

EAST AFR. PROT

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Admiralty

1915

14 Nov.

Last previous Paper.

Army
50839

Thames line of Steamers

Concurs in paras. 2 & 3 of proposed
decp. to go. Sends copy Agreement
with G. with supplementary letter as desired.

S/S Kenneth
at once.
H. V. G.
15 Feb 15

Copy for Capt
and 2 copies to be sent 16 Nov 15

Next subsequent Paper.

98
6667/16

In any further communication on this subject, please quote

N.L. 34528

and address letter to—

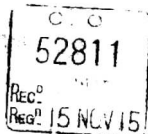
The Secretary,

Admiralty, Whitehall,

London S.W.

Admiralty,

14th November, 1915.



--: Immediate :-

Sir,

(over) With reference to your letter of the 5th instant, No. 60889/1915, enclosing a revised draft of a despatch which it is proposed to address to the Governor of the East Africa Protectorate respecting the treatment to be accorded to vessels of the "Thoresen" Line at Mombasa, I am commanded by My Lords Commissioners of the Admiralty to acquaint you, for the information of the Secretary of State for the Colonies, that they concur in the terms of paragraphs 2 and 3 of the despatch, but that as regards paragraph 1, it is not clear how far the enclosures referred to, which did not accompany your letter, affect the despatch itself.

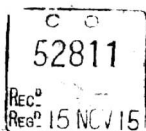
2.- A copy of the agreement with the "Thoresen" Line, together with a supplementary letter, are enclosed for the information of Mr. Bonar Law.

I am, Sir,

Your obedient servant,

W. Graham Smith

Under Secretary of State,
Colonial Office, S.W.

CONFIDENTIAL.

AGREEMENT BETWEEN HIS MAJESTY'S GOVERNMENT AND THE THOR
THORESEN LINE, OF CHRISTIANIA, NORWAY.

Clause 1.—The Thor Thoresen Line (hereinafter called "the Company") will instruct their agents to take special care to ascertain, to the best of their ability, the ultimate destination of all cargoes carried by their ships.

A representative of the Company will be established in London and will be prepared to furnish His Majesty's Government promptly with such information as they may desire in regard to particular consignments. He will also receive reports from time to time respecting the cargoes that agents are booking, in order to submit them to the Contraband Committee sitting at the Foreign Office, and, if objections are to be raised in respect to any particular shipment, they will, so far as may be practicable, be stated then and there before the cargo is taken on board, with a view to avoid trouble and difficulties later.

Clause 2.—The Company will reserve the right to object to any consignee of goods offered for carriage in their vessels. They undertake further to accept no goods assigned "to order," and to insert in all bills of lading for cargo carried in their vessels the following clause:

"Consignees of within-mentioned goods are under the obligation to furnish the Thor Thoresen Line at Christiania, promptly on demand, with a satisfactory written guarantee that the goods and their products are for consumption in the country of destination shown in the bill of lading and will not be re-exported. Failure to provide such a guarantee gives the shipowners the right to withhold delivery of the goods or to discharge them at any place, whereupon each and every liability of the shipowner shall cease."

The last sentence of the above clause shall be interpreted as signifying that, in exceptional cases, His Majesty's Government may require certain consignments to be returned to this country to be dealt with as if they had never left it.

Clause 3.—The guarantee to be obtained by the Company from consignees before the delivery of the goods, in accordance with clause 2 of this agreement, shall provide for the payment by the consignees, in the event of the guarantee being broken, of a sum equal to double the value at the highest European market price of the goods re-exported in violation of the guarantee.

Clause 4.—The Company will emphasise previous instructions issued to their agents in all ports served by their steamers to use their best endeavours not to carry subjects of military age of any Power with which Great Britain may be at war.

Clause 5.—The Company undertake to carry no coal or fuel oil as cargo from any neutral country without first consulting the British Admiralty or the British consul at the port of shipment as to the reliability of the consignee. As regards Scandinavia, the Company undertake not to carry consignments of petroleum and its products, mineral lubricants, or castor oil for any consignee without having first obtained the written assent of His Britannic Majesty's Legation in the country of destination for the shipment in question.

Clause 6.—The Company's ships will carry no goods from Scandinavian ports on their outward voyages without a certificate of neutral origin, in respect of each consignment, issued by one of His Britannic Majesty's consuls, or other authority approved by His Majesty's Government. This undertaking will not apply to personal effects.

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Clause 7.—The Company will give the British Legation at Christiania every assistance and information in all affairs arising out of the arrangement come to between His Britannic Majesty's Government and the Company.

Clause 8.—His Majesty's Government cannot abandon their right of detention and search, but they undertake to interfere with the Company's vessels as little as may be found compatible with military interests, and to give them as rapid clearance as possible from British ports, so long as the foregoing arrangements remain in force.

The Company undertake that all their vessels, both inward and outward bound, shall call at a port of the United Kingdom, and that they will notify the Customs of their arrival in accordance with such undertaking. When approaching Gibraltar, the Company's vessels shall go close in and signal their arrival, in order to facilitate the work of the patrol. Further, with regard to vessels outward bound from Scandinavia, the Company undertake to furnish the British Legation in Christiania with a complete list of cargo carried, duly signed by the Company, also with certificates of origin as provided for in clause 6, immediately on the departure of the steamer from Scandinavia, and the legation will at once inform His Majesty's Government by telegraph of the sailings of such steamers with a view to facilitate their outward passage.

Clause 9.—The Company undertake not to charter their vessels to persons or firms who are subjects of countries at war with Great Britain or her Allies, or to any person or firm whose name may be specially notified to the Company by His Majesty's Government, and if they conclude any time-charters they will furnish His Majesty's Government with full particulars of them, excepting only as regards the price.

Clause 10.—The Company recognise that it is undesirable that vessels should proceed in ballast or partially loaded to or from a United Kingdom port, and will use their best endeavours to avoid this.

Clause 11.—Facilities shall be accorded to the Company's vessels to take in bunker coals in such districts as His Majesty's Government shall from time to time indicate, not less than one month's notice being given to the Company of any change of locality. Should the Company be desirous in any particular instance of bunkering at any other port than those previously indicated by His Majesty's Government, the latter undertake to give their desire as favourable consideration as the circumstances may permit, on their giving due notice through His Majesty's Board of Customs and Excise.

Clause 12.—The Company undertake that, when one of their steamers is loading for a voyage to a port in the United Kingdom or an Allied country, they will not refuse any cargo that may be offered them for conveyance on the ground that such cargo is contraband of war, provided always that the carriage of such goods is not contrary to the regulations from time to time issued by the Norwegian Krigsforsikning. This, however, except in so far as is provided in clause 10, shall not apply to vessels proceeding to the United Kingdom solely for the purpose of bunkering.

Clause 13.—The Company undertake that no vessel belonging to, or chartered by, them shall trade with any port in any country that may be for the time being at war with Great Britain.

Clause 14.—The Company undertake that none of their vessels will carry goods to or for persons, firms, or companies who are known to the Company as being of German nationality or to be acting in German interests. The Company will, if so required, confine their East African trade to persons, firms, or companies approved by His Majesty's Government.

Clause 15.—This agreement shall be subject to denunciation by either party at one week's notice, provided that such denunciation shall not be held to affect the Company's obligations in respect of any cargoes which may have started on their voyage.

It shall equally be subject to revision at any moment if experience shows that it is susceptible of improvement to the common advantage of the signatories.

Clause 16.—His Majesty's Government agreed to discuss fully with the Company any subject or report which may hereafter reach them of a nature to arouse their suspicion in regard to any action of the Company or to any cargo carried by one of their vessels.

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Clause 17.—In consideration of the Company having accepted the above obligations and of their undertaking to use their best endeavours to prevent any cargo carried on their vessels from reaching any country at war with Great Britain, His Majesty's Government agree that, from this date forward, early clearance shall be given, so far as circumstances permit, to such of the Company's vessels as may have sailed before the date of this agreement, even though it may not have been possible, in regard to the cargoes of such vessels, to comply with its provisions. This stipulation, however, shall be without prejudice to any action which His Majesty's Government may find it necessary to take in regard to any particular consignments that they may have grounds for suspecting.

Clause 18.—If at any future date His Majesty's Government suggest to the Company that the transit clause should be abolished from their bills of lading, the Company will agree to adopt this measure if it is applied to all countries.

For His Britannic Majesty's Government:

(Signed) *Eyre A. Cross*
Assistant Under Secretary of State
for Foreign Affairs

For the Company:

(Signed) *Thor Thoresen*

Telegraphed

October 25 1875

14131a/15.

LONDON OFFICE.

October 14 1815.

SIR,

I was directed by the Secretary of State for Foreign Affairs to transmit to you a copy of a revised draft of the proposed agreement between His Majesty's Government and the other High Powers of Christiania and to inform you that His Majesty's Government are prepared to conclude the arrangement in this form at an early date.

I am to state, however, that with reference to clause 14 of the agreement, His Majesty's Government will require the Company to comply with all reasonable requests which the British authorities may make to them, to their local representatives or to the Masters of their vessels, in respect of such precautions as may, from time to time, be considered necessary in order to prevent the Company's vessels from being made use of for the carriage of goods to or from German East Africa or the territories included in the Ottoman dominions.

I am,

Sir,

Your most obedient,

humble servant,

14131a/15.

FOREIGN OFFICE.

October 14 1915.

Sir,-

I am directed by the Secretary of State for Foreign Affairs to transmit to you herewith a revised draft of the proposed agreement between His Majesty's Government and the Thar Thoresen Line of Christiania and to inform you that His Majesty's Government are prepared to conclude the arrangement in this form at an early date.

I am to state, however, that with reference to clause 14 of the agreement, His Majesty's Government will require the company to comply with all reasonable requests which the British authorities may make to them, to their local representatives or to the Masters of their vessels, in respect of such precautions as may, from time to time, be considered necessary in order to prevent the company's vessels from being made use of for the carriage of goods to or from German East Africa or the territories included in the Ottoman dominions.

I am,

Sir,

Your most obedient,

His Majesty's servant,

Thoresen Esq., Junior.

Army 50839/1915 E.A.P.
52811

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Sr
16 Nov. 1915

Sir,

With ref. to my compl. desp. of the 6th Aug. I have the honour to transmit to you the acc. copy of a letter from the Bd. of Customs & Excise, with its enclosure, relative to the question of the treatment of vessels of the "Thoresen" line at Mombasa.

(²⁰
35867)

DRAFT.

E.A.P.
Compl.

Sr. Sir H.C. Balfield.

MINUTE.

Mr. ~~Keiper~~ 5/11/15

~~Mr. Bottomley~~

Mr. Bottomley 5.11.15

Mr. Read 15 Nov 15

Sr. G. Fildes, W. Davis

Sr H. East

Sr J. Anderson

Mr. Steel-Matland

Mr. Bonar Law

2. Although Mr. ~~Thoresen~~ ^{Thoresen}

~~Thoresen~~ ^{Thoresen} has signed an agreement to the effect that he will allow

his vessels to call at a port of the U.K. on their homeward ^{but} outward voyage, the L.C. of the

By Cdr. 26 Aug (39530) ^{April}

Copy in all. ^{5 Nov 15}
Copy to ¹⁵

Print

Printed in H.C. Sec 2

off's

Adm^y consider that it is doubtful whether this agreement alone provides adequate safeguards against his ships being employed to convey goods to German East Africa. A copy of the agreement is enclosed together with a copy of ~~an~~ explanatory note from which it ~~will be seen that~~ Mr. Thorsen has declared himself willing to direct his ships to conform to any additional precaution considered necessary by the Col. & Naval authorities East of Suez.

3. The L. C. of the Adm^y consider that ~~the~~ proper supervision should be exercised over the Thorsen line steamers notwithstanding the agreement signed by Mr. Thorsen.

L

11. Elementary letter
addressed by the
Adm^y to Mr.
Thorsen
understand

Adm^y S.A.P.
52871

97A

Ind

16 Nov 15

DRAFT

The Sec^y & the
Adm^y?

MINUTE

Mr. Beach 15 Nov:

Mr.

Mr.

Mr.

Sr G. Fiddes.

Sr H. Just.

Sr J. Anderson.

Mr. Steel-Maitland.

Mr. Bomar Lavo.

11. Ind. n 50839
(S.P. Linnell)

Sir, I am directed by Mr. Sec^y Brown Low & ad. the rest of yr. l^r of the 14th of Nov (N.L. 34528), & transmit to you for the l^r of the L. C. of the Adm^y a copy of the draft: which has been sent to the Sec^y of the S.A.P. regarding the treatment to be accorded to vessels of the Thorsen line at

at number.

2. A copy of the

one referred to in the

first para. of the resp.

was sent to the adm^r

the 1st from the

dept^t of the 6th of

Sep.

Doc