

number of whalers are operating from Union harbours.

The question now arises, whether any steps should be taken by the Union Government to establish a claim to any portion of the Antarctic. The Norwegian Government has always refused to recognize claims by Britain on the sector basis and the Imperial Conference of 1926 decided that it would be preferable to base the claims on effective occupation or discovery, rather than to attempt to maintain the sector basis against the rest of the world. The value of any land discovered in the Antarctic region at the present time may be negligible but in view of the great advance that is being made in aviation, it is possible that land which is now valueless may at no great distant time be of considerable importance.

To establish a sound claim to any land between Enderby Land and Coats Land would involve an expedition. In this connection I attach a file, No. 12/1125, entitled "Proposed South African Antarctic Expedition, 1930-32", which contains a number of letters to the High Commissioner from Capt. E. Mills Joyce. Mr. de Water spoke to me about this correspondence the other day and suggested that I should obtain the file as it might have a bearing upon the discussions in the Imperial Conference on Polar questions. It appears that Capt. Joyce's proposals emanate entirely from himself and that he desires to secure the support of Sir Abe Bailey towards the financing of the expedition. He hopes that if he can secure the active support of Lady Bailey it will be easily possible to obtain the requisite funds from people associated with South Africa. He points out that mechanical transport will not be the least important feature of the expedition. Three aeroplanes will be carried; a big monoplane similar to the one that Admiral Byrd took with him in 1928 and two smaller planes similar to those used by Lady Bailey on her flight

No communication has so far been received from the Norwegian Government with regard to these discoveries but it is anticipated that the claims made by the expedition will be formally confirmed.

On the 14th January, 1929, the *Norwegia* expedition met with the Mawson expedition in latitude $66^{\circ} 22'$ S. and longitude 47° E. This spot is inside the sector assigned to Australia. Captain Lawson of the *Norwegia* was informed that the Australian expedition had already explored and mapped the coast line for hundreds of miles to the East. After some discussion it was decided that the *Norwegia* should confine their efforts to the West of 40th meridian East of Greenwich and that the Mawson expedition would limit themselves to the East of that line.

It is not clear whether any of the 200 miles of land discovered by the *Norwegia* lies within the small sector which could be claimed by South Africa.

In the course of his investigations, Mawson discovered a valuable whaling fishery off the coast of Enderby Land. He was able to inform the British Whaler *Radioline* of this discovery in time for her to participate during last season. It would appear that the *Norwegia* located the whaling ground at the same time. It is obvious that the Norwegians are bent on securing as much land as possible in the Antarctic with a view to consolidating their position in the whale fishery and possibly the establishment of bases from which their ships could work.

In this connection I attach, for your information, a memorandum which has just been issued - E(P) (3) 2 - entitled, "The Regulation of Whaling", and which is intended to act as a warning as to the effect of the growth of Antarctic whaling on the future of the whaling industry. This is a matter of considerable importance to South Africa seeing that such a

between 20 W. Longitude and 45 E. Longitude. This is the sector which lies immediately to the South of the Continent of Africa and it is the portion of the Antarctic in which the Union is principally concerned.

In the course of conversation the other day, the Prime Minister mentioned that in 1926 a sector had been assigned to the Union, but so far I have been unable to trace any reference to this in the papers which are contained in file 50/26 Y. If the sector principle were adopted, the portion which would be assigned to South Africa would be that lying between 15 and 30° East Longitude and which is shown in black lines on the map attached to E.(30) 20.

Since 1926 various expeditions have visited the Antarctic; for instance, the Australian Mawson expedition in 1928, the American expedition under Admiral Byrd in 1928 and Sir Hubert Wilkins' expedition in 1928 visited the other sectors, and the Norwegians sent the Norwegia expedition which was authorized to take possession for Norway of any new land which might be discovered. This expedition planted a Norwegian flag on Bouvet Island which is situated in latitude 54° 26' S. and 3° 24' E. Longitude.

When it was ascertained that this expedition was being prepared, the Government of the United Kingdom advised the Union Government as it was felt that the expedition would visit the sector lying immediately to the South of Africa. The Union Government concurred in the view that in the event of the Norwegian expedition proceeding to explore the sector lying between 20° W. Longitude and 45° E. Longitude and claiming any territory discovered in it for the Norwegian Crown, no grounds existed on which objection could be taken. The Norwegian expedition actually did turn its attention to this sector and discovered two new stretches of territory about 200 miles of coastline, of which formal possession was taken.

POLICY IN THE ANTARCTIC.

The Imperial Conference of 1926 recommended that His Majesty's Government should gradually establish British control over the whole of the Antarctic Continent, apart from those areas to which a good foreign title already existed.

The greater portion of the area was divided into sectors, one of which was assigned to Australia, one to New Zealand, and one to the Falkland Islands.

Considerable progress has been made by the Commonwealth of Australia in demarcating the coast line in the area assigned to it; New Zealand has asserted its rights to its sector by granting whaling licences confined to the limits of their sector. Some steps have been taken towards making it possible to establish a plea of effective occupation in certain parts of the land falling within the sector of the Falkland Islands.

There were two sectors of the Antarctic which had not been explored and which were not definitely assigned to any of the nations of the British Commonwealth. These were -

- (1) The sector between Enderby Land and the Falkland Dependencies;
- (2) The sector between the Falkland Island Dependencies and the Ross Sea Dependencies, that is, the New Zealand sector.

The latter lies between 80 and 150 West Longitude, of this it is proposed to add to the Falkland Island Dependencies sector 15 degrees.

A portion of the remaining area was visited by an American expedition under Admiral Byrd in 1928. It was thought that steps would be taken by America to establish a claim to the land which he discovered and explored but it appears that no steps have been taken towards this end.

As regards the former, i.e., the sector between Enderby Land and the Falkland Island dependencies which lies

between

GERRARD 8121

HOTEL METROPOLE,
LONDON, W.C. 2.

28th October, 1930.

Dear Andrews,

Herewith I return, with thanks, your file No. 12/1125 - Proposed Antarctic Expedition. I also enclose a copy of a Memorandum on the Policy in the Antarctic which I promised the High Commissioner I would forward for his information.

I may transmit to you at a later date further data on this subject.

Yours sincerely,

J. G. G. G.

H.T. Andrews, Esq.,
South Africa House,
73, Strand.

D.H.C. C.M.

To me psc HTR 29/10

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73 STRAND, XXXXXXXXXXXXXXXX

3rd November, 1930.

Dear Mr. Collie,

Very many thanks for your letter of the 28th ultimo, together with my file and your informative memorandum on Policy in the Antarctic, which was read by the High Commissioner with much interest.

A
It will be very much appreciated if you will keep us informed as to what transpires in this connection, so that we shall be able to deal with subsequent representations that may be made here.

Yours sincerely,

H. T. ANDREWS.

Copy
AF 107/1130
117A
Mr. Andrews
J. Collie, Esq.,
Hotel Metropole,
Northumberland Avenue,
London, W. C. 2.

Pol Sec
10/11

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The concensus of informed opinion with regard to future prospects is thus moving rapidly towards the view that the intense whaling of the present day is a grave menace to the industry. The "Discovery" Committee are unanimously of opinion that the matter is one of great urgency and that no effort should be spared to explore the possibility of imposing some limit upon whaling operations.

been successfully carried on in the past, the same results have followed. An initial period of great prosperity has been succeeded, after a certain number of years, by a decline in the catch; and in one locality after another whaling has ceased to be profitable and the industry has collapsed. There is no reason to doubt that what has happened elsewhere, in all cases, will happen in the Antarctic area unless steps can be taken in time to adopt remedial measures.

Having for several years devoted continuous attention to the position in regard to Antarctic Whaling, the "Discovery" Committee have reached the conviction that the near future of the whaling industry is gravely menaced by the rapid growth of catching power now in progress. Dr. Kemp, Director of the Committee's Scientific Investigations states that "it is the confirmed opinion of all who have attempted to study the question on scientific lines that hunting at the present rate cannot continue much longer. This also is the opinion of all the more sober-minded members of the whaling community, among whom speculation as to the number of years that the industry can last is a favourite topic of conversation".

Anxiety on the subject is not confined to biologists. Mr. A. Ingebrigtsen, an experienced whaler, has recently published his own opinion on the subject (Conseil permanent International pour l'Exploration de la Mer, Rapports et Procès-Verbaux, Vol lvi, 1929, pp.25, 26). After giving instances of the decline of the whaling industry in various localities, he concludes as follows :- "The great extension of whaling in the Antarctic will undoubtedly, in

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MEMORANDA PREPARED BY THE "DISCOVERY" COMMITTEE.

I. WARNING AS TO THE EFFECT OF THE GROWTH OF ANTARCTIC WHALING
ON THE FUTURE OF THE WHALING INDUSTRY.

The "Discovery" Committee are seriously concerned with regard to the alarming increase in the magnitude of whaling operations in the Antarctic area. In the season 1925-26 the production of whale-oil, in this region, was about 780,000 barrels. In 1928-29 it had increased to some 1,600,000 barrels; and in 1929-30 to more than 2,500,000 barrels. There is unfortunately no reason to believe that the upward movement has yet reached its maximum.

The growth of the industry has been intimately related with that of the fleet of "pelagic" whalers, particularly during the seasons after 1927-28. Until then the greater part of the catch had been made by Companies working under lease or licence from shore-stations or harbours, where they were subject to certain restrictions. The operations are now conducted, for the most part, by vessels of large size (up to 25,000 tons displacement), equipped as complete floating factories, capable of carrying out all the processes necessary for the production of the oil on board. These "pelagic" whalers, with their attendant "whale-catchers", pursue the whales in the high seas, where the catching power employed is subject to no restriction.

It has long been known to biologists that operations on even a much less extensive scale are likely to have most serious results. In all parts of the world where whaling has

programme will necessarily take many years, and the
interim measures now suggested appear to afford the best
hope of dealing with the situation meanwhile. They are
evidently beset with great difficulties of both an
international and practical character, but if the
industry is to be saved from collapse these difficulties
must be faced.

J. Mitchell Gardner, S.V.S.,
October 10th, 1933.

Only exploration and research can determine exactly which areas would by their closure produce the best effect, and the necessary observations should certainly be pushed forward energetically. Should closure of areas be the course decided upon however, to await the conclusion of these investigations would be to apply the remedy too late for it to exert its proper influence. The enquiries should be continued if necessary after closure.

8. From a practical standpoint it is obvious that if closure is to be sought an area should be selected which is extensive,
is such as to give reason to expect that it contains great numbers of whales,
is not at present intensely hunted, so that vested interests are at a minimum, and
is as remote as possible from well peopled countries whose interest in local development of whaling might be a serious objection to closure.

For all those reasons the area whose closure is indicated appears to be along the ice edge and in its vicinity in that portion of the Antarctic bordering on the Pacific Ocean. Its exact limits are naturally a matter for discussion, but probably to produce the effect desired should not be less than from say 95° to 150° W. Long.

9. It is evidently desirable that conclusions should be reached as to the intensity of whaling that is consistent with the maintenance of the supply of whales and that a satisfactory system of regulation should be worked out for the world's whaling as a whole. To carry out this

- (i) the universal adoption of the licensing system, the number of licenses granted by each country being determined by agreement.
- (ii) the establishment of close seasons, in which whaling is interrupted in certain chosen regions, or
- (iii) the establishment of great reserve areas, in which by common agreement whaling shall not be carried on.

6. The establishment of reserves was discussed in 1929 at the meeting of the International Council for the Exploration of the Sea; and the Committee of Experts mentioned in paragraph 4 considered that the nations whose adhesion to the Convention was desired should be recommended to pursue such investigations as would assist in reaching a conclusion as to the desirability of such closure, and as to the choice of areas suitable for purpose.

7. It is clear that areas whose closure may most usefully be considered are of two kinds:

- (i) For some species of whales, certain tropical and sub-tropical waters, which may be regarded as probable breeding grounds for these species, and/or where small and immature whales are so frequent as to predominate in the catch, and where moreover they are in poor condition
- (ii) Areas in or near the Antarctic, the area near the Antarctic being at present the greatest feeding ground of Blue and Fin whales (the species of greatest commercial importance) and the region of the greatest abundance of these species.

3. Examples of direct restrictions of whaling now in force are the prohibition of killing calves or cows accompanied by calves, and of killing any individuals of certain species, which are contained in both the Falkland Islands Regulations and the Norwegian Law referred to, and in part in certain regulations elsewhere. A far more important restriction, however, is the limitation of catching power enforced on the licensed companies working in the Falkland Islands Dependencies by the limitation of the number of whale catchers that may be employed; unfortunately however, the majority of Antarctic whalers, operating pelagically, are not affected by the Falkland Islands or any other licensing system.

4. It is satisfactory to note that a start has been made towards international treatment of the regulation of whaling. The Economic Committee of the League of Nations has proposed that the Council of the League shall transmit to the various Governments for observations a draft of an international convention for the regulation of whaling. This draft, which resembles in its provisions the Norwegian Law and the Falkland Islands Regulations, was based on the recommendation of a Committee of Experts to which nearly all nations engaged in whaling had nominated members.

5. The utility of the measures already in operation, and of those proposed in the draft Convention, is admitted, but their scope is extremely limited. The main problem of adequately protecting the stock of whales has as yet hardly been touched. What the whaling situation needs is a cessation of the growth of catching power or even its diminution, the measures enforcing this to be regarded as provisional in character. The methods by which this can be secured appear to be either:

II. NOTE AS TO POSSIBLE MEASURES FOR THE PRESERVATION OF
THE WHALING INDUSTRY.

1. A thoroughly rational regulation of the whaling industry can be based only on an adequate knowledge of the races of whales pursued, their rates of reproduction and of growth, their migrations and the effect upon the stock of whales of the destruction by whalers. Investigations bearing on these matters have been carried on for many years, and have made progress. From their variety and scope it is inevitable that they are at present far from complete; and if the stock of whales is to be saved from a depletion disastrous to the industry, measures for their preservation must be taken without delay. Such measures should be considered to be of an interim character, to be tightened up or relaxed, modified and improved as the growth of relevant information dictates.

2. Such measures are of two kinds. One attempts to ensure the proper carrying on of the industry by the minimising of waste, the other aims at the direct restriction of whaling within agreed limits. Licensed whaling in the Falkland Islands sector is carried out under regulations which are examples of the first kind, providing as they do that certain parts of the whale in addition to the blubber shall be worked up in all cases, and the Norwegian Law of June 21st, 1929, contains similar provisions. Such regulations have some restrictive effect on the intensity of whaling, since if rigidly enforced they limit the destruction of whales to the number which the factory can treat. Another indirect restriction of whaling is brought about by restriction of the port facilities accorded to whaling vessels, as in Newfoundland.

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2, Hitchall Gardens, S.W.1.,

October 19th, 1930.

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It has long been known to biologists that operations on even a much less extensive scale are likely to have most serious results. In all parts of the world where whaling has

The idea of cession might present greater attractions if there were reason to suppose that in return for the South Orkneys the Argentine Government would be prepared to renounce their claim to the Falkland Islands. The indications are, however, that no Argentine Government could be expected to agree to such a compromise. It has also been suggested that a solution might be found in the cession to the Argentine Government not of the South Orkneys as a whole, but of the small island on which the meteorological observatory maintained by them is situated. It seems unlikely that the Argentine Government would agree to surrender their claim to the group as a whole in return for one island, but the suggestion will be borne in mind for future examination.

Such are the general considerations likely to arise, if and when the question of the South Orkneys again becomes acute. It need only be added that His Majesty's Government in the United Kingdom, while anxious to maintain the friendliest relations with the Argentine, in view of their very extensive commercial interests in that country, fully recognise that any decision of policy in the case of the South Orkneys must depend not only on the particular circumstances prevailing at the time when the question is raised, and on the attitude of the Argentine Government concerning their claim to the Falkland Islands, but also on general considerations of Imperial policy in the Antarctic. It is for this reason that they are anxious that the Committee should be informed of their pro-occupations.

a considerable British population, are of high strategic value and are associated with extensive British fishing and whaling interests, it has been generally recognised that the risks involved in arbitration would be such as could not be justified. If, however, it should be agreed to arbitrate the question of the South Orkneys, it might be difficult to refuse to arbitrate the question of the Falkland Islands. On the other hand, arbitration of the South Orkneys question by itself would not be likely to result in an improvement of relations with the Argentine. If the Argentine Government lost their case, popular resentment might redouble the pressure for the recognition of their claim to the Falkland Islands. If they won, they might only be encouraged to press for arbitration of the Falkland Islands question.

A still more serious objection to arbitration is the effect which the decision of the tribunal might have on British claims elsewhere. The tribunal could scarcely fail, in giving its decision, to enunciate principles of far-reaching importance and the decision itself would tend to become a precedent which might be highly embarrassing.

For these reasons, it has been suggested that voluntary cession should be preferred to arbitration. This suggestion, however, also raises serious difficulties. In the first place it is opposed to the present policy of His Majesty's Governments, agreed upon at the last Imperial Conference and assiduously prosecuted since, to extend and consolidate British influence in the Antarctic. Secondly, it would result in loss of revenue. Thirdly, it would lead to the establishment of an enclave in the whaling area, which would not only run counter to the whole system of British licences, but would introduce many complications into whaling policy and administration.

APPENDIX (A).

THE ARGENTINE CLAIM TO THE SOUTH ORKNEY ISLANDS.

STATEMENT MADE TO THE COMMITTEE BY MR. A. W. A. LEEFER, ON BEHALF
OF THE UNITED KINGDOM.

I have been asked, in passing, to draw the attention of the Committee to the question of the Argentine claim to the South Orkneys which is dealt with in section 6 of the United Kingdom memorandum on the Antarctic. The question is dormant at the moment and we have no doubt that the best policy is to let it remain so as long as possible. Experience has shown, however, that just as the Argentine claim to the Falkland Islands has been cherished and kept alive for close on a hundred years, so the claim to the South Orkneys is unlikely to be abandoned. While, therefore, no immediate decision is required, it may only be a question of time before the issue is once more raised in an acute form.

Various methods suggest themselves for dealing with the South Orkneys question if and when it should become a source of embarrassment in our relations with the Argentine. The first of these is arbitration. There seems to be no doubt that the Argentine Government have a poor legal case and that the chances of success if the question were submitted to arbitration would be in our favour. On the other hand, arbitration presents serious difficulties. In the first place, it must be recognised that politically the question of the South Orkneys is bound up with that of the Falkland Islands. It has always been held that the question of the Falkland Islands should on no account be submitted to arbitration, since in view of the fact that the Islands have been in British possession for nearly a hundred years, support

whereby each vessel should carry a ^{Governmental} police officer on board. Experiments in this direction had already been made in some areas, notably in the Ross Dependency. Other difficulties, both administrative and political, would inevitably arise, but the Committee felt that these must be faced and that in the interests of preserving the whaling industry no opportunity should be lost of urging the imperative necessity for protective action.

21. The Committee were informed that the procedure contemplated by His Majesty's Government in the United Kingdom was that the alternative measures proposed by the "Discovery" Committee should, after further examination, ~~be~~ ^{be} communicated informally to the Norwegian Government with the suggestion that they should be discussed at a conference between representatives of the two countries with a view to determining how far protective action was practicable. The Committee were in entire agreement as to the desirability of approaching the Norwegian Government at the earliest convenient date and expressed their earnest hope that it might be possible, by means of such a conference as that proposed, to bring home to Norwegian opinion the gravity of the present situation and so to prepare the way for the early introduction of remedial measures.

for observations. They observed, however, that while the draft convention was to be welcomed as marking the first stage in the awakening of international interest, and as providing a foundation on which an effective system of control might gradually be built, it could not be regarded as making any substantial contribution to the pressing problem of the limitation of whaling and so fell far short of the urgent requirements of the situation.

19. The Committee agreed, therefore, that no effort should be spared to explore the possibility of imposing some limit upon whaling operations by whatever means may appear most practicable and expeditious. They were unanimously of opinion that the further measures suggested by the "Discovery" Committee merited the closest consideration, and there was general agreement among the Dominion members of the Committee that their Governments would be likely to give full support to any measure for conserving the stock of whales which would commend itself to the Norwegian Government and to His Majesty's Government in the United Kingdom.

20. The Committee appreciated that none of the suggested measures was free from practical difficulties. Moreover, ~~any arrangement with the Norwegian Government alone might be represented as a useless sacrifice~~ so long as other maritime countries were free to engage in whaling without ^{an agreement between such countries} limitation. The ease with which ships could be transferred from one flag to another was another consideration which it would be necessary to take into account. Furthermore, there remained the problem of how restrictive measures could be enforced. There could of course be no question of policing the Antarctic seas by special vessels, but it might be possible to arrange for the general adoption of a system

However in a matter - - - - -

III. WHALING.

15. The Committee had before them two documents prepared by the "Discovery" Committee, the first entitled "Warning as to the effect of the growth of Antarctic Whaling on the future of the whaling industry", and the second "Note as to possible measures for the preservation of the whaling industry". Copies of these documents are annexed. (Appendix B).

16. The Committee, after full discussion, found themselves unanimously in agreement with the view expressed by the "Discovery" Committee that the increase in the magnitude of whaling operations in the Antarctic area was such as gravely to menace the future of the whaling industry and that protective measures were urgently required.

17. On the other hand, the Committee recognised that, since whaling was now largely pelagic, i.e. was conducted by floating factories on the high seas without recourse to shore stations, effective measures of protection could only be introduced by international action. They further recognised that, in view of the fact that Norway had by far the greatest share of the whaling industry and supplied all the skilled personnel, the adherence of the Norwegian Government was essential to the successful prosecution of any proposal for international action.

18. The Committee noted that a draft convention for the international regulation of whaling had recently been prepared under the auspices of the Economic Committee of the League of Nations, and had now, by direction of the Council of the League, been circulated to Governments

opportunity that might arise later for the exploration of this hitherto unexplored sector on behalf of the Empire.

13. The Committee observed that the Argentine claim to the South Orkney Islands, though at present dormant, ^{had not been} ~~was unlikely to be~~ abandoned. They took note of a statement made on behalf of His Majesty's Government in the United Kingdom (Appendix ^A ~~B~~) which indicated the general considerations likely to arise if the Argentine claim should again be raised in an acute form, ^B and expressed the hope that His Majesty's Government in the United Kingdom would be able to prevent the question from being seriously pursued by the Argentine Government.

14. Finally, the Committee decided to associate themselves in their Report with the views expressed by the Committee of the Imperial Conference, 1926, which considered British policy in the Antarctic, that discovery ^{to the effect} ~~and annexation, while assisting a claim, did not by~~ themselves constitute a valid title ^{and should be followed} by occupation; that the important element ^{to be decided} in establishing a title by occupation ^{is the control which can be exercised} in the areas; that such control need ^{not} be continuous ^{in the South Polar regions} (which ^{since this world} ~~in the South Polar regions~~ would be impossible) but may be intermittent or periodical, provided however that it attains such effectiveness as is reasonably possible along the coasts of the areas ^{are the subject} to which it is desired to ^{of a claim} secure title, whether those coasts consist of land or of frozen sea.

the main activities of the Expedition, including Admiral Byrd's flight to the Pole, had been carried out within the limits of the Dependency; but that a considerable amount of new territory had been discovered by Admiral Byrd in his flights outside the eastern boundary of the Dependency. They observed with satisfaction that Admiral Byrd appeared throughout to have been careful to avoid any infringement of New Zealand rights and that there was no reason to suppose that the United States Government, if they decided to advance territorial claims based on Admiral Byrd's discoveries, would fail to respect with the same care the boundaries of the Ross Dependency.

11. The Committee noted that certain Norwegian claims in the Ross Dependency were still the subject of intermittent diplomatic correspondence. In view, however, of the opinion expressed in paragraph 13 of the United Kingdom memorandum (E (30) 20) that delay might be of assistance in finding a solution, they considered it unnecessary to enter into the details of these claims.

12. With regard to the two Expeditions undertaken by Sir Hubert Wilkins in 1928-29 and 1929-30 from a base in the Falkland Islands Dependencies, the Committee noted that, though much good work had been accomplished no new territory had been discovered outside the limits of the Dependencies. They observed that there appeared to be no likelihood in the immediate future of a further attempt being made ^{or on} ^{under the auspices of any of His Majesty's ports} to explore the sector between the Falkland Islands Dependencies and the Ross Dependency, but they hoped that advantage would be taken of any

E (30) 10, Memorandum prepared by His Majesty's Government in the Commonwealth of Australia, and

E (30) 20, Memorandum on Policy in the Antarctic prepared by His Majesty's Government in the United Kingdom.

8. The Committee learned with satisfaction of the work accomplished by the Antarctic Expedition under the leadership of Sir Douglas Mawson during the season of 1929-30 and expressed their gratification at the announcement that the work of the Expedition was to be continued during the season of 1930-31. They desired to congratulate His Majesty's Government in the Commonwealth of Australia on the success achieved by the Expedition, and expressed the hope that the combined results of the two seasons' work would be such as to enable the control of the whole of the sector between Enderby Land and the Ross Dependency (apart from the French territory of Adélie Land) to be formally vested in the Commonwealth Government.

9. In this connection the Committee considered it desirable that the published summary of Proceedings of the Imperial Conference should contain a reaffirmation of British interest in the areas specified in Chapter XI of the Summary of Proceedings of the Imperial Conference, 1926 (six of which fall within the proposed Commonwealth sector).

10. The Committee noted that the base of the recent United States Expedition under the leadership of Rear Admiral Byrd was situated in the Ross Dependency; that

a system of police patrols covering all the islands north of the Canadian mainland was such that the title to these islands now rested not only on the theoretical application of the "sector principle" but also on the solid ground of effective occupation.

5. The Committee were informed that His Majesty's Government in Canada expected shortly to arrive at an agreement with the Norwegian Government for the formal recognition by the latter of the Canadian claim to the Otto Sverdrup Islands. They observed with satisfaction that this settlement would remove from the sphere of controversy the only area in the Arctic where Norwegian interests clash with those of any of His Majesty's Governments.

6. The Committee took note of the fact that renewed interest may be taken in the Arctic regions as a result of the development of aviation. They were glad to learn of the investigations now being undertaken with a view to the exploration of the possibilities of an air route from Europe to Canada via the Farøe Islands, Iceland and Greenland and noted that the Canadian Department of National Defence was in direct touch with the Air Ministry in London with regard to the collection of the necessary data.

II. SITUATION IN THE ANTARCTIC.

7. The Committee reviewed the situation in the Antarctic, with particular reference to the developments which had taken place since the Imperial Conference, 1926. They had before them the following documents which had been circulated to the Conference:-

DRAFT REPORT.

1. At its opening meeting on the 1st October, 1930, the Imperial Conference appointed a Committee to consider Polar Questions.

2. The Committee submit the following report, which, for convenience, is divided into three sections, I. Situation in the Arctic, II. Situation in the Antarctic, III. Whaling.

I. SITUATION IN THE ARCTIC.

3. The Committee, in considering the situation in the Arctic, had before them a memorandum on policy in the Arctic (E. (39) 19) which had been prepared by His Majesty's Government in the United Kingdom and circulated to the Conference.

4. The Committee noted that the spheres of sovereignty of the countries bordering the Arctic Circle are generally well-defined, and that the "sector principle" is new in a fair way to securing general acceptance. They agreed, however, that while this might be a matter for private satisfaction, so far as Arctic questions were concerned, public reference to the "sector principle" was to be deprecated as likely not only to irritate Norwegian opinion, which was still hostile to the principle, but also to give rise to inconvenient claims in the Antarctic. If, for instance, the "sector principle", as applied in the Arctic, were to be applied to the Antarctic, a large portion of the Antarctic continent including the greater part of the Falkland Islands Dependencies would fall within the sphere of sovereignty of Chile and Argentina. The Committee noted in this connection that the progress made by His Majesty's Government in Canada in organizing

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Mr. Hedden

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COPY NO. 22

IMPERIAL CONFERENCE, 1930.

COMMITTEE ON POLAR QUESTIONS.

The attached draft Report is circulated for consideration by direction of the Chairman. A meeting of the Committee will be held on or about Thursday next, the 30th October, at which it is hoped that the report of the Committee will be finally approved.

In the meantime the Chairman has specially asked that members of the Committee may be good enough to communicate any comments or suggestions on the attached draft to the Secretary of the Committee, at the Dominions Office.

(Signed) P.A. CLUTTERBUCK,
Secretary to the Committee.

2, Whitehall Gardens, S.W.1.
25th October, 1930.

'Norvegia' expedition was reported to have occupied territory situated between Enderby Land and Kemp Land, and therefore in an area to which His Majesty's Government in the Commonwealth of Australia, with the support of His Majesty's Government in the United Kingdom, considered that they had an unimpeachable claim. In view of the previous assurances given by the Norwegian Government, His Majesty's Government felt sure that the explanation of the proceedings of the 'Norvegia' expedition was to be found in the fact that that expedition was a private undertaking, and that its action, recently reported in the press, had been taken without the special authority of the Norwegian Government. They were accordingly highly gratified to learn, not only that on practical grounds the Norwegian Government did not attach importance to possession of the territory in question, but that, as reported in the latest press messages, the 'Norvegia' had moved to the west of Enderby Land and proposed to restrict her operations to unclaimed areas between Enderby Land and Coats Land.

"In the circumstances, and having regard to the friendly relations subsisting between the two countries, His Majesty's Government feel confident that the Norwegian Government would not desire to pursue a claim to the territory in question which His Majesty's Government would feel bound to contest, and they trust that the 'Norvegia' will adhere to her intended programme, as reported in the press."

81. M. Mowinkel's only comment was that he was glad to have the views of His Majesty's Government in this form, which would preclude misunderstanding.

82. Mr. Wingfield felt that now that His Majesty's Government had put it on record that they will not be able to recognise any annexation by Norway of land between Kemp and Enderby Land, the Norwegian Government would endeavour to get out of the difficulty resulting from the recent hoisting of the Norwegian flag either by hoping that the matter would be forgotten or by declaring that Norway had no interest in annexing the territory.

83. The present reports available as to the subsequent movements of the "Norvegia" are still rather indeterminate, but the general effect seems to be that some 200 miles of new coastline in the Enderby Land-Coats Land sector (stretching from 8° 30' west latitude to Coats Land) were discovered by the Norwegian expedition. His Majesty's Government in the Union of South Africa were warned in advance that the Norwegian expedition was likely to direct its activities to this sector, and agreed that, in the event of its doing so and claiming for the Norwegian Crown the territory discovered, no grounds existed on which objection could be taken. In fact, however, no claims based on the discoveries of the expedition have yet been put forward by the Norwegian Government.

Foreign Office, July 31, 1930.

76. It was decided that it would not be desirable to reply officially to this note, but that the best course would be for Mr. Wingfield, the newly-appointed Minister to Oslo, to take an early opportunity of explaining, in the friendliest terms, that His Majesty's Government in the Commonwealth of Australia, entirely supported by His Majesty's Government in the United Kingdom, consider their right to the whole so-called Australian sector unimpeachable and are not prepared to recognise any other country's sovereignty over any part of the sector (except that of France over Adélie Land). Feeling on this subject is very strong, and there can be no possibility of any withdrawal from this position. While on this subject, Mr. Wingfield was to mention, as a matter on which His Majesty's Government wished to keep the Norwegian Government fully informed, that Sir Hubert Wilkins was continuing this season his exploration of the Antarctic regions of the Falkland Islands Dependencies and of the territory to the west of it as far as the Ross Sea Dependency. Sir H. Wilkins, like Sir D. Mawson, had received a commission from the King, which empowered him to take possession, in the King's name, of such territories now unknown as might be discovered in the course of his expedition. Sir H. Wilkins was actually engaged on this task.

77. If M. Mowinkel replied that His Majesty's Government were attempting to annex the whole Antarctic continent and islands, Mr. Wingfield was to deny the charge in the following terms: His Majesty's Government, out of friendship to Norway, waived their claim to Bouvet Island. They have not protested against Norway's claim to Peter I Island, and he has no knowledge that any claim has ever been put forward to the sector between Enderby Land and Coats Land. In regard to the Falkland Islands Dependencies, Ross Sea Dependency and the sectors now being taken possession of by Sir D. Mawson and Sir H. Wilkins, His Majesty's Government make, however, a claim which they not only regard as unimpeachable but which they have translated, or are translating, into concrete sovereign possession. A large sector of the Antarctic is still left open, and in all the remainder under British sovereignty His Majesty's Governments welcome Norwegian scientific and economic co-operation, and feel sure that this will prove as harmonious in the future as it has in the past. Moreover, His Majesty's Government look with the greatest sympathy upon Norwegian enterprise in Arctic regions, and they hope, before long, to make certain practical proposals for a settlement of all the questions outstanding in those regions which will satisfy both sides.

78. Mr. Wingfield, as soon as he was able to do so, obtained an interview with the Norwegian Prime Minister, and on the 21st December, 1929, made a verbal communication to him in the sense of paragraph 76. The Prime Minister made no comment on the extent of the British claims except to say that Norway could not in principle accept the system of claiming sectors including enormous tracts of sea. As regards the "Norvegia," he gave no indication of the plans of the expedition, but he said that it had been instructed to avoid the territories specified in the Imperial Conference Summary of Proceedings, and that, in any event, any acts of annexation performed by the "Norvegia" would have to be referred to the Norwegian Government for confirmation, when all the circumstances could be taken into consideration.

79. Meanwhile, the first reports of the "Norvegia" expedition had been published in the press on the 1st January, and were to the effect that new land on which the Norwegian flag had been hoisted on the 22nd December had been discovered between Enderby Land and Kemp Land, that is, inside the Australian sector. Mr. Wingfield at once called on the Norwegian Prime Minister, who explained that the "Norvegia" expedition was a purely private venture, and its members could not in any way commit the Norwegian Government. He said that Norway did not wish to acquire possession of territory which could be of no possible use to her, especially as it was inaccessible from the sea.

80. News was subsequently received of the meeting between the "Norvegia" expedition and Sir Douglas Mawson's expedition referred to in paragraph 63, and on the 22nd January, in accordance with instructions received from the Foreign Office, Mr. Wingfield called on the Norwegian Prime Minister and handed him the following memorandum:—

"His Majesty's Government in the United Kingdom observe with surprise that, notwithstanding the information communicated to the Norwegian Government in Mr. Gascoigne's aide-mémoire of the 12th October last, the

Deception Island due south over Graham Land, practically to the western limits of the Weddell Sea; (2) from the edge of the pack ice to the south of Charcot Land and back, proving that Charcot Land is an island and not part of the mainland; and (3) from longitude 101° W. to practically as far as latitude 73° S., where he failed to locate the mainland over the Antarctic Continent, thus proving that the mainland in this sector recedes further than is shown on the existing charts. This last flight was the only one undertaken outside the limits of the Falkland Islands Dependencies, and though both on this flight and on two other occasions Sir H. Wilkins dropped the British flag suspended to a parachute, with a document taking possession of the surrounding territory in the name of His Majesty the King, the expedition did not, in fact, succeed in discovering new territory outside the limits of the Falkland Islands Dependencies.

(11.) *Steps taken to prevent Norwegian Encroachments in the Antarctic.*

72. The policy recommended by the Imperial Conference was, in effect, that steps should be taken to bring the whole of the Antarctic, excepting those areas to which a good foreign title already existed, under British control. In order to do this, it was not only necessary to establish a British title by effective occupation, but also, in the meantime, to ward off encroachments by foreign Powers. The expedition of the "Norvegia," in particular, constituted a pressing problem.

73. As stated above in paragraph 18, it was decided early in 1928 to call the attention of the Norwegian Government to the passage in the Imperial Conference Summary of Proceedings dealing with the Antarctic. Later in the year, on learning that Great Britain was willing to waive her claim to Bouvet Island, the Norwegian Government undertook not to occupy any land in the areas specified by the Imperial Conference, but no undertaking was given in regard to the sector between the Ross Sea and the Falkland Islands Dependencies, to which His Majesty's Government had as yet laid no claim.

74. In October 1929 the "Daily News" published articles strongly criticising Norwegian annexationist activities in the Antarctic. These articles were based on telegrams from Sir Douglas Mawson, and aroused the greatest indignation in Norway. In consequence of these indiscretions, it was decided to make a frank communication to the Norwegian Government informing them of the objects of Sir Douglas Mawson's expedition. His Majesty's Chargé d'Affaires at Oslo accordingly addressed a note to the Norwegian Government stating that His Majesty's Government dissociated themselves from the attack in the press, and enclosing a memorandum regarding the voyage of the "Discovery." The essential passage in the memorandum read as follows:—

"The expedition has been arranged for the Antarctic season 1929-30, but may be extended to include a further season. It is the intention of the Commonwealth Government that the expedition should operate *principally* in the sector between Enderby Land and the Ross Sea, with a view to the completion of the geographical and scientific work previously carried out in this sector by Sir Douglas Mawson and by other British explorers and of the formal establishment of a British title to this sector, with the exception of the French territory of Adélie Land."

The Norwegian Government replied immediately on the 14th October, 1929, expressing appreciation of the tone of the communication, and taking note of the information relating to the voyage of the "Discovery."

75. On the 4th November, 1929, the Norwegian Minister addressed a note which represented the considered reply of his Government to the British note regarding the voyage of the "Discovery." He stated that: "The 'Norvegia' expedition is continuing for the season 1929-30 the scientific research work which the expedition has previously carried on in the Antarctic. By a Royal decree of the 4th July last, this expedition has been given a general authorisation—as given to 'Norvegia's' earlier expeditions in previous years—to take possession, in the name of His Majesty the King, of any new land which the expedition might discover and which previously had not been occupied in due form by the Government of any other country. The decree has been issued on the assumption that no land will be occupied which falls within the areas mentioned in the Summary of Proceedings for the Imperial Conference in London in 1926."

further to the west known as Kemp Land and Enderby Land, portions of which, though vaguely reported a hundred years ago, were never since confirmed. The whole of this land and the off-lying islands have been claimed for the Crown.

(10.) *Sir Hubert Wilkins's Expeditions.*

65. In 1928 Sir Hubert Wilkins was preparing an expedition to the Antarctic. His intention was first to proceed to Graham Land, with a view to establishing definitely whether that territory was an island or formed part of the mainland. Having established this, he hoped to fly from Graham Land to King Edward VII Land, *i.e.*, over the unexplored sector between the Ross Sea and the Falkland Islands Dependencies.

66. At the time it was believed that the "Norvegia" intended to visit and possibly annex Dougherty Island and Peter I Island, both of which are situated in this unexplored sector. It was possible that the "Norvegia" might discover and annex other territories in the area, and it was also possible that Commander Byrd might fly over portions of the unexplored sector from his relatively neighbouring base in the Ross Sea.

67. These considerations led to a suggestion here that use might be made of the Wilkins expedition to forestall possible Norwegian or American claims. It was felt that although Sir Hubert Wilkins had obtained his funds in America chiefly from the sale of press rights, yet he would probably be willing to fall in with the suggestion. He was accordingly consulted by telegraph, and on the 29th October, 1928, he replied from the Falkland Islands to the effect that he was honoured to accept and would, if possible, drop or plant the British flag in the Weddell Sea area between the Falkland Islands and the Ross Dependency. The Governor of the Falkland Islands accordingly gave Sir Hubert formal authority in writing to take possession of any land or island which he might discover between the western limit of the Falkland Islands Dependencies and the Ross Sea Dependency. Two days later, the expedition left Stanley for Deception Island.

68. On the 2nd February, 1929, Sir Hubert Wilkins returned to Stanley on his way back to the United States and reported that he had, on the 19th December, 1928, made a flight from Deception Island over Graham Land to approximately latitude $71^{\circ} 30' S.$, longitude $63^{\circ} W.$ The British flag was dropped on what was believed to be part of the Antarctic continent at the southern limit of the flight, but no publicity would be given to the fact. Sir Hubert Wilkins stated his intention of returning in November 1929 to Deception Island in order to fly to the furthest point reached in 1928. From this advanced base he proposed to resume his flight along the coastline of the mainland towards the Ross Sea and to end his flight at Admiral Byrd's base in the Ross Sea Dependency. If possible, a landing would be made and some detailed geographical and scientific work done.

69. In May 1929 Sir Hubert Wilkins arrived in this country from America. He expressed his willingness to assist in establishing a British title to the sector between the Ross Sea and the Falkland Islands Dependencies. In view of the fact, however, that his funds were almost solely derived from American sources, he felt that his personal position would be somewhat embarrassing unless the British Government made a contribution, and he asked for financial assistance towards the cost of his expedition. His request was acceded to on certain conditions, and a sum of £7,500 has so far been paid by the Colonial Office from the Falkland Islands Research and Development Fund.

70. In order to invest Sir Hubert Wilkins with the necessary authority, it was decided to grant him a Royal Commission in the same form as that given to Sir Douglas Mawson. The commission authorised him, or any person designated by him, to take formal possession of any territories now unknown which he might discover between the Ross Sea and the Falkland Islands Dependencies. The commission was handed to him on the 15th October, 1929, at Montevideo, whilst he was on his way south.

71. Sir H. Wilkins unfortunately encountered adverse weather conditions, and was forced to abandon his intention of flying from the Falkland Islands Dependencies westward over the unexplored sector to the Ross Sea. He was, however, able to make several short-distance flights, of which the most successful were (1) from

59. Further discussions took place, the upshot of which was that it was decided in January 1929 to send the "Discovery" expedition, under the command of Sir Douglas Mawson, on the following terms: Australia to bear the cost of the expedition for 1929-30 and for the following year, if it lasted two years; the United Kingdom to arrange with the Government of the Falkland Islands for the "Discovery" to be placed at the disposal of the Commonwealth Government for the Antarctic seasons of 1929-30 and 1930-31 (at a cost to the Treasury of £8,000 per annum); New Zealand to contribute £2,500.

60. The objects of Sir Douglas Mawson's expedition were, briefly, to operate principally in the sector between Enderby Land and the Ross Sea (the Australian sector) with a view to completing the geographical and scientific work previously carried out in this sector by Sir Douglas Mawson himself and other British explorers and so to lead up to the final establishment of a British title to the whole sector, with the exception of the French territory of Adélie Land. In order that Sir Douglas Mawson should be provided with the necessary authority to take possession in the name of His Majesty of the territories in question, His Majesty granted to Sir Douglas a formal commission of authority for the purpose.

61. The commission empowered Sir Douglas Mawson, or any person duly authorised by him, to take formal possession of "such territories now unknown as may be discovered in the course of the aforesaid expedition and, further, of certain territories not under the sovereignty of any other State which have been discovered in the past by subjects of Our Royal Predecessors or of Ourselves, to wit: (i) The outlying part of Coats Land, viz., the portion not comprised within the Falkland Islands Dependencies; (ii) Enderby Land; (iii) Kemp Land; (iv) Queen Mary Land; (v) the area which lies to the west of Adélie Land, and which, on its discovery by the Australian Antarctic Expedition in 1912, was denominated Wilkes Land; (vi) King George V Land; (vii) Oates Land." It will be observed that the commission covered all the areas outside the Falkland Islands Dependencies which were specified in the Imperial Conference Summary of Proceedings, as well as any new territories which might be discovered.

62. The "Discovery" sailed from London on the 1st August, 1929, and His Majesty's representative at Oslo was authorised, if approached on the subject by the Norwegian Government, to say that the scientific and exploratory expedition of the "Discovery" had been organised under the auspices of His Majesty's Government in the Commonwealth of Australia, and that New Zealand and Great Britain were associating themselves in the enterprise by means of a financial contribution and the loan of the "Discovery" respectively. The French Government were informed of the despatch of the expedition and asked to give facilities at Kerguelen Island.

63. The report of Sir Douglas Mawson's Expedition, 1929-30, shows that, notwithstanding very adverse weather conditions encountered, it was singularly successful. Roughly, 700 miles of coast line eastwards of Enderby Land, immediately north and south of the Antarctic Circle and between latitudes 45° and 73° E. of Greenwich, have been explored and definitely established on the map for the first time. Enderby Land and Kemp Land have been linked up and proved to be part of one land mass, while new land was discovered to the east and named "MacRobertson Land." The work of this expedition was carried out within the limits of the proposed Dependency of Australia, and it is interesting to note that when on the 14th January, 1930, the "Discovery" encountered the Norwegian exploring vessel "Norvegia," in approximately longitude 47° E., they persuaded the Norwegians to turn about and to "confine their efforts to the west of the 40th meridian east of Greenwich, conditionally on our (Sir Douglas Mawson's Expedition) limiting ourselves to the east of that datum. The meeting came to an end, and we parted on friendly terms. Next day the Norwegians turned about and steamed past us to the west."

64. A new whaling ground was discovered off Enderby Land, and the information was passed on to a South African whaling vessel, which was able to take advantage of the discovery. The general result of the discoveries is that the Antarctic continent has been either charted or its location approximately indicated through 28° of longitude, between 45° E. and 73° E. of Greenwich. Evidence deduced indicates that this land is a portion of the great continental mass which occupies the major portion of the Antarctic regions. The land seen and charted includes the new area designated MacRobertson Land, together with the lands

"Whereas the Department of State has not defined a policy for the United States regarding American discoveries and explorations in the Antarctic, but has declared that, 'in the absence of an Act of Congress,' it 'would be reluctant to declare that the United States possessed a right of sovereignty over that territory'; therefore, be it

"Resolved, that the Senate of the United States does hereby authorise and direct the President to lay claim to all areas in the Antarctic which have been discovered or explored by American citizens."

On the 2nd July, 1930, the State Department issued to the press an analysis of the various national claims to sovereignty in the Antarctic which is, on the whole, quite comprehensive and impartial, and in which the minor expeditions of Palmer and Wilkes compare unfavourably with the work of such British explorers as Ross, Scott, Shackleton, Mawson and Wilkins. As regards Admiral Byrd's discoveries, the following quotation is of interest:—

"Closely associated with the results of the discoveries in their purely physical aspects are political consequences bearing upon the distribution of national interests within the whole Antarctic area. For example, Marie Byrd Land, previously claimed for the United States, but complicated because of the assumption that it was without access except through territory claimed by the British Government, it has been found, as a matter of fact, does possess an independent coastal access outside the British area and east of the 150th meridian."

In regard to Senator Tydings's resolution, Mr. Stimson is reported in the press to have said:—

"I cannot understand Congressmen, who are anxious to abandon the Philippines, which are well peopled and with rich natural resources, turning next minute to push forward a United States claim to barren and unpopulated territory."

(9.) *Sir Douglas Mawson's Expedition.*

55. As stated above in paragraph 6, the Imperial Conference recommended that the more important regions in the Antarctic outside the Ross Sea and Falkland Islands Dependencies should be brought under British control in three stages. The first stage was carried out by the publication of a statement in the Imperial Conference Summary of Proceedings. The activities of foreign nations in recent years soon rendered it necessary to consider the question of undertaking the second stage.

56. On the 23rd July, 1928, the Prime Minister of the Commonwealth of Australia proposed that, in order to complete the second stage of the measures recommended by the Imperial Conference and to promote scientific investigations into the whaling and sealing industry, a joint British expedition to the Antarctic should be organised. He recommended that the ship "Discovery" should be utilised, that Sir Douglas Mawson, who led the Australian expedition to the Antarctic of 1911-14, should be in command, that Great Britain, Australia and New Zealand should contribute £7,500, £7,500 and £2,500 respectively, and that the balance should be raised by public appeal.

57. These proposals were carefully considered here, and the general conclusion was reached that, although there were many practical difficulties to be overcome, the need for the expedition was becoming acute and that, in the meantime, use might be made of a South African firm, the Kerguelen Sealing and Whaling Company (Limited), which was planning a whaling expedition to the Antarctic.

58. As a result of these discussions, a whaling licence was granted in October 1928 by His Majesty's Government in the United Kingdom to the South African firm on condition that the British flag was planted as opportunity offered. It was realised, however, that, since the movements of a whaling expedition must be governed by commercial, rather than political, considerations, little reliance could be placed on this arrangement, and that the project of sending the "Discovery" could not be abandoned until every means of circumventing the obstacles in the way had been exhausted.