great Britain in this matter has been made in Parliament in the following terms:-

"After a careful review of the issues involved and having regard to the friendly relations existing between our two countries, His Majesty's Government have waived the British claim to Bouvet Island in favour of Norway."

2. 12. 12. 1928

Copy Passed to Sec for Defence for CONSIDERATION INFORMATION DISPOSAL

I have the honour to be,
Sir,

Your most obedient,
humble servant,

Date 12/12/28 Initials AS

file

AS Amery

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

12. 12. 28.

The enormous area of sea surrounding the South Pole and called by Maury so long ago as 70 years "a reservoir for the dynamic force of the winds, a regulator in the great meteorological machine of the world", has not yet been so thoroughly investigated as it should, and since the meteorological results from the Antarctic Sea and the adjacent land have, since Maury's time, assumed the greatest importance from the economic point of view, not only for the agriculture of South Africa, South America and Australia and for our whaling industry, but for the world in general, the plan of setting up a permanent meteorological station on Bouvet Island will certainly awaken the greatest interest, not only in the Norwegian Meteorological Institute in Oslo, which has promised its assistance, but also with every investigator into the meteorology of the earth.

built there. The tall iron masts for the radio which have been constructed at the Hølen workshops, are already lying finished at Sandefjord.

Mr. Otto Rogne has been appointed Director of the station. Since April 1924 he has been in charge of the radio station belonging to the Store Norske Kulkompani at Advent Bay in Spitsbergen; and his assistant will be Mr. Georg Heldal. Mr. Rogne, who on account of his experience during winters on Spitzbergen, has helped to design the building, has a first-class certificate from the Norwegian Navy. His assistant, who has a mate's certificate and who will act as his general help, is an experienced telegraphist, who has been in charge of the radio station at Advent Bay and has a knowledge of Meteorology. Since the question of housekeeping is of particular importance during the long dark winter months on which an exposed and desert spot as Bouvet, a steward with experience of hard winters will also be appointed.

The three men will leave Norway on board Mr. Christensen's big floating whale factory, the "Thorshammer", about the 1st October next; and at the same time all the gear of the radio station which has been ordered on the advice of Captain Cottwaldt of the Norwegian Navy, will be sent to the island, together with all the provisions, medicines, etc.

TRANSLATION.

According to a report to the "Interdepartmental Committee on Research and Development in the Dependencies of the Falkland Islands", the well-known Scotch meteorologist R.D.Mossman recommended strongly as long ago as July 1918 that a meteorological station, which he considered in the highest degree desirable, should be erected on one of the islands in the presumed Bouvet group, and that this should be done as quickly as possible in cooperation with the Governments of South Africa, Australia and New Zealand.

Mr.Mossman's proposal led to no result, but when Mr.Lars Christensen sent out last year his "Norvegia" expedition to Bouvet Island he instructed Captain Hornvedt to examine the possibility of setting up a permanent meteorological station there. If it were possible Mr.Christensen intended to send two meteorologists who should remain on the island during the whole year.

On the arrival of the "Norvegia" at Bouvet in December last year it was discovered that there were only two places which were possible for such a station, viz. Now Sandefjord in Bollevika on Esmarch's Coast and a little beach which stretched from Cape Valdivia inside Sachsobasene on Victoria Terrasse; but since the first-named place would be exposed to landslides the beach south of Cape Valdivia has now been chosen as the site for the radio station which Mr.Christensen intends to erect on the island, and a completely modern station and house for the personnel will be
built

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copy.

(W 8931/532/50)

No.410.

British Legation,

Oslo.

7th September, 1928.

My Lord,

With reference to my telegram No.42 of the 30th ultimo, I have the honour to transmit herewith translation of an article which appeared in the "Tidens Tegn" of the 4th instant on the subject of the erection of a meteorological station on Bouvet Island. It will be remembered that the intention to erect such a station was reported in my telegram No.9 of the 15th February last.

I have etc.,

(Sd) F.O.Lindley.

The Right Honourable
The Lord Cushendun.

WESTERN EUROPE.

October 23, 1928.

CONFIDENTIAL.

SECTION 1.

[W 10106/532/50]

No. 1.

Lord Cushendun to Mr. Gascoigne (Oslo).

(No. 456.)

Sir,

Foreign Office, October 23, 1928.

THE Norwegian Minister called on me on the 16th instant to give me the views which his Government had instructed him to put forward as a sequel to the conversation which he had had recently with Sir Ronald Lindsay in regard to the ownership of Bouvet Island and other relevant matters.

M. Vogt reminded me that Sir Ronald Lindsay, in intimating that His Majesty's Government, in a spirit of friendliness and co-operation, might not be indisposed to sink their claims to Bouvet Island in favour of Norway, had said that there were two other questions which, without wishing to make them in any sense a condition, they desired nevertheless to see settled simultaneously in an amicable and satisfactory manner. The first of these concerned their desire for close co-operation between the two Governments with a view to the regulation and control of the whaling industry in southern waters by international agreement; the second related to those areas in the Antarctic circle which had formed the subject of a published resolution of the Imperial Conference of 1926, and in which, in consequence of the Australian interest in those regions, His Majesty's Government did not wish to see any annexations by foreign Powers.

After thanking me on behalf of his Government for the friendly disposition of His Majesty's Government in the matter of Bouvet Island, the Minister proceeded to deal at some length with these two cognate questions. On the first, he felt sure that his Government could give us full satisfaction, and he cited various Norwegian legislative measures directed to the preservation of the whale. While the Norwegian Government were thus already co-operating with us fully to that end they were, for the moment at least, averse from any attempt to negotiate a general international agreement, since they feared that such a course would have the effect of exciting other foreign interests to seek a share in the spoils of the industry which was at present concentrated almost entirely in British and Norwegian hands. As regards the Antarctic areas mentioned by Sir Ronald Lindsay, M. Vogt said that his Government, though understanding and fully appreciating the reason of the special interest taken by His Majesty's Government, nevertheless felt that this question should be kept quite distinct and handled separately from that of Bouvet Island with which it had no connexion whatever.

After expressing appreciation of the spirit in which the Norwegian Government were treating these questions, I told the Minister quite plainly that while His Majesty's Government, as I had already said, did not wish to establish any direct connexion between the two questions, they nevertheless felt that, in view of their readiness to relinquish all claims to Bouvet Island, they were entitled to expect, more or less simultaneously, some such assurance as would set their mind at rest on the other matter. Finding that I upheld this view despite his reiterated plea that the two questions were wholly unconnected, the Minister suddenly changed his tactics and developed a new argument which I fear may cause us some embarrassment. If, he said, there was to be some *quid pro quo* for the renunciation of the British claim to Bouvet Island, such a one might be held already to exist at the opposite extremity of the globe. There were, he continued, certain regions in the Arctic circle which were indisputably Norwegian by priority of discovery—discovery much more recent than that of the British discovery of Bouvet Island—where the Canadian Government were exercising some sort of administrative authority. I replied that this was a wholly different matter and one which I thought should not be in any way connected with the present discussion. M. Vogt stuck to his point, however, with some tenacity.

[615 z-1]

industry, prohibition of the killing of cows with their young, stipulations against the wasteful exploitation of carcasses, and other measures of this nature. As regards an international agreement for the regulation of the industry, he anticipated that there would be a good deal of opposition from interests in Norway, who would be anxious to be able to send out free lance expeditions. He touched also on the obvious difficulties in the way of regulating Norwegian and British expeditions and allowing expeditions, entirely unregulated, to proceed under the flags of powers which might not have agreed to any convention that might be concluded between Norway and Great Britain. At the same time he frankly admitted that this was a rather narrow view, and that the necessity for controlling whaling, though it might not be urgent at the present moment, would become increasingly so in approaching years, and that the best avenue of approach was through a close Anglo-Norwegian co-operation. He also suggested that the transit duties levied by the Falkland administration on whale oil, though he admitted that out of these revenues the whaling industry profitted very largely, would nevertheless provoke a good deal of criticism in Norwegian circles.

I am, etc.,

(For Lord Cushendun)

(Sd) R.H.Campbell.

popular interest and enthusiasm that it would never be possible for them to haul that flag down again.

5. Dealing with the territorial aspect of the matter, the Minister pointed out that His Majesty's Government had already in the French, an actual neighbour in the Antarctic continent, a fact which Sir R.Lindsay did not dispute. He pointed out that if we failed to reach an agreement otherwise it might be necessary to have recourse to arbitration over Bouvet Island, but thought that this would be unfortunate. He suggested that from the Norwegian side it might be preferred to secure first the recognition of the Norwegian title to Bouvet Island and that agreement on other points might thus be more easily attained. Sir R.Lindsay replied that he was unable to commit himself definitely, but that His Majesty's Government would probably wish to be assured beforehand of their ground in some manner or other.

6. As regards regulations for safeguarding the whaling industry, Monsieur Vogt mentioned that His government had agreed on a law which was to be introduced shortly in the Norwegian Parliament with this object. He did not know whether it would be passed, but he told me that it contemplated a prohibition of Norwegian expeditions from whaling in temperate waters, a limitation of the number of whaling enterprises authorised to pursue the

... industry

3. To sum up it appeared that there were three elements to be considered.

(1) The undoubted desire of His Majesty's Government that no further annexations should be made by other powers in the Antarctic regions.

(2) Their equally strong desire to come to terms with the Norwegian Government for a whaling agreement of a satisfactory nature.

(3) Bouvet Island, a question which might be regarded as separate from the wider issues and perhaps of lesser importance. Sir R.Lindsay said that personally he would be inclined to regard it as an incident which might lead to a settlement of the other two greater questions, and he was authorised to state that His Majesty's Government would have no hesitation in recognising the Norwegian sovereignty of this island if they could be met substantially on the other questions. At the same time Sir R.Lindsay emphasised that he was not putting this down as an absolute condition, but merely desired to indicate the best method of approaching a complex question.

4. The Minister promised to report Sir R.Lindsay's remarks to his government. He did not feel able to give any definite indication as to the probable nature of their reply, but he felt convinced that no Norwegian Government would ever be able to abandon the claim to Bouvet Island, because the hoisting of the Norwegian flag on it had excited so much

popular

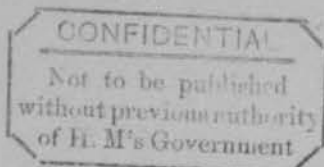
Shackleton expeditions, was the most valuable contribution to the knowledge of these regions that the world at present possessed. Sir R. Lindsay explained that in these circumstances he would be lacking in frankness if he did not say that the preference of the British Government and even more of the Dominions, was that the Empire should have no neighbours at all in the Antarctic or in its adjacent islands.

2. As regards the other aspects, which was commercial, Sir R. Lindsay observed that the only governmental activity interesting itself in the whaling industry of the southern waters was British, and the whaling industry owed a great deal to the control which had hitherto been exercised. This control had always been exercised in an impartial spirit as between British and Norwegian interests, and it was certainly indispensable that some control should continue to be exercised in a wise and well regulated manner, in view of the danger that the whales in the southern seas might in the course of time vanish almost as completely as they had in the northern oceans. His Majesty's Government had, however, no desire whatever to exclude Norwegians from an industry which they had prosecuted with such skill and enterprise, and they would be anxious to come to an agreement with the Norwegian Government as to the best means which could be taken for the further and even more efficient protection of the best interests of the whaling industry.

Copy.

No. 451.

(W 9978/532/50).



FOREIGN OFFICE, S.W.1.,

October 18th, 1928.

Sir,

At Sir R. Lindsay's request the Norwegian Minister called recently to discuss the question of Bouvet Island. Sir R. Lindsay said that whilst His Majesty's Government were anxious to approach this question in a perfectly reasonable spirit, wider issues seemed to be involved than those relating to Bouvet Island alone, and that the two governments were really approaching the discussion of the whole Antarctic question. Of this there were two aspects; the first was political and territorial. Considerations of geography alone, with the British Dominions of South Africa, Australia and New Zealand projecting down towards the Antarctic continent, gave the British Empire a very special interest in the political rights over those areas, particularly in view of the growing disposition of the Dominions to interest themselves in the disposal of Antarctic territories. The justification of the general attitude of Great Britain in this matter was the fact that for many years British administrative activities alone had been exercised in Antarctic waters. Moreover without belittling the admirable Norwegian efforts in the same field, it could not be denied that Great Britain had done the major part of the exploration in the Antarctic and that the scientific work carried out by Great Britain, especially by the Mawson and

Shackleton

A. D. F. Gascoigne, Esq.,
etc., etc., etc.,
Oslo.

PM 103/24

SECRET

UNION OF SOUTH AFRICA
Dominions No. 525
Secret.



Downing Street,
6 November, 1928.

Sir,

With reference to my Secret despatch Dominions No. 488 of the 26th September, regarding the Norwegian claim to Bouvet Island, I have the honour to transmit, for the information of His Majesty's Government in the Union of South Africa, copies of despatches to His Majesty's Representative at Oslo summarizing conversations with the Norwegian Minister in London.

to Mr. Gageoigne
18th Oct.
To -do- 23rd Oct
(2 Copies only)

2. The situation is engaging the consideration of His Majesty's Government in Great Britain and a further communication will be sent on the subject.

to Sir F. Lindley
7th Sept.

3. I take this opportunity to enclose a copy of a despatch from His Majesty's Minister at Oslo regarding the proposed erection of a meteorological station on Bouvet Island.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

1/2 The [Signature]

[Signature]

2 ltr van 24
29. 11. 1928

THE MINISTER OF EXTERNAL AFFAIRS,

UNION OF SOUTH AFRICA - Passed to

The Ass^t Secretary
29. 11. 28
Sec. for Defence
CONSIDERATION
for INFORMATION
DISPOSAL

Date 27 Dec 28 Initials [Signature]

File

Captain Christensen intended to annex territories in the Antarctic, it would be a matter to which His Majesty's Government could not remain indifferent.

3. Monsieur Vogt said that in his previous expeditions Captain Christensen had had authority from the King to annex land which belonged to no power. It was under this authority that he had hoisted the Norwegian flag on Bouvet Island, the Norwegian Government being under the impression that, although the island had been discovered by Captain Norris a hundred years ago, it had never been annexed or regarded as British territory. He thought that Captain Christensen might possibly have the same authority as he had before, but if so he would only be authorised to annex territory not belonging to any other power, or to which no other power laid claim.

I am, etc.

(For Lord Cushendun)

(Sd) G.H.Villiers.

CONFIDENTIAL

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No.400.

FOREIGN OFFICE, S.W.1.

(W 8362/532/50).

19th September, 1928.

Sir,

The Norwegian Minister called recently on Sir R.Lindsay to talk about Bouvet Island. He said that the last step in the negotiations had been a note from the Norwegian Government to which no answer had yet been returned, and he was anxious to resume discussions. Sir R.Lindsay replied that he was not prepared to make any statement on the subject at once, but that he might be in a position to do so in the course of a few days.

2. During some further conversation about Antarctic affairs generally, Monsieur Vogt referred to the expedition of the "Norvegia" under Captain Christensen. He said that he had seen in the Norwegian paper that Captain Christensen intended to instal a wireless station on some island from which he would be able to communicate with his whalers. Monsieur Vogt when passing through Oslo, had referred to this report at the Ministry for Foreign Affairs, and had been informed that the Christensen expedition had no official character whatever. Sir R.Lindsay said that the "Norvegia" expedition excited a certain amount of interest here, and still more in the Dominions, and that if

The Honourable
Sir Francis Lindley, K.C.M.G., C.B.,
etc., etc., etc.,
Oslo.

Captain

Pm. 102/49



UNION OF SOUTH AFRICA
Dominions No. 486
Secret.

Downing Street,

26 September, 1928.

Sir,

With reference to my Secret despatch Dominions No.327 of the 29th June, I have the honour to transmit, for the information of His Majesty's Government in the Union of South Africa, the accompanying copy of a despatch to His Majesty's Minister at Oslo regarding Bouvet Island and the "Norvegia" expedition to the Antarctic.

19th Sept.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

J. Amery

Mr. van Zyl

17.10.1928

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

Passed to *Sec. for Defence*
for CONSIDERATION
INFORMATION
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Date *27/1/28* Initials *25*

File

Copy.

(W 7554/494/50).

No.369.

BRITISH LEGATION,

OSLO,

7th August, 1928.

Sir,

It may be of interest to report in connexion with previous despatches on the subject of whaling in the Antarctic that Professor Hjort has recently published a long article in the principal Norwegian newspapers describing the steps taken and to be taken to examine thoroughly the whole biological and economic aspect of the whaling industry. It is unnecessary to trouble you with the major part of this article, which deals with the investigations carried out in the South Seas by His Majesty's Government and off the Norwegian coast by the Professor himself; but it may be of interest to report what the Professor says regarding the future intentions of the "Norvogia" expedition. The passage in question runs as follows in translation:-

"Next season Mr. Christensen has decided to send the same vessel, "Norvegia" from South Georgia eastward with the object of sailing as far as possible - if conditions permit right round the south polar basin. By sailing eastwards it is hoped to have a following wind, and it may be possible to cover twelve thousand miles during the four months of the Antarctic summer. The vessel will during the voyage attempt at intervals to force her way into the ice in order to search for appearances of whales and to collect material to illustrate the existence of whale food. The vessel will have on board an assistant from Oslo capable of making collections, and he is at the present time being instructed for his journey at the Biological Laboratory of the University. It will hardly be possible to expect more from this voyage than preliminary investigation which may serve to point the way to the solution of two great questions as to whether the stock of whales in reality extends all along the edge of the ice, and where and how further investigations are to be organised.

I have etc.,

(Sd) F.O. LINDLEY.

The Right Honourable

Sir Austen Chamberlain, K.G., M.P.,

His Majesty's Principal Secretary of State

for Foreign Affairs,

etc., etc., etc.

Copy.

(W 7306/7606/50).

No. 573.

British Legation,

O S L O.

11th August, 1928.

My Lord,

I have the honour to report that the following Order in Council was published last night:

"By virtue of paragraph 17 of the Constitution a provisional regulation was promulgated to-day in the Royal Council:

"(1) It is forbidden to catch, hunt, shoot or kill fur seals, or to assist in doing so, whether on Norwegian territory or not.

"(2) A breach of this prohibition will be punished with a fine or imprisonment up to six months; the catch or its value may in whole or in part be confiscated for the benefit of the Treasury and the same applies to the vessel or its value in part or in whole.

"(3) This regulation comes into force immediately."

2. The newspapers this morning state that the above Order in Council has been passed in order to protect the stock of fur seals supposed to exist on Bouvet Island; but it will be observed that the wording of the Order carefully abstains from mentioning the name of this disputed area, to which reference was last made in Sir Austen Chamberlain's despatch No. 248 (W 5214/532/50) of the 7th June last.

I have etc.,

(Signed) F.O. Lindley.

The Right Honourable

The Lord Cushendun.

P.M. 103/34



UNION OF SOUTH AFRICA

Dominions No. 434

Secret

Downing Street,

29 August, 1928.

Sir,

With reference to my Secret despatch Dominions No.327 of the 29th June, I have the honour to transmit, for the information of His Majesty's Government in the Union of South Africa, the accompanying copy of a despatch from His Majesty's Representative at Oslo reporting the publication of a Norwegian Order in Council prohibiting sealing.

No.373.11.8.28.

No.369 7.8.28.

2. I take this opportunity to enclose also a copy of a despatch from His Majesty's Representative at Oslo regarding the future intentions of the "Norvegia" expedition to the Antarctic.

I have the honour to be,

Sir,

Your most obedient,
humble servant,

J. A. Amery

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

Mr. L. G. ...

Passed to *Sec. for Defense* 21.9.1928
for CONSIDERATION
INFORMATION
DISPOSAL

Date *24/8/28* Initials *25* *File*

No.248.

(W 5214/532/50)

FOREIGN OFFICE, S.W.1.

7th June, 1928.

Sir,

With reference to your despatch No.251 of May 15th ed
I have to inform you that His Majesty's Government much ice
appreciate the offer which Mr. Rasmussen has made to forego
the concession which he has obtained in respect of Bouvet ere
Island if thereby a friendly settlement of the question ave
of the sovereignty over that island may be facilitated. red,
His Majesty's Government think it unnecessary, however, to co
take advantage at present of Mr. Rasmussen's readiness to in
embody his offer in a formal letter. 's
of

2. I shall be glad if you will inform Mr. Rasmussen
accordingly.

I am, with great truth and regard,

Sir,

Your obedient Servant,

(For the Secretary of State)

(Signed) G.H. VILLIERS.

The Honourable,

Sir Francis Lindley, K.C.M.G., C.B.,

etc., etc., etc.,

Oslo.

D 21961 - 26 F H

His Majesty's Principal Secretary of State
for Foreign Affairs,
etc., etc., etc.

D 21961-61 F H

COPY.
(T 4758/532/50)

No. 25.

IMMEDIATE

BRITISH LEGATION,

OSLO.

15th May, 1928.

Sir,

I have the honour to report that Professor Hjort called on me this morning in order to give me a message from Mr. Rasmussen, who is the holder of the concession granted by the Colonial Office in respect of Bouvet Island. The Professor began by explaining that Mr. Rasmussen was still ill or he would have called on me himself. In Mr. Rasmussen's opinion it would be in the best interests of the Norwegian whaling industry if Bouvet Island were British, and he hoped that the outcome of the dispute would leave the island in British hands. At the same time, he did not wish his concession to afford any obstacle to a friendly settlement between the two Governments; and he was prepared, if I so desired, to write me a letter to this effect. There was another point to which Mr. Rasmussen attached importance. If the island should remain British, he was quite certain to be violently attacked in the newspapers for having applied for the concession, and he thought that in those circumstances it would only be fair if he were entitled to make known his action in notifying His Majesty's Government to the effect that he did not desire that the grant of the concession to him should stand in the way of a settlement.

2. I requested Professor Hjort to thank Mr. Rasmussen for his very disinterested and publicminded attitude, which I was sure would be much appreciated by my Government. I was not in a position to say how the dispute would end, and I did not think it was necessary for Mr. Rasmussen to write me a formal letter until I had reported the matter to you, which I would do at once. As regards the second point made by Mr. Rasmussen, it seemed to me clear that, if he were attacked on account of his application for a concession, he was fully entitled to defend himself by making it known that he had been ready to withdraw from the field. I hoped, however, that the contingency would not arise.

3. I should be grateful if you would inform me whether you wish Mr. Rasmussen to address a letter either to me or to the Colonial Office offering to withdraw his claim to a concession in order to facilitate a settlement. The Colonial Office will no doubt take into consideration the question as to whether they should grant any ex gratise compensation to Mr. Rasmussen.

I have, etc.,
(Sd.) F.O. Lindley.

The Right Honourable
Sir Austen Chamberlain, K.G., M.P.,
His Majesty's Principal Secretary of State
for Foreign Affairs,
etc., etc., etc.

As previously referred to, the master of the "Norvegia" was duly authorized by the Norwegian Government to take unoccupied lands in possession on behalf of Norway, and the subsequent occupation of Bouvet Island was formally ratified by a Norwegian Royal Decree whereby the Ministry of Justice was also empowered to take steps concerning the establishment of a police authority for the island. Apart from these measures, the master of the "Norvegia", during a stay of one month on and near Bouvet Island, carried on sealing and whaling operations there, while the scientists belonging to the expedition made extensive scientific studies of the island and the waters surrounding the same, the results of which studies will accrue to the world at large.

I am instructed by my Government to inform you that in view of the above they consider the occupation of Bouvet Island by Norway to be valid, that this also applies to the rights acquired by Mr. Christensen, and that they are of opinion that the Norwegian title to the island is securely founded in international law.

(Signed) E. VOGT.

With regard to Bouvet Island, however, the existence of what was considered to be a British title was not, with the sole exception mentioned above, disclosed so that even British writers of authority have remained unaware of the matter.

My Government are strongly of the opinion that even if the act performed by Captain Norris in 1825 had given Great Britain an inchoate title to the island, this title would have become invalid owing to the fact that Great Britain, as above shown, allowed a period of about a hundred years to pass before manifesting that they considered such title to exist. My Government have had an opportunity of inspecting a map of the Antarctic, printed by the Hydrographic Office of the Admiralty, June 1839, and which belonged to Sir J.D. Hooker, who as assistant surgeon accompanied Sir J.C. Ross in the "Erebus" during the expedition in question. On this chart Bouvet Island is marked with a question mark, while Liverpool Island and Thompson Island are not entered at all. This seems to indicate, therefore, that the Hydrographic Office in 1839, 14 years after Norris's visit, was not aware of this visit. The further fact of the Admiralty Sailing Directions containing no record thereof until 1905 (after "Valdivia" a rediscovery of Bouvet Island) appears to afford additional evidence that the British Government had not taken any steps necessary to maintain any rights which they conceivably might have had in connection with the island. Prominent British writers on international law agree that an inchoate title cannot for an indefinite time constitute a bar to the occupation by another state. Thus, Hall writes (op.cit.p.102) that "An inchoate title acts as a temporary bar to occupation by another state, but it must either be converted into a definite title within reasonable time..... or it must at least be kept alive by repeated local acts showing an intention of continual claim". The same opinion is held by Westlake ("Chapters on the Principles of International Law", 1894, p.163-165), Cobbett (op.cit., p.110), and Oppenheim ("International Law", 3rd Edition, Vol.I., p.386). According to Westlake ("Le Conflit Anglo-portugais" in "Revue de Droit International et de Législation Comparée", 1893, p. 66) Lord Salisbury stated in 1869 in connection with the dispute then existing between Great Britain and Portugal i.a. the following: "Mais jamais l'annexion d'un territoire par écrit ne peut barrer le chemin aux autres nations, si aucune intention de l'occuper réellement n'a été manifestée et que, pendant des siècles, on n'ait pas mis en oeuvre la souveraineté réclamée". The British Government acted in analogy with this principle when including, a few years ago, in the Falkland Islands Dependencies i.a. Terre Louis Philippe and Joinville Isle discovered and occupied by the French Commandant Dumont d'Urville in 1838 on behalf of the French Government, the French title of these areas apparently not having been maintained. Great Britain has also in relation to the United States of America in various cases respecting the sovereignty of certain guano islands at different occasions refused to recognise occupations which had not effectively been maintained by the occupier. This applies i.a. to Christmas Island and Johnson Island (J.B. Moore: "A Digest of International Law", Washington 1906, Vol.I, p.572, 575).

appear from the work by Sir R. Phillimore referred to above, of which the following is an excerpt (p. 320) : "In the various discussions which took place between the United States and Great Britain with respect to the right of the Oregon Territory, the title resulting from discovery was attempted to be pushed far beyond the limits of this doctrine, even to the extent of maintaining that the first discovery by an uncommissioned merchant-ship gave priority to the claims of America upon these regions. But such a position appears opposed to all authorities upon International Law, and it was steadily denied by Great Britain". The same principle has also been referred to by Hall (op.cit., p.110) and Smith ("International Law", 5th Edition, p.102). Another instance of the British Government themselves upholding this practice appears to be that of the South Shetland Islands; these were taken possession of in 1819 by the sealer W. Smith (Dr. H.R. Mill: "The Siege of the South Pole", p. 95, and "Report of the Interdepartmental Committee on Research and Development in the Dependencies of the Falkland Islands", 1920, p.2), and again by Mr. E. Bransfield in 1820 ("South America Pilot", Part II, Eleventh Edition, Supplement No.9, p.31). In Sir Edward Grey's note of April 30th, 1907, to Dr. Nansen, reference was made to this matter, and to the fact of Captain Heddell's visit to these islands in 1820-1823, while the note adds that "none of these seems to have taken formal possession of the islands". The note, on the other hand, states explicitly that "the British claim to the South Shetlands rests on the fact that Captain Foster of His Majesty's Ship "Chanticleer" took formal possession of the lands about the islands on January 7th, 1829, landing at Cape Possession, Hoseason Island, and that Sir John Ross landed on Cockburn Island in the South Shetlands group on January 6th, 1843, and took formal possession of this and contiguous lands". The foregoing would indicate that the British Government do not appear to have considered as conclusive the unauthorised and informal acts performed by Captain Smith and Mr. Bransfield. In this connection I am to say that my Government are unaware of any evidence showing that Captain Norris ever was authorised by the British Government to occupy land, nor does it appear that the unauthorised and informal act of occupation performed by him was afterwards, within a reasonable period, ratified by the British Government.

I am further to draw attention to the fact that apparently the British Government took no steps in order to make the occupation known. British authorities on international law agree that the acquisition of an inchoate title is subject to the occupation being notified in some way or another. I am aware, from Sir. E. Grey's note of April 30th, 1907, to Dr. Nansen, that it is not the practice of the British Government to notify to Foreign Governments additions to British territory made by annexation, occupation or otherwise. My Government understand, however, that for administrative and practical reasons it has been the practice also of the British Government to make known officially additions to British territory, as it was done in the case of the Falkland Islands Dependencies and the Ross Dependency.

The chronology of the narrative would seem to indicate that it was Thompson Island on which the landing took place. As stated by Sir Austen Chamberlain in the House of Commons on February 20th, 1928, there does not appear to be any ground for questioning the existence of the latter island.

While my Government have later become aware that an existing facsimile of the said log-book includes entries also for December 14th and 15th, 1825, indicating that it was Liverpool Island rather than Thompson Island on which Captain Norris landed, they are somewhat puzzled by the circumstance that Sir James Clark Ross apparently had access to the original log-book of the "Sprightly". In the book describing his voyages (Vol. II, page 371) he thus states: "The log-book of the Sprightly, Captain Norris, is now before me, from which I quote the following passages": etc. It seems reasonable to assume that Sir James Ross himself must have been aware of the conclusion to which his quotations must inevitably lead.

I am also desired to say that even if it were established that Captain Norris in 1825 took possession of Liverpool Island (Bouvet Island) for Great Britain, this cannot be considered as conveying a valid British title to the island. It is a universally recognised maxim of international law, acknowledged also at the time of Captain Norris's landing more than a hundred years ago, that a state in order to acquire sovereignty over unoccupied territory must in fact take possession of such territory, and that the possession must be effective, a purely formal act not being sufficient. This maxim has been consistently upheld by modern as well as earlier British authorities on international law.

Thus, Sir Robert Phillimore says in "Commentaries upon International Law" (Vol. I, Third Edition, 1879) p.349, that "it may . . . be considered as a maxim of International Law, that Discovery alone, though accompanied by the erection of some symbol of sovereignty, if unaccompanied by acts of a de facto possession, does not constitute a national acquisition". The British Government themselves took the same stand in connection with the dispute between Great Britain and Spain relative to the subject of Nootka Sound. (Phillimore, op.cit., p.350).

While, naturally, it would not be reasonable to make the same demands as to the effectivity of the occupation of lands in the Arctic and Antarctic regions as in other and more hospitable parts of the world, it is generally admitted that also in Arctic and Antarctic regions the occupation must be something more than a matter of form in order to create a valid basis for an acquisition of sovereignty.

My Government further desire me to add that it appears to be at variance with British practice to base a claim of sovereignty on informal acts of occupation made by unauthorised persons unless such occupation has afterwards been confirmed or ratified by the Government. This principle is lucidly stated by prominent British authors on international law such as Phillimore (op.cit., p.329), Hall ("A Treatise on International Law", 5th Edition, p. 102-103), and Cobbett ("Leading Cases on International Law", 4th Edition, I, p.110), while the British Government themselves have put this principle in practice, as will

British flag on it and took possession of the island in the name of His Majesty King George IV. You further stated that the British Government consider the title thus acquired by them by virtue of occupation in 1825 to be valid, and that its existence must be generally known, since it is referred to in the 1905 Supplement of the 1901 edition of the "Africa Pilot", Part II, published by the Admiralty.

I am instructed by my Government to inform you that they were not aware that the British Government maintained that there existed a valid British title to this island. A search of the literature available had failed to disclose that Bouvet Island was considered to be British. Thus the "Encyclopaedia Britannica" (eleventh edition) does not contain any confirmation hereof. The British geographer Dr. R.N. Hudmose Brown states on p. 179 of his book "The Polar Regions" (London 1927) that Bouvet Island is unclaimed, also that Thompson Island is unclaimed, and adds that Captain Norris claimed Liverpool Island (which Dr. Brown believes to be identical with Bouvet Island) without authority for Britain. "The Times Atlas of the World" (1920) does not bear any indication to the effect that Bouvet Island was considered to be British. The same applies to The Statesman's Yearbook and other British publications of standing.

The sole exception in this respect is, as far as the Norwegian Government are aware, the said Supplement to the "Africa Pilot", to which their attention was drawn by your note of February 15th, 1928.

I am further desired to say that there does not seem to exist any conclusive proof to the effect that Liverpool Island, as described by Captain Norris is identical with Bouvet Island. The extent of Liverpool Island, according to Captain Norris as quoted by Sir James Ross, is much larger than that of Bouvet Island, while the position of Captain Norris's Liverpool Island also differs not a little from the position of Bouvet Island, as determined by the "Valdivia", the "Meteor" and the "Norvegia". The British Admiralty apparently were of this opinion when issuing the 1905 Supplement to the "Africa Pilot", Part II, 1901 edition, having evidently found that the island rediscovered by the "Valdivia" in 1898 did not correspond in extent or description with either of the islands seen by Norris. The Admiralty therefore seem to have taken it for granted that "Valdivia's" island was identical with the island seen by Lindsay in 1808, and that the position of Liverpool Island must be considered uncertain. Even assuming, however, that Liverpool Island and Bouvet Island are identical, it does not from the material at hand appear to be conclusively established that Captain Norris in 1825 landed on Liverpool Island. Sir James G. Ross does not state on which island Captain Norris landed; he quotes an extract from the "Sprightly's" log-book to the effect that Norris sighted Liverpool Island on December 10th, 1825, and Thompson Island on December 13th; the narrative then goes on to say that a landing on "the island" was made on December 16th.

COFY.

(W 3978/532/50)

No. 44/1928.

NORWEGIAN LEGATION,

LONDON,

April 23rd, 1928.

Sir,

In my note of January 19th, 1928, I had the honour to inform you that on August 31st, 1927, my Government authorised Mr. Lars Christensen of Sandefjord to take possession on behalf of Norway of any new land that might be found in the course of the expedition of the "Norvegia" to the South Atlantic. The authorisation explicitly referred to land which had not previously in due form been occupied by any other Government. I was further instructed to inform you in my said note that the master of the "Norvegia" landed on Bouvet Island on December 1st, 1927, occupied it for Norway, placed a depot there, and hoisted the Norwegian flag.

I may say in this connection that replying to an enquiry from the Norwegian Whaling Association (of which Mr. Christensen is the vice-chairman and Mr. Johan Rasmussen the chairman), the Norwegian Minister for Foreign Affairs stated in a letter of April 6th, 1927, to the said Association i.a. that it did not appear from the records available that Bouvet Island had been annexed by any nation.

I am also desired to draw attention to the note, dated February 13th, 1928, in which Sir Francis Lindley advised the then Minister for Foreign Affairs, Professor Bull, that the British Government had deemed it desirable, in view of the authority given to the master of the "Norvegia" to hoist the Norwegian flag on any lands which he considered to belong to no other power, to remind the Norwegian Government of the discussions in regard to the Antarctic regions which took place at the Imperial Conference held in London in 1926. Sir Francis Lindley at the same time transmitted to my Government a copy of the published Summary of Proceedings from the said Conference, containing an account of these discussions, and a list of those areas in the Antarctic to which a British title was considered already to exist by virtue of discovery. Bouvet Island was not included in this list. While my Government were aware that no British title to Bouvet Island existed by virtue of discovery, and that there was consequently no reason why Bouvet Island should be referred to in the said list, they were nevertheless inclined to interpret Sir Francis Lindley's note to the effect that the British Government had no observations to offer in connection with the occupation of Bouvet Island on behalf of Norway.

In your note of February 15th, 1928, you advised me that Bouvet Island on December 16th, 1825, was visited by Captain Norris, who hoisted the

The Right Honourable
Sir Austin Chamberlain, K.G., P.C.,
etc., etc., etc.

1.

Pub. 103/14



UNION OF SOUTH AFRICA.

Dominions No. 327

SECRET.

Downing Street,

20 June, 1928.

Sir,

With reference to my Secret despatch Dominions No. 223 of the 30th April, I have the honour to transmit, for the information of His Majesty's Government in the Union of South Africa, the accompanying copy of a Note from the Norwegian Minister regarding Bouvet Island.

Fr. Norwegian Min. 23rd April.

Healey
JHB

2. I have to state that the questions raised in the Note are at present receiving the consideration of His Majesty's Government in Great Britain, and that a further communication on the subject will be sent in due course.

Fr. H.M. Min., Oslo, No. 251, 15th May.

To do.
No. 248, 7th June.

3. I take this opportunity to enclose a copy of a despatch from His Majesty's Minister at Oslo, together with a copy of the reply returned thereto, relative to the concession granted to Mr. Rasmussen in respect of Bouvet Island.

I have the honour to be,

Sir,

Your most obedient
humble servant,

As Amery

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

W. O. Ryan
26.7.1928
Presented to Sec. for Defence

for INFORMATION
DISPOSED

Date 28/8/28 Initials 25

DP 33

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VT/AC.

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P.M. 103/3.

SECRET.

CAPE TOWN. 1928.

26th May, 1928.

Sir,

With reference to my Despatch No. 1 regarding Trade "A" of the 19th January 1928. I have the honour to report that the Secretary for Defence, Cape Town.

The Secretary for Defence,

Cape Town.

In continuation of my Minute of the

29th March, 1928, I forward herewith, for your information, copy of a Despatch from His Majesty's Minister at Oslo, dated the 12th March, 1928, regarding Bouvet Island and also a copy of Sir F. Lindley's Despatch of the 8th March regarding Norwegian Activities in the Antarctic, which is referred to in his Despatch of the 12th March, 1928.

J. G. G. G.

SECRETARY FOR EXTERNAL AFFAIRS.

J. G. G. G.

The Right Honourable
Sir Austen Chamberlain, K.C., M.P.,
His Majesty's Principal Secretary of State
for Foreign Affairs,
etc., etc., etc.

COPY
N 2714/532/50.

(W 2714/532/50.)

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British Legation,

OSLO.

8th March, 1928.

Sir,

With reference to my despatch No.1 Overseas Trade "A" of the 18th January last, I have the honour to report that the Storting yesterday adopted a resolution setting up a council to be known as the "Svalbardog Ishavenesraad" (Spitsbergen and Ice Seas Council). It will be observed that the name has been slightly changed since my above-mentioned despatch was written, and this change denotes that the new Council will interest itself not only in Spitsbergen and the North, but also in the Antarctic Ocean. This extension of the activities of the Council came in for some criticism during the course of the debate in the Storting - members of the Right pointing out that the political complications present in the Antarctic were not questions with which the Council was competent to deal. Nevertheless the proposal was unanimously accepted and the Council was set up.

2. During the course of the debate Mr. Rolf Thommessen, the editor of the "Tidens Tegn" and one of the best friends of Great Britain in this country, expressed the opinion that recent events had shown that the Government had not kept themselves properly informed regarding Antarctic questions. He did not believe that the Norwegian Authorities knew anything about the annexation of Bouvet Island in 1825 when they agreed to the annexation of the island by Norway. Dr. Thommessen admitted that an annexation such as the British had little importance from the point of view of international law, but had there been a Council dealing with the Antarctic it would have been inconceivable that Norway should have been ignorant of the previous annexation, which would have had an important bearing on the treatment of the subject. In the official German work, published as a result of the Waldivia Expedition in 1924, there was a detailed description of the discovery and re-discovery of Bouvet Island and an authentic account of the whole incident of the British annexation of 1825.

I have etc.,

(Signed) F.O. LINDLEY.

The Right Honourable

Sir Austen Chamberlain K.G., M.P.,
His Majesty's Principal Secretary of State
for Foreign Affairs,
etc., etc., etc.

24/4/28.

3. I replied that it seemed to me that the Norwegian Government might, without too great difficulty or loss of prestige, explain to the public here that, when they had agreed to the annexation of Bouvet Island, they had been totally unaware of the British claim and of the fact that the British Government had granted a concession in respect of the island to a Norwegian subject. As a matter of fact had the Norwegian Government been aware of these two facts, they would presumably not have annexed the island; and I could not see anything derogatory in the line of action I suggested. Moreover, it must be remembered that, though His Majesty's Government made no use of the island for over a hundred years after they annexed it, they began their negotiations with Mr. Rasmussen for a concession a good many months before the "Norvegia" hoisted the Norwegian flag; and the initiation of such negotiations showed that the British Government were prepared to make use of the islands as soon as circumstances were favourable. Had the "Norvegia" arrived at Bouvet a short time later, there would have been no doubt that the British claim would have been quite unassailable.

4. Mr. Vogt replied that there was one great difficulty which the Norwegian Government would have to face if they took the line I suggested. This difficulty lay in the fact that Captain Sverdrup had hoisted the Norwegian flag on certain islands lying to the north of Canada only twenty years ago, and that the Norwegian title to these islands had never been recognised by the Canadian Government. For the last two or three years the Norwegian Consul-General in Montreal had been trying to elucidate from that Government a definite reply regarding the Norwegian claim, but up to now he had been entirely unsuccessful. If the Norwegian Government were to give up their claim to Captain Sverdrup's discoveries, which had only been made twenty years ago, on the ground that they had not been utilised since the Norwegian flag was hoisted, it was difficult for them to act in precisely the opposite manner in the Antarctic and admit a claim on the plea of prior discovery when more than a hundred years had passed without that discovery being put to any practical use. I replied that I quite understood the difficulty to which Mr. Vogt referred, but I did not think an isolated island in the Antarctic could be treated on all fours with islands which might be said to belong geographically to the mainland of which the Canadian Government was in undisputed possession.

5. Mr. Vogt is returning to London on the 17th instant and will no doubt, by that time, be in full possession of his Government's views.

I have etc.,

(Signed) F.O. LINDLEY.

COPY

No. 15

(W 28/32/50)

CONFIDENTIAL

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British Legation,

O S L O.

12th March, 1928.

Sir,

With reference to my despatch No. 146 of the 8th instant I have the honour to report that Mr. Vogt, Norwegian Minister in London, called on me this morning and soon turned the conversation to the subject of Bouvet Island. He began by asking me whether I had received an account of his last interview with you (see your despatch W 1898/532/50 of the 28th ultimo), in which you had expressed yourself somewhat forcibly regarding the action of the Norwegian Government in proceeding to annex Bouvet Island without consulting His Majesty's Government, in whose name the island had been annexed more than a hundred years ago. Mr. Vogt assured me with great earnestness that the Norwegian Government had no knowledge of the previous British annexation when they sanctioned the action of the Captain of the "Norvegia" in hoisting the Norwegian flag on the island. He had himself searched every atlas in the British Museum and had not found one in which the island was marked as British. He was sure that the Norwegian Government, in their eventual reply to your note of the 15th ultimo, would make it perfectly clear that they had acted in all good faith and without the slightest intention of going behind our backs.

2. Mr. Vogt then asked me whether I had any suggestion to make for solving the dispute. I replied that my Government considered that it was for the Norwegian Government, if they were not satisfied with the present state of the matter, to reply to the last British communication. But it seemed to me that whether the sovereignty of the island is vested in King George or King Haakon, the Norwegian whaling industry had, by virtue of the concession granted to Mr. Rasmussen, already obtained all the practical advantages attaching to the island. Mr. Vogt did not demur to this statement, but added that Mr. Rasmussen's concession being an exclusive one, his rivals in the industry would be sure to complain of being excluded. He himself was very averse to applying such heavy machinery as that provided by arbitration at the Hague or by an appeal to the League of Nations for settling a dispute of such insignificant practical importance as that involved in the question of Bouvet Island; but he was very doubtful whether his Government, after having officially annexed the island, would feel able to withdraw their claim to it. He had been turning over in his mind the possibility of the two Governments submitting the case to the opinion of some independent jurist whose impartiality could be depended upon and whose verdict might be accepted by both sides without the formalities of a regular arbitration case.

The Right Honourable
Sir Austen Chamberlain, K.G., M.P.,
etc., etc., etc.

His Majesty's Principal Secretary of State
for Foreign Affairs.

/3.

24/4/28.

DUPLICATE



UNION OF SOUTH AFRICA

Dominions No. 223

Secret.

Downing Street,

30 April, 1928.

SECRET

Sir,

With reference to my Secret despatch Dominions No. 146 of the 21st March, I have the honour to transmit, for the information of His Majesty's Government in the Union of South Africa, the accompanying copy of a despatch from His Majesty's Minister at Oslo regarding Bouvet Island.

12th March

8th March

2. I enclose also a copy of Sir F. Lindley's despatch of the 8th March regarding Norwegian activities in the Antarctic, which is referred to in his despatch of the 12th March.

I have the honour to be,

Sir,

Your most obedient,
humble servant,

(Signed) L. S. AMERY

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

P.M. 103/14



UNION OF SOUTH AFRICA

Dominions No. 223

Secret.

Downing Street,

30 April, 1928.

SECRET

Sir,

With reference to my Secret despatch Dominions No.146 of the 21st March, I have the honour to transmit, for the information of His Majesty's Government in the Union of South Africa, the accompanying copy of a despatch from His Majesty's Minister at Oslo regarding Bouvet Island.

12th March

2. I enclose also a copy of Sir F. Lindley's despatch of the 8th March regarding Norwegian activities in the Antarctic, which is referred to in his despatch of the 12th March.

8th March

I have the honour to be,

Sir,

Your most obedient,
humble servant,

As Amery

The Secretary
ASB

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

Amery
M. S. F.

HVT/AC.

P.M. 103/3.

CAPE TOWN.

13th April, 1928.

The Director of Irrigation,
Cape Town.

I forward herewith, for your information, copy of a Despatch from His Majesty's Minister at Oslo regarding the proposed erection of a meteorological station on Bouvet Island.

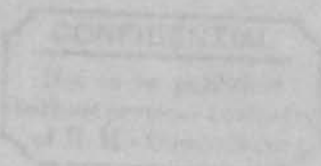
[Signature]
SECRETARY FOR EXTERNAL AFFAIRS.

7

We asked Sub-Director Foyz in the Meteorological Institute to express an opinion as regards the importance of Consul Christensen's action. For meteorologists, says Mr. Foyz, it is of extraordinarily great importance to obtain an extension of the weather report, especially in this part of the world, where the distance between stations is, and must necessarily be, great, as the result of the enormous stretches of sea. The Bouvet Station will be specially useful in making observations connected with current, ice and temperature conditions, and not least regarding the irregularities in the strong west wind, which continually blows there. There can scarcely be any doubt that these data will have great importance, not only for shipping and whaling, but also for such purposes as weather forecasts in South Africa and in South America. Their scientific value would be immensely increased if the station could be worked the whole year round, since winter conditions in these regions are very little known.

As far as we understand Consul Christensen desires to keep the station going the whole year round, if this is possible, and the Meteorological Institute has promised all the support possible.

COPI



TRANSLATION.

The isolated situation of Bouvet Island long ago attracted the attention of meteorologists as an ideal spot for a weather station. The well-known Scottish scientist, R.G. Hoessman, the meteorologist, perhaps the greatest expert in Europe regarding studies of meteorological conditions in the Antarctic regions, thus points out in a report which was published in 1920 by an English inter departmental committee that it would be particularly desirable to have a meteorological station on Bouvet Island. Hoessman lays stress in this connection that South Africa, India, Australia and New Zealand ought to cooperate to put up such stations on Bouvet, Crozet, Kerguelen, etc. in connection with the stations in the Falklands area. Mr. Hoessman can hardly have anticipated that it would be Norwegians who would take the first step to realize this plan. But so it is, since Consul Lars Christensen has decided to set up a wireless meteorological station on Bouvet Island. Consul Christensen will himself pay all expenses both for setting up and carrying on the station which will be of the greatest importance for the Norwegian whaling industry in the Antarctic.

This is initiated a new chapter in the glorious story which began with the occupation of the Island by Consul Christensen's people. To speak more accurately the story began when his father, Captain Christensen sent out the "Jason" about thirty-five years ago; and let "Admiralen", the first modern whale boiling ship.

The Ministry of Foreign Affairs of Norway
for Foreign Affairs

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(W.1606/332/50).

BRITISH LEGATION,

C S I O.

No.101.

15th February, 1928.

Sir,

With reference to my telegram No.9 of today's date, I have the honour to transmit herewith a translation of the article in the "Norwegian Journal of Commerce and Shipping" regarding Bouvet Island, which formed the subject of that telegram.

I have etc.

(sgd) F.O.LINDLEY.

The Right Honourable,

Sir Austen Chamberlain, K.G., M.P.

His Majesty's Principal Secretary of State
for Foreign Affairs,
etc. etc. etc.

PM. 103/74



UNION OF SOUTH AFRICA

Dominions No. 146

SECRET

Downing Street,

21 March, 1928.

Sir,

With reference to my Secret despatch Dominions No. 114 of the 7th March, I have the honour to transmit, for the information of His Majesty's Government in the Union of South Africa, the accompanying copy of a despatch from His Majesty's Minister at Oslo regarding the proposed erection of a meteorological station on Bouvet Island.

15th February.

I have the honour to be,

Sir,

Your most obedient

humble servant,

J. Amery

*The Secretary
Mr. Bannell,
Copy to the printer
11.4.28.*

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

Mr van Dyke

VT/AC.

P.M. 103/3.

TRANSLATION.

THE NORWEGIAN MINISTRY
FOR FOREIGN AFFAIRS

SECRET.

CAPE TOWN.

29th March, 1928.

The Secretary for Defence,

Cape Town.

I have the honour to acknowledge with thanks
the receipt of your note of the 15th instant (No. 40),
with enclosures, regarding the "Norvegia" expedition

to the Antarctic. I note that His Britannic Majesty's
With reference to my Minute of
the 19th March, 1928, I forward herewith, for your
information, copy of Despatch No. 114 of the 7th March,
1928, with enclosures, regarding a Norwegian expedition
which is at present visiting the Antarctic, and has
hoisted the Norwegian flag on Bouvet Island.

I took part at the Imperial Conference in London in 1925,
and to send the Norwegian Government a copy of the
"Summary of Proceedings" of that conference, which
publication contains a list of the regions in the Antarctic

M. S. Evans

SECRETARY FOR EXTERNAL AFFAIRS.

regions in the Antarctic which the British Government
consider as being under British sovereignty. I further
remark that the British Government is in this
opinion as to the right of sovereignty arising
in a result of the fact that the expedition might
claim in support of the existence of a British title
to regions which are shown upon the chart mentioned
above of the Imperial Conference in London, and I shall
not fail to have the expedition made acquainted therewith.
I remain, Sir, etc.

For the Minister for Foreign Affairs

(Sd) A. S. L. A. W. S.

The Honourable
Sir Francis Lindley,
M.P., Minister,
etc., etc., etc.

TRANSLATION.

THE ROYAL NORWEGIAN MINISTRY
FOR FOREIGN AFFAIRS.

OSLO,

15th February, 1928.

Monsieur le Ministre,

I have the honour to acknowledge with thanks the receipt of your Note of the 13th instant (No.45), with enclosures, regarding the "Norvegia" expedition to the Antarctic. I note that His Britannic Majesty's Government, in connection with the authority which the Norwegian Government have given to the Captain of the "Norvegia" expedition to take in possession in the name of the King of Norway any land not hitherto occupied, have deemed it desirable to remind the Norwegian Government of the discussions in regard to those regions which took place at the Imperial Conference in London in 1926, and to send the Norwegian Government a copy of the "Summary of Proceedings" of that Conference, which publication contains on pages 33 to 34 a list of the regions in the Antarctic which the British Government consider as coming under British sovereignty. I further remark that the British Government's motive in this connection is to avoid the risk of complications arising as a result of any acts which the expedition might perform, in ignorance of the existence of a British title to regions which are dealt with in the above mentioned report of the Imperial Conference in London, and I shall not fail to have the expedition made acquainted therewith.

I avail myself, etc.

For the Minister for Foreign Affairs

(Sd) AUG. ESMARCH.

The Honourable
Sir Francis Lindley,
H.B.M. Minister,
etc., etc., etc.

question. The motive of this communication is merely the desire to avoid the risk of complications arising as a result of any acts which may be performed by the expedition in ignorance of the existence of a British title to the areas referred to in the Imperial Conference report.

I avail myself of this opportunity to renew to you, Monsieur le Ministre, the assurance of my highest consideration.

(Signed) F.O.LINDLEY.

Son Excellence

Monsieur le Professeur Edv.Bull,
Ministre des Affaires Etrangères,
Oslo.

Copy.

15.

Enclosure to Sir F. Lindley's despatch No. 99

14/2/1928.

British Legation,

Oslo,

February 13th, 1928.

Monsieur le Ministre,

I have the honour to inform Your Excellency in accordance with instructions received from His Majesty's Principal Secretary of State for Foreign Affairs, that His Majesty's Government, having learnt from the Norwegian Minister in London that the Captain of the "Norvegia" has been authorised, in the course of the present expedition to the Antarctic, to hoist the Norwegian flag on any lands which he considers to belong to no other power, deem it desirable to remind the Norwegian Government of the discussions in regard to those regions which took place at the Imperial Conference held in London in 1926. An account of these discussions is contained in the published Summary of Proceedings, pages 33 and 34, a copy of which I have the honour to transmit to Your Excellency herewith.

2. Sir Austen Chamberlain desires me to inform Your Excellency that nothing is further from the mind of His Majesty's Government than to belittle the objects of the Norwegian Expedition or to restrict their scope; on the contrary, they regard the undertaking as fresh evidence of Norwegian enterprise in the field of exploration and research, and look forward to its results which will be of great value in adding to the stock of scientific knowledge relating to the regions in question

PARLIAMENTARY QUESTION AND ANSWER.

THOMPSON AND BOUVET ISLANDS.

61. Viscount SANDON asked the Secretary of State for Foreign Affairs what information he has as to the existence denied by Norwegian whalers, of the whereabouts of Thompson Island, claimed by this country; and what is the position as to the rival claims of His Majesty's Government and the Norwegian Government to Bouvet Island?

Sir A. CHAMBERLAIN: Thompson Island was first discovered by Captain Norris in December, 1825, and has only once been sighted since by Captain Fuller, an American seaman, in 1893. The island was unsuccessfully searched for in 1898 and in 1926, but in view of Captain Norris's definite statement and the confirmation afforded by Captain Fuller there does not appear to be any ground for questioning its existence, although there is some degree of uncertainty regarding its position. His Majesty's Government have informed the Norwegian Government that they consider the title acquired by virtue of the occupation of Bouvet Island by Captain Norris in 1825 to be valid, and that in the circumstances they must formally reserve all their rights in connection with the island.

Mr. R. HUDSON: May we take it that the information which has been published to the effect that we have surrendered our claim to Bouvet Island is incorrect?

Sir A. CHAMBERLAIN: Yes, Sir. I have given the House the exact statement.