

Suggestion

That all Somalin/sho be given the of lion to be between But it and Italian nationality on the understanding that only such a number of those who oft for Builton national in Shall be allowed to crom into Drilish territory as the wells and pasturage in such territory can suppose wells and pasturage in such territory can suppose having regard of present and reasonable interes requirements of the tribes already there is question as 15 The capacity of the wells and post-new in this respect, and as 15 The new hers of in ... netain British hadron ality to be decided of the anglo- Malian Commission which is I for

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It was be distinctly understood limit any Sonalis can be allowed to move into the British and wally registered

DRAFT CONVENTION

- between -

THE ITALIAN AND BRITISH GOVERNMENTS

REGARDING THE CESSION OF

JUBALAND.

HIS MAJESTY THE KING OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRECAND. AND OF THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA:

being desirous of giving full and equitable effect, in so far as he is concerned, to the undertaking given in Article 13 of the agreement between Great Britain, Prance, Bussia and Italy signed at London en April 26, 1915:

and HIS MAJESTY THE KING OF ITALY:

being both desirous to liquidate a question which has so long been outstanding between their two Governments:

have agreed to conclude a Convention for this purpose, and for this object have appointed as their plenipotentiaries:

who having produced their full powers, found in good and due form, have agreed as follows.

Mr. I. I to Cal wo 19/6 Suc Brown try (see one waters) aptain Eishley. The officer of M. 1.4, van Office whom I gave about the hibritarial map, has since runsup as the destrether he can be furnished (Chy of the boundary) both adder cuption of the boundary Sheadskied I said I did not hund there in he and syntion to you think I wight send a copy of Art. 11 of the newsed onvention Manay newton that they come to thems as the w. o. That

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Res wit 4/6 Jam 4. Drawbi sturms, 57 Denda Luci Ge the boundary will be very has communa unia i difficult indeed to mank out on to seem as a basi of the actual ground. disamia timi after work I shan him thinks he sail was me to Brown Is there are typelian now to we come going Cantain Ashley the deron of the Domeson. Than Get Art 11 The landary as a Mr. I.M blank in care in driemin Convention please? a an expans claim. agric lim No fo was 12.6. 4 Hamentican

of the freaty of Commerce between Italy and Zangibar of the The Italian Government agree to the campellation 23rd May, 1885.

of Saint-Germain-en-Laye of the 10th September, 1919, Italian In accordance with the provisions of the convention subjects established in the pretectorate of Zanzibar shall. enjoy the same rights and privileges and receive the same treatment as British subjects.

ARTICLE 4.

The Italian Government shall indemnify the Government of His Highness the Sultan of Zensibar for any loss of net

revenue....

revenue arasing out of the present transfer of territory, and shall pay to the latter, as an indemnity which shall in no wise represent a tribute implying any survival of severeignty, the annual sum of 1,000 l., representing the preportionate share of the annuity which has hitherto been paid by the British Government to the Government of Zanzibar.

The Italian Government shall be entitled at any time to effect the discharge of any obligation undertaken under the preceding paragraph by means of the payment of a lump sum of 25,000 l. to the Government of His Highness the Sultam of Zanzibar.

ARTICLE 5.

The Italian Government undertakes that if it shall at any time desire to abandon all or any part of the territory transferred to it as above, it shall offer the same to the British Government upon such terms as may be just.

In the event of any differences between the two
Governments as to the terms of transfer, the question shall
be referred to arbitration in accordance with such procedure
as the Council of the League of Nations may prescribe.

AFFICLE 6.

British subjects, other than these persons who have become British subjects by the amnexation of the colony of Kenys, ordinarily resident at the date of the coming into force of the present convention in the territory transferred under article 1, shall, unless within air months of the coming into force of the present convention they opt for Italian nationality, retain their British nationality without being called upon to withdraw from the said territory or to part with their property. In the event of their not opting for Italian nationality and of their desiring to withdraw from the transferred territory, they shall be at liberty to do so within twelve months from the coming into force of the present convention.

British-protected persons and British subjects who have become such by the annexation of the Colony of Kenya, ordinarily resident in the transferred territory, will acquire Italian nationality and cease to be British-protected persons and British subjects respectively. Provided, however, that such persons, not being Somalis, or belonging to the native races of the area transferred, shall have the right to retain their existing nationality on condition that they withdraw from the transferred territory within twelve months from the coming into force of the present convention.

The same right is conferred on such a number of Somalis who are separated from their families by the new frontier as the wells and pasturage in the triangle of territory defined in the annex to this article can support, having regard to the present and reasonable future requirements of the tribes or sections of tribes already there, provided that such persons must be individually registered before they are allowed to cross into British territory. The Commission referred to in Article 12 shall decide as to the capacity in this respect of the said wells and pasturages and as to the number of the persons who may avail themselves of this right.

Persons ...

Persons who withdraw from the transferred territory under this article shall be entitled to carry with them their movable property of every description without payment of export duties of any kind. They shall not in respect of such property be subject to import duties of any kind in the Colony of Kenya. They shall be entitled to retain their immovable property in the transferred territory.

ANNEX.

The triangle of territory lying between a straight line from the Laurian Swamp to El Bern, the line defined in Article 1 from El Bern to its junction with the Panaland-Jubaland frontier, and a straight line from the said junction to the Learian Swamp.

ARTICLE 7.

territories which have been recognised as valid by the former Government, and are held by private persons or corporations at the date of the transfer of those territories, shall be recognised as valid by the Italian Government, to whom shall be transferred all rights and obligations of the former Government under the said concessions.

It is agreed that the concessions and property rights shall be exercised in accordance with the general laws and regulations in force in the Italian colony of Italian Somaliland, and that the Italian Government may impose on the concessionneires and proprietors all limitations necessary for

the execution of works of general utility, upon granting to such persons the same compensation or indemnity as that to which Italian subjects would be entitled in similar cases.

ARTICLE 8.

All treaties, conventions and agreements between the Government of His Britannic Majesty and the Government of His Majesty the King of Italy, applicable to the Italian colony of Italian Somaliland, and at present in force, shall be extended to the tarritory new transferred in accordance with the present agreement.

ARPICLE 9.

The two Governments undertake that they will respectively endeavour to prevent any migration of Somelis or other natives across the frontier defined in Article 1.

If, however, the enquiries of the Commission referred to in Article 12 show that during the rainy season there is, in the British territory in the neighbourhood of the new boundary from El Bern to the Jubaland-Tanaland boundary, more pasturage available than is required for the tribes in British territory, the Commission may recommend that for a certain period, not less than five years, Somalis or other natives of the transferred territory may during the rainy season cross the boundary to such a distance and in such numbers as the Commission may prescribe, it being understood that in no case shall such natives be allowed to pass to the west of the line Goodni-Ribbs-El Tulli-Lakela-Toor Guda-Ramaguda. The recommendations of the Commission shall....

shall be carried into effect by the authorities concerned, and at the end of the period so prescribed the position will be re-considered in a friendly spirit in the light of the experience gained and of the requirements at that time of the tribes in British territory.

ARTICLE 10.

The two Governments shall come to the necessary egreements with regard to the special conditions of time and place for evacuation by the Lagisth troops of the territory to be transferred and the entry of Italian garrison troops; they shall settle in consultation with the local anthorities the conditions of transfer to the Italian Government of the Government buildings existing within the territory which the latter might wish to acquire from the British Government and of the wireless telegraph installation at Kismaya.

The Italian Government agrees to respect the rights of Soudanese pensioners remaining at Youte, in accordance with the general laws and regulations of the Italian colony of Southern Somaliland, and to make provision for the upkeep of the cometery at Kismayu and the Jenner memorial,

ARTICLE 11.

ARTICLE 12.

The manner in which the present agreement shall be carried out shall be settled on the spot by a Commission composed of British and Italian officials appointed for the purpose by the two Governments. Until the whole boundary shall have been demarcated by an accurate survey, the efficials thus appointed shall be empowered to decide, provided an agreement can be reached, under which government water holes of local importance situated near the proposed boundary shall come. In the event of an agreement net being found possible, the points in dispute shall be settled by an accurate survey in accordance with the line described in Article 1.

In witness whereof the undersigned have signed the present convention and have affixed thereto their seals.

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JUN 1924)

DRAFT CONVENTION

BETWEEN THE

ITALIAN AND BRITISH GOVERNMENTS

REGARDING THE

CESSION OF JUBALAND.

JUN 1924)

DRAFT CONVENTION

BETWEEN THE

ITALIAN AND BRITISH GOVERNMENTS

REGARDING THE

CESSION OF JUBALAND.

Draft Convention between the Italian and British Governments regarding the Cession of Jubaland.

ABTICLE T

His britannie Majesby, in his own name and on his own behalf, and by virtue of his protectorate over Zanzisar, in the name and on the fall of His Highness the Sultan of Zanzisar, or far as the latter may be concerned transfers to this Majesby the King of Italy all sovereum rights and talla over that portion of African territory large to execute the present Italian colony of Southern Somalikand and sove boundary line to be determined as follows:—

From the confinence of the rivers Ganale and Dana, along the course of the Dana up-atreams to the southern point of the small southern being of the latter river in the vicinity of Malka Bs, thence in a south-westerly direction in a straight line to the course of the pool of Domosa; thence in a south-westerly direction in a straight line toward. Eith Kalfa (which remains in Batish tarritory) to such meridian east of Greenwight as shall leave in Italian south-waters until it reaches the boundary between the swell of El Beru; thence along the same ascralian south-waters until it reaches the boundary between the swell of El Beru; thence along the type of the southern or point due north of the point on the coast due west of the couthernment of the four islets in the immediate sicinity of the Kanadone (Dick's Head); thence due southwards to such point in the coast. Ras Kanadone (Dick's Head) and the four islets above neptuoned shall fall within the territory to be transferred to Laty.

In the event, however, of it being found by the Commission befored to in article \$2,000 the well of \$B\$, Sen, does not \$\choose{c}_{0}\$ that water either sufficient or autablo for the maintenance at that, point of an Italian fronzier post, then the line assetsween \$E\$ Beru and \$B\$ its stall be so drawn by the Commission as \$D\$ melude in talian ceritory the neighbouring well of \$E\$ Shains.

ARTICLE 2

The above boundary is shown on the attached map, and all references in the above description of the boundary are to this map. In the event of differences between the fext and the map, the text will nevail.

ARTICLE 9:

"The Hallon Government gene to the cancellation of the Treaty of Competed between Haly and Zahridar of the 23rd May, 1885. In apportance with the provisions of the Convention of Saint-German en-Laye of the 10th September, 1919, Iralam subjects as the convention in the protestorate of Zauzian Sall subject has some profile and prisingers and receive the same treatment as British

* Not reproduced,

ABRICLE 4.

The Italian Government shall indentify the Government of Mis-Highness the Sultan of Zuzzbar for any loss of met revenue arising out of the present transfer of servicery, and shall, pay to the latter, as an indemnity which shall in as wise represent a tristic implying any survival of sovereignty, the annual sum of £1,009, representing the propositionals share of the annual sum of £1,009, the proposition of the British Government to the Government of Songhar.

The Italian Covernment shall be entitled at any time to effect the discharge of any obligation undertaken under the preceding paragraph by means of the payment of a lump sum of £25,000 to the Government of His Highness the Sultan of Yangiar.

ARTHULE 5.

The Italian Government sudertakes that if it shall at any time fessive to algorion all or any part of the territory transferred to it as above, it shall offer the same to the British Osvernment appoin such forms as may be just.

In the event of any differences between the two forestuments us to the terms of transfer, the question shall be referred to arbitration in accordance with such procedure as the Council of the League of Nations may prescribe

ASTICHE 6

Dritish subjects, other than sloce persons who have become British subjects by the annexation of the colony of Kenya, ordinarily resident at the class of the conjugative force of the present convention in the territory transferred under article?, shall unless within also mouths of the coming juto force of the breast convention they opt for Raisan nationality, steptin their British nationality without being called upon to swithdraw from the said berritory or to jury with their property. In the event of their not opting for Italian actionality and of their desiring to withdraw from the transferred territory, shay shall be at fiberty so do so within twelve months from the coming into free of the present convention.

British protected persons and British subjects who have become such by the amexation of the Colony of Kenja, ordinarily resident in the transferred territory, will adquire I thus nationality and cease to be British-protected persons and British subjects respectively. Troyided, however, that such persons, not being Somalis, or belonging to the native races of the area transferred, shall have the right to relian their existing nationality on saindition that they withinks from the transferred territory within twelve mouths from the coming late force of the present convention.

The same right is conferred on such a number of Somalis who are separated from their families by the new freshies as the wells and pasterage in the territory defined; in the same to this article case support, having regard to the present and reasonable future requirements of the tithes or sections of tribes already there, provided that such persons post se individually suggested before they are allowed as cross fine British territory). The summission referred to in 1992 to 3 for Princip 1992.

The Italian Government shall indemnify the Government of His Highness the Sultan of Zanzibar for any loss of thet revenue arrang out of the present transfer of tarriery, and shall pay to the latter. out or the present transfer to include, and shall pay to the nation as an indemnity which shall in as wise represent a tribute implying any arrival of soverigate the annual sum of £1,000, representing the proportionis share of the annual which has hitherto been paid by the British Government to the Government.

The Italian Government shall she entialed at any time to effect the discharge of any obligation undertaken under the preceding paragraph by means of the payment of a lump sum of £25,000 to the Government of His Highwess the Sultan of Zauzibar.

ARTICLE 5.

The Italian Government sudertakes that if it shall at any time desire to abandon all or any part of the territory transferred to it above, it shall offer the same to the British Ocvernment upon such terms as may be just.

In the event of any differences between the two Governments as to the terms of transfer, the question small be referred to artifration in accordance with such procedure as the Council of the League of Nations may prescribe.

ARTICLE 6

Dritish subjects other than shose persons who have become British jects by the annexation of the colony of Kenya, ordinarily residentat the date of the coming into force of the present convention in the territory transferred under article 1, shall unless within six months of the coming into force of the present roovention they opt for Radian nationality, much their British nationality without being called upon to withdraw from the said Serritory or to part with their property. In the event of their not opting for Italian actionality and of their festring to withdraw from the transferred territory, they shall be at liberty to do so within twelve months from the coming into force of the present convention

British-protected persons and British subjects who have become such by the aumentation of the Colony of Kenya, ordinatily resident in the transferred territory, will about Turisa, nationality and cease to be Briash-protected persons and British subjects respectively. Provided, however, that such persons, and tesing Somalis, or belonging to the native races of the area transferred, shall have the right to retain their existing mationality on condition that they withdraw from the transferred territory within twelve mouth from the coming

sage feare of the present convention.

The same right is conferred on such a humber of Somalis who are separated from their families by the new frequing as the wells and possering in the territory demand in the tanser to this article cast passeries in the certifory sometiment in the associable fetture require-scape to having regard to the present and reasonable fetture require-ments of the tibes or sections of tribes sheady there, provided that such persons then be undividually regard and before they are allowed as across into firming territory). The parameters referred to in-

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natives of the transferred territory may during the rainy season cross the boundary to such a distance and is such numbers as the Commission may prescribe; at being understood that in no case shall such natives be allowed to pass to fite west of the line Goodhi-Ribba-El-Talli-Lakola-Toop-Gunis-Hamagnda. The decisions of the Commission shall be carried into effect by the sutherrites concerned, and at the end of the period so prescribed the position will be reconsidered in a triggally spirit in the light of the experience gained and of the regular constant at that time of the traces in British berritory.

ARTICLE 10.

The two Governments shall come to the necessary agreements with regard to the special conditions of time and place for evacuation by the British troops of the territory to be transferred and the entry of Italian froops, they shall settle in somulation with the focal authorities the conditions of transfer to the Italian Government buildings existing within the territory which the latter may wish to acquire from the British Government and of the singless telegraph installation at Kemanya.

The Italian Government agrees to respect the rights of Sudaress pensioners remaining at Yonte, in accordance with the general lives and regulations of the Italian country of Southern Somaliland, and to make provision for the upkeep of the cometery at Kishnaya and the Jenner memorial.

ARTICLE 11.

The two Governments agree to consult together with a view to training and putting into force reciprocal measures for the control of the illiest layory trathe across the frontier defined in article 1 of the present convention.

ARTICLE 12.

The manner in which the present agreement shall be carried out shall be settled on the spot by a commission composed of British and Italian difficults appointed for the purpose by the two Government. Until the whole boundary shall have been demarcated by an accurate survey, the officials thus appointed shall be empowered to decide, provided an agreement can be reached, under which Government water holes of local importance situated mear the proposed boundary shall come. In the event of an agreement not being found possible, the points in dispute shall be settled by an accurate survey in accordance with the line described in article 1.

In witness whereof the undersigned, having produced their full powers, found in good and due form, have signed the present convention and have affixed therets their seals.

ARTICLE 10.

The two Governments shall come to the necessary agreements with regard to the special conditions of time and place for evacuation by the British troops of the territory to be transferred and the entry of Italian froops; they shall settle in consultation with the focal sath orders the conditions of transfer to the Italian Government buildings existing within the territory which the latter may wish to acquire from the British Government and of the surgest telegraph installation at Kamaya.

The Italian Government agrees to respect the rights of Sudarysa.

The Italian Government agrees to respect the rights of Sudanses, pensioners remaining at Yone, in accordance with the general lives and regulations of the Italian control of Southern Somaliland, and to the prevision for the upkeep of the cemetery at Kishnaya and the Jesuer memorial.

ARTICLE 11.

The two Governments agree to consult together with a view to training and putting into force reciprocal measures for the control of the dilett invoy traffic across the frontier defined in article 1 of the present convention.

ARTICLE 12.

The manner in which the present agreement shall be carried out shall be settled on the spot by a commission composed of British and Indian difficults appointed for the purpose by the two Government Usail the whole comdary shall have been demarcated by an accurate surject, the officials thus appointed shall be empowered to decide, provided an agreement can be reached, under which Government water holes of heal importance situated mear the proposed boundary shall some. In the event of an agreement not being found possible, the points in dispute shall be settled by an accurate survey in accordance with the line described in article 1.

In witness whereof the undersigned having produced their full powers, found in good and due form, have signed the present convention and have affixed therete their seals.

If however, the enquiries of the Commission refused to in Article 12 show in hereighoushood of more the sector of the new from the running from BERU & the TUBALAND - TANALAND boundary there exists a shortage of hastine for tibes situated on the Italian side of the fronter, and of these enginees hoskow that during the rawy season there is on the British side of that clor and in the region bounded on the east by the new prontier and on the or by the line GOOCHI- RIBBA-EL TULLI - LAKOLA - TOOR- GUDA AMAGODA more hastering available than is required for the tribes in which territory, then the Commission will have power to decide that for certain period, not loss than fine years. Somalis or other natives of the unkned territory way during the rainy season cross the boundary uch adistance and in such humbers as the Commission may prescribe, being unders tood that in wears shall such natives be allowed to pass to west of the line GOOCHI - RISBA - ELTULA - LAKOLA - TOOK - GUDA - RAMAGUDA decis ions of the Commission shall be carried in a effect by the authorities cerned, and at the end of the period so prescribed the position will be residened in africadly spirit in the light of the experience garned and of the unements at that time of the tribes in artist territory "

The two dovernments agree to consult together with a view to framing and putting anto force reciprocal measures for the control of the illicit ivory traffic across the frontier defined in the present Convention. Such measures might in particular consist of legislation to be passed in the respective territories, making it an infrares to possess, buy, cell, offer for sale, or export any ivory or thingoeros horns unscompanied by papers chewing that if the lawfully passessed.

PS. DRAFT

Concept patry action, Our use A les

experts, took place at the Colonial Office at 5 p.m. on Wednesday, the 4th June 1924. The following were present:

Pritish Ampire. Italy.
Present: Sin H / Read . KERG. . C.S.,

Commendatore Enauglia Commendator Pasqualucci

The How. At Nic dear (Frage

Captain K. F. Flatdwell (And Sainte Warden, Kenny

Captain K. F. T. Caldwell, As " Tame Warder Neuma was

/ The Committee had before them the revised draft of the Jubaland Convention which had been prepared at the Foreign Office in order to register the progress hithertomade. This draft Convention is attached to the present process verbal as Annex I.

2 Sir H. Read suggested that the draft Convention should now be read article by article. The preamble was accordingly read.

Signor Guariglia suggested that it might be preferate to omit the preamble and merely to extend the final clause providing for ratification embodying the recessary statement that the signatories to the Convention had been provided with full powers found in good and due form.

This was agreed to.

Article I was then read and approved so well the adults a large for the before he was determined.

Article 2 was then read and approved.

Article 3 was read.

aignor Guariglia enquired what would be the position if, for reasons connected with the programme and procedure of the Italian Parliament, the ratification of the

Convention

Convention signed at St. Germain-en-Laye on the 10th September 1919 should inevitably be delayed.

Sir H. Read stated that His Hejesty's Government were satisfied with the assurance which Signor Quarieli had given at a previous meeting, and which had been recorded in the proces verbal of that meeting, that the Italian government would present the said convention for ratification as soon as possible. Meanwhile His majesty's Government did not wish in any way to subject the stalian government to the inconvenience which might arise if an interval elapsed between the cancellation of the Tracty of Commerce between Italy and Zanzibar of the 25rd May 1885 (as provided in the first paragraph of Article 3) and the ratification of the Convention of St. Germain en-Laye of the loth September 1919 (as implied in the second paragraph of that Article). He wished to assure the Italian delegation that, as provided in paragraph that Article, Italian subjects established in the Protectorate of Zanzibar would enjoy the same rights and privileges and receive the same treatment as ritish subjects from the date of the cance laston of the Treaty of Commerce between Italy and Zanzibar of the 25r May 1885, or in other words from the date of the entry into force of the present convention.

Signor Guariglia stated, that in view of this assurance, which would be recorded in the praces verbal, he was prepared to accept article 5 as it was directed.

Articla 4 was read and approved.

Article 5 was read and approved ...

Article 6 was read.

Signor Guarislia informed the committee that the

formil a

formula which had been suggested by the British delegation had been referred by him to the Italiah Government. He hoped to reserve a reply within the next few days. Meanwhile however it was obvioual impossible for him to accept the article, and he must reserve his decision.

Article 7 was read.

The British delegation furnished their Italia Colleagues with a list of the soncessions which were known to exist in the area to be transferred up to

Vas as follows. (Here Insert statement manded to Italian delegation). (This list is aurered.)

Sir H. Read added that the covernor of Kenya Colony had been asked by telegraph whether any concessions exided beyond those enumerated in the acove statement, and that his reply was awaited.

Article 8 was read and approved. Article 9 was read.

Signor Guariglia stated that after having compatited the Italian impassador in London he feet that he was in a position to discuss en aventually to accept this article without further reference to his government. There were, however, certain after modifications which he would like to see introduced. The first of these modifications was that the ord recommend and the Fellowin pacemendations in the Unital Tormula should be altered to the words. "shall have power to decide" and "decisions" as better

Sir H. Read accepted this emendation.

one ...

one further point in the British formula which he wished to add. The formula in its present state add not appear to indicate the need of reciprocity, and he would like to insert some phrase under which the Delimitation Committee, should have power to enquire whether there did in fact exist in the area to be transferred to Italy a shortage of pasturage.

After further discussion to following formula was proposed by the British delegation and accepted by their Italian colleagues:

(Here insert formula po at Allhalla)

Article 10 was read and approved.

Article 11 had been Mefty blank in the consisting typescript of the draft convention, but the filluring formula had been submitted privately to the Lagland delegation. (Here insert calling Elephent formula)

Signor duaricies stated that he had carefully examined this formula and that he was affaid that he could be obliged; to refer it to his foverment before he could accept it.

to the Italian delegation, and with the cit of a man, the exact location of the elephant herds, with areas which would be affected by the present convertion, and the steps which the King and Government would desire to take in order to use riot to enugating of elephant and raino treks.

Signor chariffly expressed the personal views that through his government might well, and is symiathy with two general principals contained by the formula submitted by the lettich Delegation, we

ent B.

very much doubted whether they would be prepared at this stage to commit themselves to anything so specific as the second sentence of that formula.

Sir H. Read agreed therefore that the second sentence might be omitted and that the formula se the submitted to his Government by Signor Quarialia, and should merely read as follows. (Here insert analysed formula).

Signor Chapiglis signified that he would submit the formula as amended to his foverment, and would committee before the next meeting of the route.

3 The committee then adjourned until Princy, 6th June, at 5 p.m., by which time it was need that both the Eritish and Italian experts would have received the views of their Covernments and would be in a position to adopt the final text of the convention. The convention when their then is initialled by the experts at a further meeting to be held on Saturday morning.

5th June 1924.

Cepy, A 9102/12/60.

Pereign Office, d.W.L.,

Your Excallency

I have the honour to state that I have now received the observations of the Governor of Lenya Colony on Your Excellency's notes of March 24th and May 14th last with regard to the proposed transfer of Jubaland to Italy and I transmit to you horseith a revised draft of the Convention containing the socifications indicated as desirable by Sir S.Northey from the knowledge mich his officers possess of the district in question.

As regards article 1 (the reference throughout are to the articles as numbered in the Italian draft) it has been ascertained that the most easterly well of practical utility in the area of EL Wak is the well of Elberg. This well is accordingly specified by name in the text of the article in order to avoid the pessibility of future misunderstandings. In this connection I should observe that the proposed international frontier coincides with the present provincial boundary. latter was originally drawn for the express purpose of dividing the district of the Marshan from that of the Gurre, and It has long been the settled policy of the British Administration not to allow the Marchan to crees into the territory of the Curre, for whose needs. the remaining wells of the El Wak area are indispensable. In view of the importance of making proper provision for the control of the mevements of the Marchan I have thought it best to explain to you at greater length in a separate note the views of His Majesty's Coversment on this point.

- 4. Article 2. A new map has been prepared in which correction will be made of the error at the northern and of the frontier, to which attention was called by Your Excellency, a proof of the map is enclosed herewith.
- 5. Article 3 in view of the detailed definition of the boundary in article 1, and of the fact that no difficulty need be apprehended in finding the places mentioned, there would appear no necessity for this further article, and it is proposed that it should be omitted altogether.
 - 6. Article 4. His Majesty's Government feel that they must adhere to the requirement of the cancellation of the Treaty of Commerce between Italy and Zanzibar of May 23rd, 1885, as one of the conditions of the transfer of Jubeland. It must be borne in mind that it is proposed to transfer to Italy a considerably larger area than that originally mentioned, an area including Ras Kimpbone to which it is understood the Italian Government strach some importance, and His Najesty's Covernment, could only agree to the transfer of this larger area on the condition that the treaty of 1886 is annulled. Moreover on soon as the convention of

St.Germain

- and a slight modification of the boundary proposed, in order to remove any doubts as to the ownership of the four islets in the immediate vicinity of Dick's Head. It would appear more appropriate to include the provision that Dick's Head and those islets shall fall within the territory to be assigned to Italy in the main article defining the boundary rather than in article 3.
- 4. Article 2. A new map has been prepared in which correction will be made of the error at the northern end of the frontier, to which attention was called by Your Excellency, a proof of the map is enclosed herewith.
- 5. Article 5 In view of the detailed definition of the boundary in article 1, and of the fact that no difficulty need be apprehended in finding the places mentioned, there would appear no necessity for this further article, and it is proposed that it should be omitted altogether.
- 6. Article i. His Majesty's Government feel that they must adhere to the requirement of the cancellation of the Treaty of Commerce between Italy and Zansibar of the Treaty of Commerce between Italy and Zansibar of May 25rd, 1885, as one of the conditions of the transfer of Jubeland. It must be borne in mind that it is proposed to transfer to Italy a considerably larger area than that originally mentioned, an area including Ras limbone to which it is understood the Italian Government situah some importance, and His Majesty's Government could only agree to the transfer of this larger area on the condition that the treaty of 1885 is annualled.

wording

St. Germain-en-Laye of September 10th, 1916, which has now been ratified by France, Pengium and Great Britain, is ratified by Italy, Italian subjects will enjoy in Lansibar the same rights and privileges as British subjects. In view of this committee there appears to be no reason for a new convention.

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- The sum of one thousand pounds per annum has been inserted as representing the value of the revenue which will be lost to the Sultan of Mansibar and the lump sum mentioned in the second paragraph is calculated at twenty five years purchase.
- 8. Article'6. No change
- Articles 7 and 9 have been redrafted. The object of the article as now drafted is to provide that in general British subjects resident in the transferred territories shall be entitled to remain there without lesing their. British mationality, while British protected persons will acquire Italian nationality, subject to a right to retain their existing status on condition of their withdrawing from the transferred territories. Inaumuch, however, as the annexation of the colony of Kenya had the effect of conferring the status of British subjects ensonalis and other natives resident in Jubaland outside the Sultan's dominions and it is considered proper that such persons. should not be entitled to retain their British nationality if they desire to remain in the transferred territories, provision has been made accordingly so that they will be treated in the same way as British protected persons. The

wording of the new article follows that which has been adopted in the nationality articles in the treaties of peace.

- Lo. Article 3. As regards the first paragraph His Majesty's Covernment would prefer to adhere to the wording of their former draft, which is now inserted. In any case they would be unable to accept the word "permit" as proposed in Your Excellency's draft, because they have accertained that there are some twelve land grants, and in addition a number of temporary accupation licences in the transferred territory, in respect of which it is necessary to safeguard the rights of existing holders.
- 11. Article 9. Now incorporated in article 7.
- 12. Article 10. No change
- 15. Article 11 After consultation with the Covernment of Kenya His Majesty's Government cannot but feel that it is very desirable to include in this article, as originally proposed, a provision with regard to the migration of Somalis into British territory. A modification of the text of this article is therefore proposed, under which the Italian Sovernment would undertake to use their endeavours to prevent such a migration.
- 14. As regards the government property which his Hajsety's Government are prepared to transfer to the Italian Government, the Government of Kempa has caused a valuation to be made of the government works and buildings and a schedule is attached. The capital cost of material for, and erections the wireless telegraph installation is not included

in the schedule and was an follows:-

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In view of the large increase in the cost of materials

Total #2, 964.

since the plant was purchased, its present value cannot be reckoned at less than the above total and is probably considerably greater. His Dajesty's Government accordingly suggest that the Italian Government should acquire the Italian sentioned in the schedule, including the buildings attached to the Kismayu wireless station, for the sum of eighteen and thousand ninety five pounds, and the wireless station itself for two thousand nine hundred and sixty four pounds. In the event of any of the items mentioned in the schedule saving been otherwise disposed of before the transfer is

15. The wireless station at Serenti has been removed and the words "and Serenti" at the end of paragraph 1 of article 11 have accordingly been deleted.

made, the total amount payable will be proportionately

is. As regards the orderly room, Askari lines and outhouses at Tonte the Governor would be glad to have early information whether these buildings are required by the

18,095

2, 964

reduced.

Italian Government, as in the event of their not being so required the governor wishes to dispose of them in another way.

17. His Majesty's Government would welcome an assurance that provision will be made by the Italian Government for the upkeep of the small cometery at Kismayu and the Henner memorial.

18. Article 12. His Majesty's Government are advised that the proposed boundary line does not bisect any tribe but that there may be sections of Somalis, consisting of several tribes, which may be divided. It is hoped that such divisions of sections may be avoided, but the line as drawn passes through uncharted country, and His Majesty's Covernment agree that the Joint Commission should have authority to decide on the ownership of points near the frontier of local importance and consider that such commission should be appointed at the earliest opportunity. They think, however, that the tribes should not be allowed the permanent right of erossing the frentier. Such a provision in agreements relative to other neighbouring boundaries has caused great difficulty. Pending the appointment of the commission it will be necessary to allow some latitude to the officers administering the tribes in deciding where they may graze their sattle, but His Majesty's Government consider it importante that no provision should be inserted in the treaty which would smalle the tribes who are being coded to proce the frantier into arous which have hever been recognised as theirs. The proposed article 12 has therefore been reconstructed and in superisting it in its present form for

e consideration of the Italian Government, His 83 Extenty's Severement desire that it should be understood that the Intitude clyen to the local officials to decide on the ownership of waterholes shall in no case be construed to authorise such officials to permit tribes to reside outside their em area during the dry season. His Majesty's Government would also wish it to be understood that on the Dusu river, Melka Re shall be regarded as a fixed point at which such latitude shall not be allowed: that in the neighbourhood of El Sak all the rain pools to the north east known as the Wanti Pools and all the permanent wells of the El Mak area except El Bern shall be regarded as Garre ground to which tribes subject to Italy shall have no right of access. Further that such tribes shall not be allowed to range as far west as Geachi, Ribbs, Lakels, Toor, Toor Guda, and similarly that tribes subject to Great Britain shall not be allowed to range as far east as Maddeli, Kasanguri, El Harmana, Calja and Tubbi.

19. I shall be glad if you will inform me in due course whether this understanding will be acceptable to the Italian Government.

20. It appears improbable that the international frontier will ever be accurately demargated from and to and and materiales will probably be discovered near the presumed line whose possession must be decided. It seem desirable therefore that the commissioners should be empowered to make such decisions if they can reach an amicable agreement and that in default of such agreement, the letter of the treaty should be observed.

Strict adherence to the lotter of the treaty would, however, entail an expensive survey, which the Italian Government will combiles be as medicus to avoid as His Hajesty's Deverment.

21.. A medification of the second sentence of the erticle is proposed to meet these conditions.

I have the honour to be, etc.,

(sd) Curson of Kedleston.

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Monorleur de Martine,

etc., etc., etc.

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Cession of Jubeland.

Minutes of the third meeting of the Angle-Italian Committee of experts, held at the Colonial Office at 5 p.m. on Wednesday, the 4th June 1924:

Present: Sir H.J.Read, K.C.M.G., C.B.,

Commendatore Guariglia Mr.W.C.Bettomley, C.M.G., 0.B.E.,

Commendatore Pasqualucci The Hon.H.Nicolson, C.M.G.,

(Foreign Office)

Mr. G.F.Seel.

Captain K.F.T. Caldwell, Assistant Game Warden, Kenya, was also in attendance.

- T. The Committee had before them the revised draft of the Jubaland Convention which had been prepared at the Foreign Office in order to register the progress hitherto made.
- Sir H. Read surrespin that the draft Convention should now be read article by article. The preamble was accordingly read.

Signor Guariglia suggested that it might be preferable to omit the preamble and merely to extend the final clause providing for ratification by embodying the necessary statement that the signatories to the Convention had been provided with full powers found in good and due form.

This was agreed to

Article 1 was then read and approved, subject to the insertion in line 8 of the words "to be" before the word "determined".

Article 2 was then read and approved.

Signer Guariglia enquired what would be the position if, for reasons connected with the programme and procedure of the Italian Parliament, the ratification by Italy of the Convention Convention signed at St. Germain-en-Laye on the 10th September 1919 should inevitably be delayed.

Sir H. Read stated that His Majesty's Government were satisfied with the assurance which Signor Guariglia had given at a previous meeting, and which had been recorded in the proces verbal of that meeting, that the Italian Government wouldpresent the said convention for ratification as soon as possible. Meanwhile His Majesty's Government did not wish in any way to subject the Italian Government to the inconvenience which might arise if an interval elanged between the cancellation of the Treaty of Commerce between Italy and Zanzibar of the 23rd May 1885 (as provided in the first paragraph of Article 3) and the ratification of the Convention of St. Germain-en-Lave of the 10th September 1919 (as implied in the second paragraph of that Article). He wished to assure the Italian delegation that, as provided in paragraph 2 of that Article, Italian subjects cotablished in the Protectorate of Zanzibar would enjoy the same rights and privileges and receive the same treatment as British subjects from the date of the cancellation of the Treaty of Commerce between Italy and Zanzibar of the 23rd May 1885, or in other words from the date of the entry into force of the present convention.

Signor Quariglia stated that in view of this assurance, which would be recorded in the process verbal, he was prepared to accept article 3 as it was disited.

article 5 was read and approved.

Article 5 was read and approved.

Article 5 was read.

Signor dustights informed the Committee that the formula would had been suggested by the British delegation had been referred by him to the Italian Government. He hoped to receive a reply within the next few days. Meanwhile,

however.

however, it was obviously impossible for him to accept the article, and he must reserve his decision.

Article 7 was read.

The British delegation furnished their Italian colleagues with alist of the concessions which were known to exist in the area to be transferred up to May 1921.

(This list is annexed).

Sir H. Read added that the Governor of Kenya Colony had been asked by telegraph whether any concessions existed beyond those enumerated in the above statement, and that his reply was awaited.

Article 8 was read and approved.
Article 9 was read.

Signor Cuariglia stated that after having consulted the Italian Ambassador in London he felt that he was in a position to discuss and eventually to accept this article without further reference to his Government. There were, however, certain minor modifications which he would like to see introduced. The first of these modifications was that the word "recommend" and, later, the word "recommendations" in the British formula should be altered to read "shall have power to decide" and "decisions" respectively.

Sir H. Read accepted this emendation.

Signor Guariglia then stated that there was one further point in the British formula which he wished to add. The formula in its present state did not appear to indicate the need of reciprocity, and he would like to insert somephrase under which the Commission should have power to enquire whether there did in fact exist in the area to be transferred to Italy a shortage of pasturage.

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Appendix II N.B. 6 Cher also care a cacle.

After further discussion the following formula was proposed by the British delegation and accepted by their Italian colleagues:-

"If, however, the enquiries of the Commission referred to in Article 12 show that in the neighbourhood of the sector of the new frontier running from El Bern to the Jubuland-Tanaland boundary there exists a shortage of pasture for the tribes situated on the Italian side of the frontier, and if there enquiries also show that during the rainy season there is on the British side of that sector and in the region bounded on the east by the new frontier and on the west by the line Goochi-Ribba-El Tulle-Lakola-Toor-Guda-Ramaguda more pasturage available than is required by the tribes in British territory, then the Commission will have power to decide that for a certain period, not less than five years. Somalis or other natives of the transferred territory may during the rainy season cross the boundary to such a distance and in such numbers as the Commission may prescribe, it being understood that in no case shall such natives be allowed to pass to the west of the line Goodhi-Ribba-Elfulla-Lakola-Toor-Guda-Ramaguda. The decision of the Commission shall be carried into effect by the authorities concerned, and at the end of the period so prescribed the position will be re-considered in a friendly spirit in thelight of the experience sained and of the requirements at that time of the tribes in British territory."

Article 10 was read and approved.

article 11 had been left blank in theoriginal typesscript of the draft convention, but the following formula had been submitted privately to the Italian delegation:-

"The two Governments agree to consult together with a view to framing andputting into force reciprocal measures for the control of the illicit ivory traffic across the frontier

a defined

defined in the present Convention. Such measures might in particular consist of legislation to be passed in the respective territories, making it ampfence to possess, buy, sell, offer for sale, or expert any ivory (or rhinoceros horn) unaccompanied by papers shewing that it is lawfully possessed.

Signor Guariglia stated that he had darefully examined this formula and that he was afraid that he would be obliged to refer it to his Government before he could accept it.

Captain Caldwell thereupon explained in detail to the Italian delegation, with the aid of a map, the exact location of the elephant herds, the areas which would be affected by the present convention, and the steps which the Kenya Government would desire to take in order to restrict the smuggling of elephant and whice tusks.

Signor Guariglia empressed the personal view that although his Government might well be in sympathy with the general principles contained in the formula submitted by the British Delegation, yet he very much doubted whether they would be prepared at this stage to commit themselves to anything sp specific as the second sentence of that formula.

Sir H. Read agreed therefore that the second sentence might be emitted and that the formula to be submitted to his Government by Signor Guariglia should merely read as follows:

"The two Governments agree to consult together with a view to framing and putting into force reciprocal measures for the control of the illicit ivory traffic across the frontier defined in the present Convention".

Signor Guariglia signified that he would submit the formula as now amended to his Government, and would communicate their views at the next meeting. 3. The meeting then adjourned until Friday, 6th June, at 5 p.m., by which time it was hoped that both the British and Italian experts would have received the views of their Governments and would be in a position to adopt the final text of the convention. The convention could then be initialled by the experts at a further meeting to be held on Saturday morning.

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being desirous of giving full and equitable offent, in so for as he is someomed, to the uncertaining given in Article 18 of the agreement between Great Britain, France, themis and Italy signed at London on April 26, 1915.

and HIS HAJESPY THE KING OF ITALY

being both declines to liquidate a question which has so long been experimentary between their two developmentar

have agreed to conclude a Convention for this purpose, and for this object have appointed as their plenipotentiaries;

who having produced their full powers, found in good and due form, have agreed no follows:

AMTIGLE 1.

His Britannic Majesty, in his own name and on his own behalf, and by virtue of his protectorate over Sambbar, in the same and on behalf of His Highmon the Saltan of Longitur, on far as the latter my be construed, transfers to His Majesty the King of Italy all severeign rights and title over that portion of African territory lying between the present Italian colony of Southern Bountland and a new boundary line Asterninos on follows:

From the confluence of the rivers Gamals and Done, along the source of the Bona up-stress to the southern point of the small southerly bond of the latter river in the visinity of Malka My thomes in a couth-westerly direction in a straight line to the sentre of the poul of Dunnes; thence in a southwesterly direction in a straight line towards mills Kalls (which remains in British territory) to such meridian east of Groundish as shall leave in Italian territory the wall of A Beru; theme along the came soridian southwards until it reaches the boundary between the previous of Jubaland and nce along that provincial boundary to a point rth of the point on the count due went of the southernmest of the four islots in the impliate vicinity of his one (Blok's Read); themer due southwards to such point on the county. has Limbone (Dink's Rend) and the dour inlots above mentioned shall full within the territory to be transformed to Italy.

In the event, however, of it being found by the

Commission

Commission referred to in Article 12 that the well of I Bern does not contain water either sufficient or smitable for the maintenance at that point of an Italian frontier post, then the line, as between I Bern and Sills Kalla, shall be so drawn by the Commission as to include in Italian territory the neighbouring well of Il Shame.

AMPIOLS 2.

The shore boundary is shown on the attached map and all references in the above description of the boundary are to this map.

In the event of differences between the text and the map, the text will prevail.

AMPIGLE 3.

The Italian Covernment agree to the camellation of the Treaty of Commerce between Italy and Esseibar of the Sort May, 1888.

In accordance with the previations of the convention of Saint-Commis-em-Laye of the 10th September, 1919, Italian subjects astablished in the protectorate of Sancibar shall emjoy the same rights and privileges and receive the same treatment as British subjects.

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the Italian deverment shall indomity the deverment of his highwest the Salian of Santhar for any loss of not a

revenue arising out of the present transfer of territory, out shell pay to the fatter, as an indemity which shall in no vice represent a tribute implying my survival of severeignty, the annual sum of 1,000 £., representing the proportionate there of the annually which has hitherto been paid by the British Government to the deverment of Issuether.

The Italian Government shall be entitled at any time to effect the dischange of any obligation undertaken under the proceding paragraph by means of the payment of a lump sem of \$5,000 %, to the Government of His Righmen the Sultan of Esseiburg

APPROLA BA

The Italian Government undertaken that if it shall at any time desire to abundan all or my part of the territory transferred to it as above, it shall offer the same to the British Government upon such teams as may be just.

In the event of my differences between the two Governments as to the terms of transfer, the question shall be referred to arbitration in econologic with much protodure on the Council of the League of Retions my prescribe.

ARTICLE 6.

British subjects, other then these persons the lave become British subjects by the unparation of the colony of longs, exhibitly resident at the date of the coming into ferce of the present convention in the territory transferre under Article L, shall, unless within all souths of the Italian noticements, rotain their british nationality without being called upon to withdraw from the said territory or to part with their property. In the event of their not opting for italian actionality and of their desiring to withdraw from the transferred territory, they shall be at liberty to do so within trains anthe from the coming into force of the present

British-protected persons and British subjects who have become such by the assessment of the Colony of Kenya, epimarily resident in the transferred territory, will sequire lighter articulity and comes to be British-protected persons and British subjects respectively. Provided, henceer, that such persons, not being Genetic, or belonging to the active reces of the area transferred, shall have the right to retain their existing actions life on condition that they withdree from the transferred ferritory within trains counts from the country force of the present convention.

The same right is uniferred as such a maker of Donalds who are separated from their families by the new frontier as the valls and posturage in the unimposed forritory defined in the amounts this article can support to the promote and reasonable feture requirements of the tribes or sections of tribes already there, provided that such persons must be individually registered before they are allered to areas into british territory. The democracy records in intrinsic 12 and 1 decide as to the amounts of the seld valle and pasturages and as to the number of the persons who say small themselves of this right.

Former the rithirm from the temperary territory under this article shall be entitled to earry with them their movable property of every description without payment of angers dating of any kind. They shall not in respect of such property be subject to import dating of any kind in the Onlony of Emys. They shall be entitled to retain their imposable property in the transferred territory.

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to the formula of the property of the policy of the line defined in trible 1 from it born to its junction with the puncture full line from the said junction in the Land Junction

ARTICLE 7.

All composition or rights to properties in the shore territories which here been recognised as valid by the former deverment, and are held by private persons or emporetisms at the date of the transfer of those territories, shall be recognised as valid by the Italian territories, to whom shall be transferred all rights and obligations of the former deverment under the said commensus.

It is agreed that the consensions and property rights shall be exercised in accordance with the general last shall regulations in force in the Italian objects of Italian Seculilend, and that the Italian Occasions may impose on the concessionnaires and proprietors all limitations necessary for the execution of works of general utility, upon granting to mak persons the same compensation or indensity as that to shigh linking subjects would be satisfied in similar cases.

ARTICLE 8.

All treation, conventions and agreements between the Government of His Deltamic Rejecty and the Covernment of His Rejecty the Ling of Haly, applicable to the Italian colony of Italian Someliland, and at present in force, shall be extended to the territory now transferred in accordance with the present agreement.

ARTIOLE 9.

The two Covernments undertake that they will respectively andersour to prevent my nigration of Sonolis or other natives serves the frontier defined in Article 1.

ferred to in Article 12 above that during the recipy season there is, in the British territory in the Beighbourhood of the see boundary from a ferred than in required the boundary, were parturage everlable them in required the tables in British territory, the Commission was recommended that there a certain period, not less than five years. Sometim or other matives of the transferred territory, and is made making the many second cross the boundary to make a distance and is much numbers so the Commission may prescribe, it being makerated that is no season shall not notice to allowed to pass to the west of the line (seed)—although the contents. The professional filters of the Commission shall not delice to contents.

shall be earried into effect by the authorities concerned, and at the end of the period so prescribed the position will be re-considered in a friendly spirit in the light of the experience gained and of the requirements at that time of the tribes in British territory.

ARTIGLE 10.

The two Covernments shall one to the necessary agreements with regard to the special conditions of time and place for execution by the subsectiveps of the territory to be transferred and the entry of Italian appropria troops; they shall notice in consultation with the local authorities the conditions of transfer to the Italian Covernment of the Covernment buildings existing within the territory which the latter shall wish to acquire from the British Covernment and of the wireless plagraph installation at Linuarys.

The Italian Government agrees to respect the rights of Musicane pointeners remaining at Tente, in secondaries with the general laws and regulations of the Italian colony of Southern Semiliand, and to make previous for the upkeep of the semetery at Elemans and the Jomes nemerial.

ARTICLE 21.

ARTICLE 12.

The anner in which the present agreement shall be carried out shall be notified on the spet by a Commission composed of British and Italian officials appeared to a the purpose by the two Governments. Until the whole beauting shall know been descripted by as common survey, the efficials thus appointed shall be exposed to decide, provided an agreement one be reached, inter ships government enter below of local importance of most and the proposed boundary shall came. In the event of an agreement set being found possible, the points in dispute shall be notified by as assumed survey in assumptions with the limit described in Article 1.

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form,

 minutes of the third secting of the Angle-Italian domnities of experts, held as the Colonial Office at 3 p.m. on Velmesday, the 4th June 1984.

Present: Sir H.J.Read, K.C.E.O., C.B.,

Commendatore Quariglia Er. W.C.Bottenley, C.M.C.,

Commendatore Pregnalusci

The Hen. H. Nicelson, C. N.C. (Foreign Office)

Mr. G. P. Seel.

Captain K.F.T.Caldwell, Assistant Came Worden, Kenya,

- I. The Committee had before them the revised draft of the subcland Communication which had been prepared at the Persian Office in order to register the progress hitherte made;
- A. Sir H. Rend suggested that the draft descention should now be read article by article. The presable was advertingly read.

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This was agreed to.

Article 1

Einutes of the third meeting of the Anglo-Italian Committee of experts, held at the Colonial Office at 5 p.m. on Wednesday, the 4th June 1924.

Present: Sir H. J.Read, K.C.R.G., C.B.,
Commendatore Guariglia Hr. W.C.Ecttoniay, C.M.G.,
Commendatore Pasqualucci

The Hen. H. Nicelson, C. M.G. (Pereign office)

Mr. G.F.Seel.

Cantain K.F.T.Caldwell, Assistant Game Warden, Kenya, was also in attendance.

- 1. The Committee had before them the revised draft of the Jubeland Convention which had been prepared at the fereign Office in order to register the progress hitherte made.
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This man agreed to.

Artiule 1

Article 1 was then read and approved, subject to the insertion in line 6 of the words to be before the word "determined".

article S was them reed and approved. Article S was reed.

Signer Chariglia enquired what would be the position if, for re-room connected with the programme and procedure of the Italian Parliament, the ratification by Italy of the Convention eigned at St. Germain-en-Laye on the loth September 1929 should inevitably be delayed.

Sir H. Read stated that His Rejectv's Severament were satisfied with the assurance which Signor Guariglia had given at a previous secting, and which had been recorded in the proces verbal or that meeting, that the Italian Government would present the said convention for ratification as soon as pensible. Meanwhile His Majosty's Government did not wish in any way to subject the Italian Gevernment to the inconventance which might arise if am interval elapsed between the cancellation of the Treaty of Commerce between Italy and Zanzibar of the 23rd May 1668 (as provided in the first paragraph of Article 3) and the retification of the Convention of St. Germain-en-Laye of the 10th September 1919 (as implied in the second paragraph of that article). He wished to sesure the Italian delegation that, as provided in paragraph 2 of that Article, Italian sub jects in the Protestorate of Zanziber would enjoy the same rights and privileges and receive the sam

treatment as British subjects from the date of the cameellation of the greaty of Commerce between Italy and Canadhar of the Eard May 1865, or in other words from the date of the entry into force of the present convention.

Signer Guarighta stated that in view of this assurance, which would be recorded in the process verbal, he was proposed to scoops article 2 as it was drafted.

Article 5 was read and approved. Article 5 was read and approved. Article 6 was read.

Signer quariglia informed the Committee that the formula which had been suggested by the British delegation had been referred by him to the Italian Soverment. He heard to receive a reply within the next few days. Meanwhile; however, it was obviously impossible for him to sceept the article, and he must reserve his decision.

Article 7 was read.

The British delegation furnished their Italian colleagues with a list of the concessions which were known to exist in the area to be transferred up to May 1921. (This list is amound).

Sir H. Head added that the Gevernor of Kenya had been asked by telegraph whether any concessions existed beyond those emmerated in the above statement, and that his reply was awaited.

Article 8 was read and approved.

Article 9

Signer Guariglia stated that after having consulted the Italian Ambassador in London he felt that he was in a position to discuss and eventually to secept this article without further reference to his deverment. There were, however, sartish siner modifications which he would like to see introduced. The first of these modifications was that the word "recommend" and, later, the word "recommended and, later, the word "recommendations" in the British formula should be altered to read "shell have power to decide" and "decisions" respectively.

Bir H. Read accepted this emendation.

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After further disqueston the following fermula was proposed by the British delegation and accepted by their Italian colleagues:

"If, however, the enquiries of the Gommission referred to in Article 12 show that in the neighbourhead of the sector of the new frontier running from El Beru to the Jubuland-Tamaland boundary there exists a shortage of pasture for the tribes situated on the Italian

Signer Guariglia stated that after having consulted the Italian Aubassador in London he felt that he was in a position to discuss and eventually to scoops this article without further reference to his deverment. There were, however, satisfu minar modifications which he would like to see introduced. The first of these medifications was that the word "recommend* and, later, the word "recommendations" in the British formula should be altered to read "shall have power to decide" and "decisions" respectively.

Bir H. Read accepted this emendation.

Signor dueriglia then stated that there was one further point in the British fermula which he wished to add. The formula in its present state did not appear to indicate the need of reciprocity, and he would like to invert some phrase under which the Commission should have power to enquire whether there did in fact exist in the area to be transferred to Italy a shortage of posturage.

After further disqueston the following fermile was proposed by the British delegation and accepted by their Italian colleagues:

"If, however, the enquiries of the Commission referred to in Article 12 show that in the neighbourhood of the sector of the new Frontier running from K1 peru to the Jubuland-Tanaland boundary there exists a shortage of passture for the tribes situated on the Italian

side of the frontier, and if these enquiries also show that during the rainy season there is on the British side of that sector and in the region bounded on the east by the new frontier and on the west by the line Gooshi-Ribba-El Tulla-Lakola-Toor-Guda-Ramaguda more pasturame available than is required by the tribes in British territory, then the Commission will have power to decide that for a certain period, not less than five years, Somelis or other natives of the transferred territory may during the rainy season cross the boundary to such a distance and in such numbers as the Commission may prescribe, it being understood that in no our shall such natives be allowed to pass to the west of the line Goodhi-Ribbe-El Tulid-Lakola-Toor-Guda-Remaguda, . The desision of the Commission shall be carried into effect by the authorities concerned, and at the end of the period so prescribed the position will be re-considered in a friendly spirit in the light of the experience gained and of the requirements at that time of the tribes in British territory.

Article 10 was read and approved.

Article 11 had been left blank in the griginal typesdript of the draft senvention, but the following formula had been submitted privately to the Italian delegation:

"The two Coverments agree to consult tagether with a view to framing and putting into into force reciprecal measures for the control
of the illicit ivery traffic across the frontier
defined in the present convention. Such
measures might in particular consist of legislation to be passed in the respective
territories, multing it an offence to persons,
buy, sell, offer for male, or expert any ivery
(or rhimsers born) unaccompanies by papers
shewing that it is lawfully possessed."

Signer desriglis stated that he had carerully examined this fermile and that he was arreid that he would be obliged to refer it to his devernment before he could accept it.

Captain Coldwell thereupon explained in detail to the Italian delegation, with the mid of a map, the exact location of the elaphant herds, the areas which would be affected by the present convention, and the steps which the Kenya Government would desire to take its order to restrict the amagging of elaphant and chinoceros tasks.

Signer Guariglia expressed the personal view that although his deverment night well be in sympathy with the general principles contained in the formula substited by the British Delegation, yet he very much doubted whether they would be prepared at this stage to commit themselves to snything so specific as the second sentence of that formula.

Sir H. Boad agreed therefore that the second sentence might be emitted and that the formula to be submitted to his Government by Signer into force reciprocal measures for the control of the illicit ivery traffic across the frontier defined in the present convention. Such measures might in particular consist of legislation to be passed in the respective territories, making it as offence to pessess, buy, sell, offer for sale, or expert any ivery (or rhimsers born) unaccompanies by papers showing that it is lawfully possessed."

Signer dusriglis stated that he had corerully examined this fermule and that he was afreid that he would be obliged to refer it to his devernment before he gould accept it.

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Signer Guariglia expressed the personal view that although his deverment might well be in sympathy with the general principles contained in the formula submitted by the British Delegation; yet he very much doubted whether they would be prepared at this stage to commit themselves to anything so specific as the second sentence of that formula.

Sir H. Boad agreed therefore that the second sentence might be emitted and that the formula to be submitted to his Government by Bigner

Bigner Guariglia should marely read as fellows;-

"The two Governments agree to consult tegether with a view to framing and putting into force reciprocal measures for the control of the illicit ivory traffic across the frontier derived in the present Convention."

Signer Quarigita signified that he would submit the formula as new amended to his Government, and would communicate their views at the next meeting.

3. The meeting them adjourned until Friday, ath June, at 5 p.m., by which time it was hoped that both the British and Italian experts would have received the visus of their developments and would be in a position to adopt the final text of the convention. The convention could then be initialled by the experts at a further meeting to be held on saturday morning.

Bigner Guariglia should merely read as follower-

"The two Governments agree to consult together with a view to framing and putting into force reciprocal measures for the control of the illicit ivory traffic across the frestier defined in the present Convention."

Signer Quariglia signified that he would gubmit the formula as new amended to his Government, and would communicate their views at the next meeting.

5. The meeting them adjourned until Friday, 5th June, at 5 p.m., by which time it was hoped that both the British and Italian experts would have received the views of their devergements and would be in a position to adopt the final text of the convention. The convention could then be initialled by the experts at a further meeting to be held on saturday morning.

Signer Couriglia should marely read as follows:-

"The two Governments agree to consult tagether with a view to framing and putting into force reciprocal measures for the control of the illigit ivory traffic across the frontier defined in the present Convention."

Signer quariglia signified that he would submit the formula as new amended to his Government, and would communicate their views at the next meeting.

5. The meeting them adjourned until Friday, 6th June, at 5 p.m., by which time it was hoped that both the British and Italian experts would have received the views of their devenments and would be in a position to adopt the final text of the convention. The convention could then be initialled by the experts at a further meeting to be held on Saturday morning.

Appendix 1.

DRAFT COMVENTION

THE ITALIAN AND BRITISH GOVERNMENTS
regarding the commiss of
JURALAND.

OF GREAT BRITAIN AND INSLAND, AND OF THE BRITISH DONUMIONS REYORD THE SEAS, EMPEROR OF INDIA:

being desirous of giving full and equitable effect, in so far as he is concerned, to the undertaking given in Article 13 of the agreement between Great Britain, France, Russia and Italy signed at London on April 26, 1915;

and HIS MAJESTY THE KING OF ITALY:

being both desirons to liquidate a question which has so long been outstanding between their two deverments:

have agreed to conclude a Convention for this purpose, and for this object have appointed as their plenipotentiaries:

who firstng produced their full powers,

His Britannic Majesty, in his own ness and on his own behalf, and by virtue of his protectorate ever Zaneibar, in the made and on behalf of Ric Highmost the Sultan of Zaneibar, so far as the latter may be concerned, transfers to His Majesty the King of Italy all severeign rights and title over that pertion of African territory lying between the present Italian colony of Southern Saneigland and a new boundary line determined as follows:

from the confluence of the rivers Genele and Dama, along the course of the Dama unwatroom to the southern point of the small southerly bend of the latter river in the visinity of Malka Re; thence in a south-westerly direction in a straight line to the wenter of the pool of Dunmen; themes in a southwesterly direction in a straight line towards Eills Ralls (which remains in British territory) to such meridian east of dreenwich as shall leave in Italian territory the well of El Beru; thence along the wase seridian southwards until it reaches the boundary between the provinces of Jubaland and Tanaland; thence slong that provincial boundary to a point due morth of the point on the coast due west of the mouthern-most of the four telets in the immediate vicinity of Res Rimbons (Dick's Head); themee due southwards to such point on the coast. Ras Elembone (Dick's Head) and the four islets shows mentioned shall full within the territory to be transferred

trensferred to Italy.

In the event, however, of it being found by the Commission referred to in Article is that the well of all Bern does not contain water either swiftedeat or suitable for the maintenance at that point of an Italian frontier post, then the line, as between 21 Bern and Silla Kella, shall be so drawn by the Commission as to include in Italian territory the neighbouring well of 21 Chana.

ARTICLE 2.

The above boundary is shown on the attached map and all references in the above description of the boundary are to this map.

In the event of differences between the text and the map, the text will proveil.

ARTICLE 5.

The Italian Government agree to the gangellation of the Treaty of Connerce between Italy and Zanniber of the S3rd May, 1886.

In accordance with the provisions of the convention of Saint-Germain-en-Lays of the 10th September, 1919, Italian subjects established in the Protectorate of Zanzibar shall enjoy the same rights and privileges and receive the same treatment as British subjects.

The Italian deverment shall indennity the deverment of his Highness the Sultan of Zanather for any less of net revenue arising out of the present transfer of territory, and shall pay to the latter; as an indennity which shall in no wise represent a tribute implying any survival of severologity, the annual sum of al,000, representing the proportionate share of the annuity which has hitherto been paid by the British Government to the coverment of Zanather.

The Italian Government shall be entitled at any time to effect the discharge of any obligation undertaken under the preceding paragraph by seems of the payment of a lump sum of £25,000 to the Government of His Highmens the Sultan of Zenziler

ARTICLE 5.

The Italian Government undertakes that if it shall at any time decire to abandon all or any part of the territory transferred to it as above, it shall effer the same to the British Government upon such terms as may be just.

In the event of any differences between the two deverments as to the terms of transfer, the question shall be referred to arbitration in assertings with such precedure as the deuncil of the League of Nations may prescribe.

British subjects, other than those purson who have become British subjects by the annexation of the colony of Kenya, ordinarily resident at the date of the coming into force of the present convention in the territory transferred under Article 1, shall, unless within six months of the coming into force of the present convention they opt for Italian nationality, retain their British nationality without being called upon to withdraw from the said territory or to part with their property. In the event of their not opting for Italian nationality and of their desiring to withdraw from the transferred territory, they shall be at liberty to do so within twelve months from the coming into ferce of the present convention.

British-pretected persons, and British subjects who have become such by the agmentation of the Colony of Kenya, ordinarily resident in the transferred territory, will acquire Italian nationality and cease to be British-protected persons and British subjects respectively. Provided, however, that such persons, not being Samelis, or belonging to the native races of the area transferred, shall have the right to retain their existing nationality on condition that they withdraw from the transferred territory within twelve menths from the coming into force of the present senvention.

The same right to conferred on such a number of Sounits who are separated from their families pasturage in the territory defined in the annual pasturage in the territory defined in the annual to this article can support, having regard to the present and reasonable future requirements of the tribes or sections of tribes already there, provided that such persons must be individually registered before they are allesed to again into muitian territory. The Gamminston referred to in Article 12 shall decide as to the connecty in this respect of the said walls and pasturages and as to the number of the persons who may avail themselves of this right.

persons who withdraw from the transferred territory under this article shall be entitled to carry with them their movable property of every description without payment of expert duties of any kind. They shall not in respect of such property be subject to impure duties of any kind in the colony of Kanya. They shall be antitled to retain their immercible property he the transferred territory.

ANN EX.

The territory lying between a straight line from the Lorian Swamp to Saddi, a straight line to El Baru, the Line defined in article 1 from El Baru to its junction with the Tanaland-Jubaland Frontier, and a straight line from the said junction to the Lorian Sugar.

All someostions or rights to proportion in the above territories which have teen recognised as waith by the recent diversament, and are need by private persons or corporations at the date of the transfer of those territories, shall be recognised as walls by the Italian dovernment, to whom shall be transferred all rights and obligations of the former poversment under the said appearations.

It is agreed that the concessions and property rights shall be exercised in separations with the general less and regulations in reject in the Italian selony of Italian Semalikest, and that the Italian separated may impose an the concession-naires and proprietors all limitations necessary for the execution of verse of general utility, upon granting to such persons the same sempenation or indentity as that to which Italian subjects would be entitled in similar cases.

ARTICLE 6.

All treaties, conventions and agreements between the Government of His Britannis Hajesty and the Government of His Hajesty the King of Italy, applicable to the Italian colony of Italian Somalizand, and at present in force, shall be extended to the territory now transferred in assordance with the present agreement.

All especiations or rights to properties in the above territories which have been recognized as walld by the former Covernment, and are held by private persons or corporations at the date of the transfer of these territories, shall be recognised as walld by the Italian Government, to whom shall be transferred all rights and obligations of the former Government under the said concessions.

It is agreed that the concessions and preparty rights shall be exercised in accordance with the general lows and regulations in force in the Italian solony of Italian Semuliland, and that the Italian deverment may impose on the concession-naires and proprietors all limitations necessary for the execution of works of general utility, upon granting to such persons the same compensation or indeanity as that to which Italian subjects would be entitled in similar cases.

ARTICLE 8.

All treaties, conventions and agreements between the dovernment of His Britannic Majorty and the dovernment of His Majorty the King of Italy, applicable to the Italian colony of Italian Someli-land, and at present in force, shall be extended to the territory now transferred in assordance with the present agreement.

The two Governments undertake that they will respectively endeavour to prevent any migration of Semalis or other natives across the frontier defined in Article 1.

If, however, the enquiries of the Commission referred to in Article 12 show that during the rainy season there is, in the British territory in the neighbourhood of the new boundary from El Bern to the Jubaland-Tanaland boundary, more pasturage available than is required for the tribes in British territory, the Commission may recommend that for a certain period, not less than five years, Somelis or other natives of the transferred territory may during the rainy season cross the boundary to such a distance and in such mumbers as the Commission may prescribe, it being understood that in no case shall such natives he allowed to pass to the west of the line Goochi-Ribba-El Tulla-Lakola-Toor Guda-Ramaguda. The recommendations of the Commission shall be carried into effect by the authorities sensermed, and at the end of the paried so prescribed the position will be re-considered in a friendly spirit in the light of the experience gained and of the requirements at that time of the tribes in British territory.

4

The two Governments shall some to the mesessary agreements with regard to the special conditions of time and place for exponetion by the British troops of the territory to be transferred and the entry of Italian troops; they shall settle in consultation with the local authorities the senditions of transfer to the Italian Government of the Government buildings existing within the territory which the latter may wish to acquire from the British Government and of the wireless telegraph installation at Kismayu.

The Italian Government agrees to respect the rights of Soudeness pensioners remaining at Yente, in accordance with the general laws and regulations of the Italian colony of Southern Sommilland, and to make provision for the upkeep of the essetary at Kishayu and the Jenner memorial.

ARTICLE 11.

The names in which the present agreement shall be earlied out shell be settled on the spen, by a Commission composed of British and Italian elifetals appointed for the purpose by the two Governments. Until the whole beendary shall have been desarcated by an accurate survey, the officials this appointed shall be impowered to deside, previous an agreement can be received, under which government water holes of local importance situated near the proposed boundary shall come. In the count of an agreement my being found possible, the points in dispute shall be settled by an accurate survey in accordance with the line described in Artiste 1.

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end the	retir	Landious	epokange	4 at .	. ,.		•			
84 ROOK	as pol	estale.	3518	M		•				

In witness whereof the undersigned have signed the present convention and have affined thereto their maste.

Dens	ĸį	tn.	đη	spi	l Bi	hat	.aid	ı.		•	*	,	
the	0 -0 /												24

LAND GRANTS IN JURALAND. 120

The failouise was received from the Germanian of Responds Son, 1981. A failure has been aunt to Alic deverage spiling whether the 21st is atill underward, and if not to failure a statement of

"A statement of the land grants made in Jubaland by this Severment is appended.

In addition to the grants referred to in this like, a number of Temperary Geoupation Licenses have been granted in Tomoshipe, representing a value of some 250 per sunus.

Orri Numb	ir (mare	Owner	Tenupe	Team	Rental
1865	1800	Measys. Seviand Tagiten & Co.	Lonnehol (99 years from 8/10/11	180
1384	\$200	Mosspe A Hayme A Bell.	· · · .	90 years from 4/7/10.	282/
1388	2100	P.H.Garks	٠	99 years from 1.7.10.	269/-
1386	\$100	Plantations (B. E.A.Etd)	•	99 years from 1.10.11	288/-
1385	2100	Count Cijalu (Italian)	•	99 years from 1.7.10.	282/.
1,889	1000	Count Frankenstein (Italian)	:	PO years from	180/-

And Put		7		
1484	6000	R.A.Gotton Growers Association	Lonsolul 4	99 years 900 from 1.7.11
2722	78	C.3.M.		99 years 56 from 1.1.18.
MA1107	7.0	Club Club	• 4.	•
*GB55	14778	C.S.W. Cabriol & others	e *0:	99 1776) Yonga Trom 1.7.19
MM 2	pişta at Cobwan	Company The First ion		99 years lease promined.
ян 1.	plat at Kimmya	áq		do.

E Lease not yet completed.

xx Survey not yet effected.

that serious complications would ensue if this policy were abandoned.

Inyper memorandum the statement is made that I the majority of these tribes (Marchan) is at present still within the territory of the Daws and northern frontier district". This statement appears to be besed on a misconception, as it is not the case that the majority of the Marchan are now within the area described, nor has this been the case in the past. the same memorandum you state that the Italian In Government regards it as expedient that precautions, similar to these which are regarded as necessary for the protection of the Gurre, should be taken with regard to the tribes east of the zone at present occupied by the Marchan. in some doubt as to the exact meaning of this suggestion, His Majesty's Gevernment are seeing that the home of the Marchan tribe is east of the Juha river and that a very large number of the Marchan now in Jubaland have come in from Italian territory in the last ten years. His Majesty's Government cannot too clearly emphasize the fact that the sene actually occupied by the Marshan is between the Juba river and theinternational boundary new proposed, and they are confident that your observations are due to a misconception on this point. The policy of checking the propensity of these nomedic tribes to wander is of the utmest importance from the point of view of the maintenance of order and His Majesty's Government feel not only that it is essential to allow no Marchan at all within the territory which is remaining British, but it is also proposed to prevent, by every possible means, any increase from Italian territory of the Ogaden tribes

- 6. As regards the question of the access of the Marchan to El Wak, I am informed that it is only in recent years that this tribe has been allowed even a partial right to the rain water heles at Dumasa and Pine, situated on the Provincial Boundary. Their plain to the permanent water at El Wak has not only never been tacitly recognised, but has been strongly resisted. The inclusion of a well in the area to be ceded is designed in order to provide facilities for the Italian Government to place an advanced post there for the purpose of controlling the tribe. It is not intended, and is in fact regarded as most undesirable, that this well should serve as watering place for the Marchan in the dry season.
- 7. It has been found that it is a matter of miner importance where the tribes range during the rainy season, provided that the subjects of each Power are forced to withdraw away from the frontier at the approach of the dry season instead of gravitating towards it, and the proposed new frontier line will, it is hoped, fulfil this object as it has been drawn with no permanent wells on or near the line with the exception of the well of Elberu at El Wak, which appears, as already stated, suitable for making provision for the establishment of a military post.
- 8. I am moreover, informed that the Marchan country as recognised to-day is comparatively well watered, while in the Gurre country the only two absolutely permanent supplies are the Daus river and El Wak.
 - 9. I have no doubt that the Italian Gevernment

will agree with His Majesty's Government in attaching great importance to removing, as far as possible, any causes of dispute between the frontier tribes. With this object in view His Majesty's Government consider it essential that the Marehan should be controlled in the manner indicated above, i.e., that they should not be allowed to enter the territory remaining British and should not be allowed access to permanent water in the immediate wicinity of the new boundary line. I venture to express the hope that the Italian Government will concur in this view.

I have the honour to be, etc.,
(sd) Curson of Kedleston.

A 9102/12/60

Foreign Office, S.W.1. 23rd December, 1921.

My dear Ambassador,

There is one small point about the proposed Jubaland Convention which I have not thought it necessary to mention in my official note, but which it seems right that I should bring to your notice.

The question is being examined whether it is constitutionally necessary that the consent of Parliament should be obtained to the session of the territory affected by the Convention. If it is found legally necessary that this comment should be obtained, a further small amendment to the arcsit treaty may become necessary. The point is one which will, I suppose, not be of any importance to the Italian Government and I merely mention it in case it should be necessary for us to suggest a further amendment in the sense indicated.

Believe me, etc.,

(Sd) CURZON.

is Excellency

Monsieur de Martino,

don day be.

DRAFT ASSESSED FOR TRANSFER OF THE TREETORY OF FURALAND TO ITALY

Article 1

His Majorty the King of the United Kingdom Great Britain and Ireland and of the British Dominions beyond the seas. Apperer of India, in his own new and and control to the amount of furthermout, presectorate over his own behalf, and by virtue of his presectorate over Sanuthar, in the same and on behalf of His Highness the Sultan of Zankibar, on far as the latter may be concerned. transfers to His Majorty the Mag of Italy all severeign rights and titles over that portion of African territory lying between the present italian colony of southern Semaliland and a new boundary line determined as follows: from the confluence of the rivers Canals and Dawn, slong the course of the Dawn up stream to the southern point of the small southerly bend on the latter river in the vicinity of Malka Re; thence in a south-westerly direction in a straight line to the centre of the pool of Dumman; thence in a south westerly direction in a straight line towards Bills Kalla (which remains in British territory) to such meridien east of Greenwich as shall leave in Italian territory the well of Mbern; thence along the name meridian southeness until it reaches the boundary between the provinces of Jubaland and Tanaland; thence stone that provincial boundary to a point due morth of the point on the coast due west of the southern most of the four islets in the immediate vicinity of Hea Kinshane (Disk's Head), thence due southwards to such point on the court, Ras Kinsbone (Dick's Head) and the four

islats above mentioned whell full within the territory to be transferred to Italy,

Artisia 2

The above boundary to show on the attacked may and all reference in the above description of the boundary are to this may.

Article & (fermerly Article 4)

The Italian Government agree to the cancellation of the Treaty of Commerce between Italy and Janusbar of May 28th 1885.

In accordance with the provisions of the Convention of St. Surmain-en-laye of September 10th 1919 which the Italian Severament undertake to ratify as soon as possible Italian subjects established in the Pretestorate of Zanaibar shall enjoy the same rights and privileges and receive the same treatment on British subjects.

Article 4 (fermerly Article 5)

The Italian Government shall indemnity the Government of His Righmons the Sultan of Innaibar, for any loss of met revenue arising out of the present transfer of territory, and shall pay to the letter, as an indemnity which shall in no vice represent a tribute implying any survival of severeignty the should now of \$1,000 representing the proportionate share of the annuity which has hitherto been paid by the British Government to the Government of Sanzibar.

The

The map hitherte referred to is replaced by a new map, the Italian deverment having pointed out that a small portion of Abyasinian territory was, through a typographical error, included in the banaferred territory.

The lightes deveraged about the entitled at my time to effect the displayer of any obligation undertaken under under the presenting paragraph by means of the payment of a lawy one of displayer. The deveragest of his lighness the bullon of Lauxiness. The deveragest of his lightest factor in a play to display undertakes to use the good affices in a play to display undertakes to use the good affices in a play to display undertakes to use the good affices in a play to display undertakes to use the good affices in a play to display undertakes to use the good affices in a play to the deveraged of his highways the deltake of featibure.

Artisle & (fermerly Article 6)

The Italian Covergment undertakes that if it shall at any time design to abandon all or any part of the territory transferred to it as above, it shall offer the same to the British Covergment upon such terms among be just.

In the event of any differences between the two deverments as to the terms of transfer, the question shall be seferred to arbitration in necessary with the previous laid down by the langue of Nations.

Artisla & Liemerly Artisla 9)

British subjects, other than these persons who have become British subjects by the summention of the Colony of News, extinarily resident, at the date of the soming into favor of the present agreement, in the territory transferred union article I shall, where within air menths of the seming into force of the present agreement they say for the seming into force of the present agreement they say for the seming into force of the present agreement they say for the line metionality without being called up to withingse from the said territory or to part with their presents.

In the event of their met opting for Italian nationality and of their desiring to withdraw from the transferred territory they shall be at liberty to do so within 12 months from the coming into force of the present agreement. They shall be entitled to carry withthen their movable property of every description without payment of expert or import duties of any kind. They shall be entitled to retain their issuevable property in the transferred territory.

Notice protected parsons and British subjects who have become such by the aumenation of the Colony of Kanyai prelimarily resident in the transferred territory, will acquire Italian nationality and cease to be British protected persons and British subjects respectively. Provided, however, that such persons, not being Somalis, or belonging to the autive races of the sees transferred, shall have the right to retain their existing nationality on condition that they withdraw from the transferred territory within twelve menths from the coming into force of the present agreement. In that event they will be entitled to carry with their movable property of every description without payment of expert or import duties of any kind. They will be entitled to retain their important.

Artisla V Comeriv Article 8)

All consequence or rights to properties in the above territories which have been recognised as valid by the former deverment and are hald by private persons or

serporations

corporations at the date of the transfer of those territories shall be recognised as Walid by the Italian Covernment, to whom shall be transferred all rights and shill time of the fermion tovernment under the Walid convenience.

It is agreed that the concessions and property rights shall be exercised in accordance with the general less and regulations in force in the Italian colony of Italian Samultines, and that the Italian Covernment may impose on the concessionnaires and propertors all limitations accessary for the execution of works of general utility, upon granting to such persons the same compensation or indemnity as that to which Italian subjects would be entitled in ginilar coses.

Artisle 9.

(Note, Supermeded by Article 7 above)

Article & Invertously Article 10)

All treation, conventions and agreements between the Government of His Britannie Rajerty and the Covernment of His Highness the Hulton of Zanziber and the Covernment of His Majesty the King of Staly, applicable to the Italian colony of Italian Countiland, and at present in force, thell be establed to the territory now transferred in accordance with the present agreement.

Article 9 (previously Article 11)

The two Covernments of the British Colony of Kenya and of the Baling Colony of Feetbagg Fenalthand shall some so the necessary agreements with regard to the special conditions of time and place for evacuation by the Anglish troops of the territory to be transferred and the entry of Italian garrison troops; they shall settle the conditions of transfer to the Italian Government of the Government buildings existing within the territory which the latter might wish to enquire from the British Government and of the wireless telegraph installation at Kinimays.

The Etalian Government undertakes that they will endeavour to prevent any migration of Semaliz or other natives of the transferred territory, into Aritisk territory either while the evacuation of British treeps is taking place or in the future.

The Italian Government binds itself to respect the rights of Soudaness pensioners remaining at Youti, in accordance with the general laws and regulations of the Italian Golony and Southern Somaliland.

Article 10 (werienely Article 12.)

The manner in which the present agreement chall be carried out chall be settled on the spet by British and Italian efficials appointed for the purpose by the two Government of Kenya Golony and Italian Semaliland. Until the whole boundary shall have been demarcated by an accurate current, the efficials thus appointed shall be compoured to decide, provided an agreement can be reached under which Government substitutes of local importance situated near the proposed boundary shall come. In the event of an agreement not being found prescible, the points in dispute shall be settled by no necurate survey in accordance with the line described in arrivals.

BULLDINGS IN PURALAND

AT AN	Albroadas
Redical Officer's House Fort including Jail and Hospital	8,000 20,000
Civil Stores. Customs House and quarters.	2,000
Dispensary and buildings A. D. C. 's House (recently purchased).	5,000 2,400
Harket.	60,000
Quarters for clerk Police Lines	1,000
Pier and Spane. Water supply (condenser, Tanks, and Pump Jenner Memoria)	8,000
Jenner Memorial } Not valued.	a) 5,000

GOBWENS

Military Lines, corrugated iron buildings.

	-O-sed Theil	buildings.
2 each 74.0 L 72.0	× 10.0	1,480
15	x 8.0	544
1 102.0		3, 672.
1 18.0 ,		76.
Dimension	6.0	294.
Dispensary and quarte	** -	3,000
Total House	•	2,000

, 701771.	Appreximate Yelso	ļ.
Orterly hem	yls.	
3 Askari 11aca	1,800	
1 ditte without iron	2,400	
3 Outhouses	500	
	1,200	
SERVICE		
Large Home of barbed wire and thorns Habiti buts for about 100 mgm. One stere building in old boun	3,000	
Aldianina (Souha)		
A.D.C.'s House, Office, etc.	6,000	
AMAZE		
Tamperary Wattle and daub buildings	1,000.	
larie, sie,		
Trolley line from Kismayu to Hbuguni about 50 miles, and rolling steek sensisting of two converted Ford Fractors two bagis trucks and one tank truck.	4,880	
lead from Kismayu to Gobwan, 9 miles	4,500	
end from Ebuyuni (and of trolley line)	2,400	
ond from Hhuyuni to Afmadu,87 miles	18.000	

Total Floring

180,948.

132

9102/12/60.

opy.

Foreign Office, 8,8,1,,

Your Excellency .

I have the honour to state that I have now reserved the observations of the Governor of Kenya" Colony on Your Excellency's notes of March 24th and May 14th last with regard to the proposed transfer of Jubaland to Italy and I transmit to you herewith a revised draft of the Convention containing the modifications indicated as desirable by Sir E. Northey from the knowledge which his officers possess of the district in question.

2. As regards article 1 (the reference throughout are to the articles as numbered in the Italian draft) it has been ascertained that the most emsterly well of practical utility in the area of El Wak is the well of Elberg. This well is accordingly specified by name in the text of the article in order to avoid the possibility of future minumerstandings. In this connection I should observe that the preposed international frentier coincides with the present provincial boundary. The latter was originally drawn for the express purpose of dividing the district of the Marchan from that of the Surre, and it has long been the settled policy of the British Administration not to allow the Marchan to cress into the territory of the Ourre, for whose needs the remaining wells of the 21 wak area are indispensable. In view of the impertance of making proper provision for the control of the movements of the Marchan I have thought it best to explain to you at greater length in a separate note the views of His Majesty's Government on this point.

- and a slight modification of the beamdary proposed, in order to remove any doubts as to the ownership of the few islets in the immediate vicinity of hick's Head. It would appear more appropriate to include the prevision that Dick's Head and those islets shall fall within the territory to be assigned to Italy in the main article defining the boundary rather than in article 3.
- estrection will be made of the error at the northern and of the frontier, to which attention was called by Your Excellency, a proof of the map is enclosed herewith.
- the boundary in article 1, and of the detailed definition of the boundary in article 1, and of the fact that no difficulty need be apprehended in finding the places mentioned, there would appear no necessity for this further article, and it is proposed that it should be omitted altogether.
- G. Article 4-Nis Najesty's Government feel that they must adhere to the requirement of the cancellation of the Treaty of Commerce between Italy and Sanzibar of May 23rd, 1885, as one of the conditions of the transfer of Jubaland. It must be borne in mind that it is proposed to transfer to Italy a considerably larger area than that originally mentioned, an area including fine kinebone to which it is understood the Italian Government attach some importance, and His Majesty's Covernment on the condition that the treaty of 1885 is annulled Moreover as soon as the convention of

St. Germain-en-Laye of September 10th, 1919, which has now been ratified by France, Belgium and Great Britain, is ratified by Italy, Italian subjects will enjoy in Zansibar the same rights and privileges as British subjects. In view of this commution there appears to be no reason for a new convention.

7. Article 5. The sum of one thousand pounds per annum has been inserted as representing the value of the revenue which will be lest to the Sultan of Sansibar and the lump sum mentioned in the second paragraph is calculated at twenty five years purchase.

8. Article 6. No change

9. Articles 7 and 9 have been redrafted. The object of the article as new drafted is to provide that in general British subjects resident in the transferred territories shall be entitled to remain there without lesing their British mationality, while British protected persons will sequire Italian nationality, subject to a right to retain their existing status on condition of their withdrawing from the transferred territories. Inamuch, however, as the annumation of the colony of Kenya had the effect of conferring the status of British subjects onSemalis and other natives resident in Jubaland outside the Sultan's dominions and it is considered proper that such persons should not be entitled to retain their British nationality if they desire to remain in the transferred territories, provision has been made accordingly so that they will be treated in the same way as British protected persons. The

wording of the new article follows that which has been adopted in the nationality articles in the treaties of peace.

- 10. Article 8. As regards the first paragraph His Majesty's Government would prefer to adhere to the wording of their former draft, which is now inserted. In any case they would be unable to accept the word "permit" as proposed in Your Excellency's draft, because they have ascertained that there are some twelve land grante, and in addition a number of temporary occupation licences in the transferred territory, in respect of which it is necessary to safeguard the rights of existing holders.
- 11. Article 9. New incorporated in article 7.
- 12. Article 10. No change
- 15. Article 11. After consultation with the Government of Kamya His Majesty's Government cannot but feel that it is very desirable to include in this article, as originally proposed, a provision with regard to the migration of Semalis into British territory. A medification of the text of this article is therefore proposed, under which the Italian Government would undertake to use their endamours to provent such a migration.
- 14. As regards the government property which his Majesty's Government are prepared to transfer to the Italian evaluation, the Governor of Name has caused a valuation to be made of the government works and buildings and a schedule is attached. The sapital cost of material for, and srection of the wireless telegraph installation is not included

in the schedule and was as follows:-

Installation for 15 K.W. station	₹ 967
Iwa sectional steel masts	1300
Oil engine	110
Shipping and overhead charges	27.2
Expenses of erection	374

In view of the large increase in the dost of materials since the plant was purchased, its present value cannot be reckened at less than the above total and is probably considerably greater. His Majesty's Government accordingly suggest that the Italian Government should acquire the items mentioned in the schedule, including the buildings attached to the Kissaya wireless station, for the sum of eighteen and thousand ninety five pounds, and the wireless station itself for two thousand nine hundred and sixty four pounds. In the event of any of the items mentioned in the schedule having been otherwise disposed of before the transfer is made, the total amount payable will be propertionately reduced.

15. The wireless station at Serenli has been removed and the words "and Serenli" at the end of paragraph 1 of article 11 have accordingly been deleted.

16. As regards the orderly room, Askari lines and outhouses at Yents the Governor would be glad to have early information whether these buildings are required by the

18,095

, 964

in the schedule and mas as follows:-

T.	Installation	Ann 11 F 1	Alexander	E 1	£ 967	*
	Two sections:			A Super		٠٢.
41.00	911 engine	100			110	
	Shipping and	pwezhend o	harges		23.3	K
	Mcpenaés of e	restion			374	
	19.00				-	-

Total ... £2, 964.

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- 15. The wireless station at Report! has been removed and the words "send Seront!" at the end of paragraph 1 of article 11 have accordingly been deleted.
- 16. As regards the orderly ross, Askari lines and outhouses at Yente the Governor would be glad to have early information whether these buildings are required by the

8,095

964

Italian Severment, as in the event of their not being so required the governor wishes to dispose of them in another way.

17. His Majesty's Government would welcome an assurance that provision will be made by the Italian Government for the upkeep of the small cometery at Kismayu and the Henner memorial.

15. Article 12. His Majesty's Government are advised that the proposed boundary line does not bisest any tribe but that there may be sections of Somalis, consisting of several tribes, which may be divided. It is hoped that such divisions of sections may be avoided, but the line as drawn passes through uncharted country, and His Majesty's Government agree that the Joint Commission should have authority to decide on the ownership of points near the frentier of local importance and consider that such commission should be appointed at the earliest opportunity. They think, however, that the tribes should not be allowed the permanent right of crossing the frantier. Such a prevision in agreements relative to other neighbouring boundaries has caused great difficulty. Pending the appointment of the commission it will be necessary to allow some latitude to the officers administering the tribes in deciding where they may graze their sattle; but His Majesty's Government consider it important; that no provision should be inserted in the treaty which would enable the tribes who are being neded to cross the frontier into areas which have never been recognised as theirs. The proposed article 12 has therefore been reconstructed and in submitting it in its present form for

consideration of the Italian Government, Hi Majesty's deverment desire that it should be understood that the latitude given to the local officials to decide on the comership of waterholes shall in no case be construed to authorize such officials to permit tribes to reside cuteide their own area during the dry season. His Majesty's Government would also wish it to be understood that on the Dumma river, Melka Re shall be regarded as a fixed point at which such latitude chall not be allewed; that in the neighbourhood of El Sak all the rain poels to the north east known as the Wanti Pools and all the permanent wells of the El Mik area except El Bern shall be regarded as Gurre ground to which tribes subject to Italy shall have no right of access. Further that such tribes shall not be allowed to range as far west as Geachi, Ribba, Lakela, Toor, Toor Guda, and similarly that tribes subject to Great Britain shall not be allowed to range as far east as Haddeli, Kasanguri, El Hargama, Galja and Tubbi.

19. I shall be glad if you will inform me in due course whether this understanding will be acceptable to the Italian Government.

frontier will ever be recoverably descripted from end to and east enterholes will probably be discovered near the prosumed line whose possession must be decided. It seems desirable therefore that the commissioners should be empowered to make such decisions if they can reach as amicable agreement and that in default of much agreement, the letter of the treaty should be observed.

Shriot adherence to the letter of the treaty would, however, entail on expensive survey; whileh the Italian Covernment will doubtless be as excluse to evoid as His Majorty's Covernment.

21.. A medification of the second sentence of the article is proposed to most these conditions.

I have the honour to be, etc..
(sd) Curron of Redleston.

Excellency,
Moneicur de Hartine,
etc., etc.,

ata.

23rd December, 1921.

141

Your Excellency.

In a separate note of to-day's date I am
forwarding to you the revised proposals of His
Majesty's Government in connection with the proposed
transfer of Jubaland to Italy. In addition to the
points therein dealt with the alteration of the boundary
in these regions raises questions of great importance
with regard to the control of certain nomadic tribes, and
it appears more convenient to convey to Your Excellency
in a separate note the considerations by which His
Majesty's Government feel that this question should be
regulated.

- 2. The Government of Kenya Colony have been consulted with regard to the observations made in your memorandum No.1144 of the 6th May last, with regard to the position of the Marchan, and it would appear that your Government has been in some respects misinformed as regards the existing conditions and the general principles governing the mevaments of these tribes.
- 5. In the interests of good administration it has been found essential that the areas of the nomadic tribes should be defined. The tendency of the stronger tribes is bonstantly to move about looking for better water and pasturage, but it is a tendency that it is found necessary constantly to check as it is almost invariably at the expense of their weaker neighbours.
- 4. The pelicy of His Majesty's Government has therefore always been to set very clearly defined lines beyond which each tribe shall not pass and it is felt

that

Excellency,

Monsieur de Martine,

etc., etc., etc.

REVISED MENORAGEME.

Since the date of the discussions with representatives of the Italian Government last summer, the opportunity has been afforded by the presence in London of Kenya officers with first hand knowledge of the country to obtain further information with regard to local conditions in Jubaland. As a result of discussions with these officers, it has been accertained that there have been somewhat more extensive movements of Somali tribes in Jubaland than were known to have taken place when the conversations were held last summer.

These movements have been confined to the Semalis in the couthern part of Jubaland and in this connection it is necessary to emphasize the fact that they have no relation to the Marchan of Northern Jubaland. In the conversation of 1922 the term Marchan was used by the Director General of the Italian Ministry of the Colonies as applying to all the Semalis concerned, and a clear distinction should be drawn between the various tribes if misunderstanding is to be avoided.

In the northern part of Jubaland the Marchan have never been allowed to encreach West of the proposed international boundary. The country West of the boundary is recognised as Gurre country, and it has been the fixed policy of the kenya towerment quite spart from any question of cession of territory.

to Italy to prohibit any incursion of the Jarchan into the country West of the proposed line. In particular, as the Italian Government were informed in the
Foreign Office Note to the Italian Ambassador of the
23rd December 1921, to which reference is specially
invited, the claim of the Marchan to permanent water
at El Wak has not only never been tacitly recognised
but has been strongly resisted. For reasons expressed
in the Note above mentioned, His Majesty's Government
are convinced that the solution already proposed
with regard to the Marchan is the only possible one,
and the only one which would not lead to a succession
of frontier incidents.

- In the South, however, it now appears that mere considerable migrations have taken place than had previously been realized. The tribes chiefly concerned are the Mohamed-Zubier and the Aulihan mertions which, it is now clear, have penetrated in fairly considerable numbers into the area (formerly part of the Jubeland Province but now administered as part of the Jubaland Province out now administered as port of the Northern Frontier istrict) which sould under the propessi Convention remain British: in what fellows this area is referred to as the British some. The infiltration has taken place mainly owing to the pre-accumation of the Kampa Covernment with the lar and it should be emphasized that it was the intertion of that Covernment, as soon as circumstances permitted, to sut a stop to the energachment and to confine each tribe within its eam proper limits. The last sentence does not apply to the Habr Sulimen who have been recognized ever since the communement of British administration of the area as definitely located in the British zone, and are not, as are the other Sections concerned, offshoots thes whose hendquarters are in Jubaland the proposed new

The Mehamed-gubier, both camel and cattle people, have, in the last few years, encreached on the wajhter levian area in increasing numbers. So far as British territory is concerned the area recognised as belonging to this tribe lies wholly in Jubaland round even there their settlement is comparatively recent, and their further penetration into the wajhier-Lorian area has caused great congestion to the Galla tribes, to whom this group of wells neally belongs. As the country round majhier affords better grazing ground for easels than that in Southern Jubaland, the Kenya Government have allowed the camel people to use the grazing ground in an allotted area of the British zone, conditionally on their good behaviour when removed from the authority of their principal Readmen and from full tribal centrol. The Covernment retained the right as the tribe well know, to send back these camel people to their recognised tribal area if, on account of unrest or for administrative reasons, this course became necessary.

The position is different with regard to the cattle people, who have better facilities than the camel people for watering and grazing their stock in Southern Jubaland. The cattle sections were returned in 1/21 to their proper grazing grounds round Deshek Wasa, and their attempts to drift back to the Lorian was have not been permitted.

As regards these sections, the Governor has strongly urged that they could not, in view of their number, be allowed to settle permanently in the wajhier-lerian district without serious prejudice to the water rights of other tribes, and this view is confirmed by enquiries which

this country. While, however, strongly opposed to any permanent settlement, the Governor has recently undertaken, as a purely provisional measure, pending a decision as to cession, to consider the question of admitting to the Lorian area a strictly limited number of the cattle people next November, before the beginning of the dry season, if suitable arrangements can be made. This undertaking is intended to be of a temporary character applying only to the period of the dry season and it is a purely ex gratia concession, provided that the tribesmen remain on their good behaviour.

There can be no doubt whatever that it would be better for the administration of the tribe that all sections should live in their recognised tribal area in Jubaland under one control, but in deference to the views expressed by the Italian Government, and in order to show their goodwill to Italy in this matter, His Majesty's Government are willing to agree to the retention in the British some of the Nohamed Aubier camel people now at Majnier, and to be responsible for their administration. It will be a necessary condition of such responsibility that the Mohamed Subjer who remain should take driers from their own meadmen in the Sritish gone and be registered as natives of the Northern Prontier District, thus esparating themselves from the remainder of the tribe. The question whether after cession temporary arrangements can be made for a strictly limited number of the cattle people to water their steems in the Larian area during the dry season is one that will be taken up with the Covernor, and will be asked to consider

whether it will be feasible to arrange some temperary accommodation of this kind with the local Italian authorities, but my temperary arrangement of this character is bound to give rise to serious administrative difficulties, and His Majesty's Government must not be understood as giving any pledge in this matter.

With recard to the Aulihan, it is understood from the Governor that there are now about 1800 adults in the neighbourhood of the Lorian. The right of the hulihan to watering grounds in this district has never in any way/recognised and the position with regard to these people is the same on with regard to the Mohamed Labier camel people. wing they have only been allowed to remain in the British some on sufference. The Gevernor is of eminion that, both on administrative and ethnological grounds, it would be better if they were mayed back to their proper country. Netwithstanding this. however. His Hajesty's Government are prepared, on the same grounds as in the case of the Mohamed Zubier esmel people and subject to the same condition as to registration, to permit them to remain in the country which they now sommy and to undertake the responsibility for their administration. Such Aulihan as desire to remain in the British zone will be given the emertunity of registering themselves and their herds. and such as do so will be recognised as British mbjects. Those who will not do so will be required return to the Aulihan country in the Serenli area.

According to the information received from the Governor there are also 2000 persons of various tribes now in the British zone. These persons are mainly camel owners, while it is preferable that these persons also should be returned to Jubaland, the proposal made with regard to the Mohamed Rabier camel people and the Aulihan now in the British zone would be applied to the 2000 members of verious tribes.

In making the present offer His Medeaty's Government do so on the understanding that the Italian Government will undertake on their part to prevent any further encroachments into British territory of the Soundi twibes on their side of the line. It is recognised that, if the administrative arrangements now proposed are to be worked successfully, good-will and close co-operation between the equinistrative efficers on both sides will be necessary: but his Majesty's Severment are confident that such good-will will be forthcoming. On their part, His Majesty's Government will give instructions that their administrative efficers shall co-operate with the Italian efficers in administering the border tribes and preventing incurations from either side. They have no doubt that the Ptelian Sevenment will issue similar instructions.

in his conversation at the British Asheasy on the Stitute they trust that the substantial concessions which they are now prepared to make will

fully meet the objections which have been expressed by the Italian Severament, and will enable a final and estisfactory solution of this question to be resided without further delay.

The readons wh

they cannot agree to the cosmon of the additional territory marked 6. in the map referred to by the Director General of the Ministry of the Colonies in his convergation at the British Subsecy on the 25th August last have already been exhaustively explained; but it may be added that the adoption of that proposal would entirely alter the administrative problem which the Government of Kenya have to face by bringing commit-Tribes, who would not be under their control, into direct contact with the Non-Somali Tribes to the lost of the area $\mathbf{c}_{\mathbf{w}}$. This was a difficulty which His hajesty $\mathbf{t}_{\mathbf{n}}$ Government sought to avoid under their original proposals by interposing a tract of largely uninhabited territory as a buffer between the Gomali and Non-Demali Tribes. Under the present prepasals the difficulty is reduced ov the fact that the area would be occupied by a 11 dist number of Semalis directly under British control bot if the whole of the triangle were to be ceded no buffer imy kind would be interposed.

PROPOSED CESSION OF JUBALAND TO ITALY

the Treaty of London, 26th April 1915laying down the compensation which Italy was to receive in consideration for its joining the Allies. Article 13 of the Treaty runs as follows:-

"In the eventof France and Great Britain increasing their African Colonial possessions at the expense of Germany, these two powers acknowledge in principle that Italy might claim some reasonable compensation, especially as regards settlement, in her favour, of questions concerning the frontiers of the Italian Colonies of Eritrea, Somaliand and Libya and the Colonies bordering on France and Great Britain".

Accordingly this matter was discussed at the Peace Conference between representatives of France, Great Britain and Italy, and Lord Mila or had separate discussions on points of let all with the Italian Prime Minister. The proposals originals put forward by the Italian Government are shewn in the annexed map of Africa. They were found to be quite unacceptable, and the adjustments to be alopted, apart from a modification of the Libyan boundaries, now only concern Jubaland.

. As soon as the principle of a substitutal concession to Italy in Jubalani was accepted, the severnor of Kenya was consulted as to what area could

PROPOSED CESSION OF JUBALAND TO ITALY.

the Treaty of London, 26th April 1915 laying down the compensation which Italy was to receive in consideration for its joining the Allies: Article 15 of the Treaty runs as follows:-

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, Tas soon as the principle of a socitodial concession to Italy in Jubaland was accepted, the livernor of Kenya was consulted as to what area could

be ceded, having regard to tribal and administrative considerations. The matter was then most carefully discussed by Sir E. Northey with the Orficers in Charge of the districts affected, and the large scale map which has been prepared to accompany the draft Convention represents what, in the opinion of the local authorities, should be the boundaries of the ceded area.

In the Lraft Convention, which is now before the Italian Government, certain points of real administrative importance are set out in detail, for example, how the boundary should lie in certain parts of its course in respect to wells and water places. Bothas regards these aetails, and the general line of the new boundary, the civision and control of the various tribes are a governing consideration, and it would not be possible to accept any modification which the Italian Government might suggest without prior reference to the Colonial Government.

It is possible that the Italian Government may assume an attitude of moderation and be prepared to accept merely the Port of Kismayu with the adjoining country and the valley of the River Juba for a certain distance up its course, thus securing everything that is of value and relieving themselves of everything that is likely to embarrase them in connection with the administration of the tribes. This would be an impossible

arrangement

arrangement as the river is the life of the tribes, and on Great Britain would lie the responsibility for restraining the tribes to the west of the river, from the access to its waters which is essential to them.

The Italian Government have already set up the claim that the Marchan, the principal tribe in the north of the territory concerned, really belong to the area which would be left to Great Britain. They have been assured, after careful enquiry, that there is no ground for this assumption, which only rests on the fact that the Marchan have occasionally raided and trespassed upon the grazing grounds of the Garre tribes to the west of the new boundary. It is to secure a boundary which would effectively separate these two tribes and leave the Marehan in the country to which they have always belonged, that the northern part of the new boundary has been devised; and it is an essential partof the Convention that the Italians should accept the reaponsibility for the Marchan, and make due provision for the control of this tribe equally with the other tribes who belong to the area to be caded.

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JUBALAND TO ITALY

Article 1

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, in his own name and on his own behalf and by virtue of his protectorate over Zansibar, in the name and on behalf of His Highness the Sultan of Zanzibar, so far as the latter may be concerned, transfers to His Majesty the King of Italy all sovereign rights and titles over that portion of African territory lying between the present Italian colony of southern Semaliland and a new boundary line determined as follows: from the confluence of the rivers Ganale and Daus, along the course of the Daus up stream to the southern point of the small southerly bend on the latter river in the vicinity of Malka Re; thence in a south-westerly direction in a straight line to the centre of the pool of Dumasa; thence in a south westerly direction in a straight line towards Eilla Kalla (which remains in British territory) to such meridian east of Greenwich as shall leave in Italian territory the well of Blberu; thence along the same meridian southwards until it reaches the boundary between the provinces of Jubaland and Tanaland; thence along that previncial boundary to a point due north of the point on the count due west of the southern most of the four islets in the immediate vicinity of Has Kiambone (Dick's Head), thence due southwards to such peint on the coast. Ras Kiambone (Dick's Head) and the four

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islots

talets show mentioned shall thill within the territory to

Article 2

The above buildary is shown on the attached may and all reference, in the above description of the boundary are to this map.

Article & (Tomorly Article 4)

The Italian Coversment agree to the cancellation of the Treaty of Communes between Italy and Zennibar of May 20th 1865.

In accordance with the previsions of the Genvention of St. Genvention of St. Genvention of September 10th 1919 which the Italian Surpresent undertake to ratify as soon as possible Italian subjects established in the Protectorate of Sansibar shall sujay the mass rights and privileges and receive the same treatment of Notitiah subjects.

Artists 4 (furney)v Article 5)

The Station Syverment shall indemnify the Severment of His Highwest the Sultan of Imaxibar, for my loss of set revenue arising out of the present transfer of territory, and shall pay to the latter, as an indemnity which shall in no vice represent a tribute implying any survival of severeignty the assual one of Cl,000 representing the proportionate share of the number ontick has hithertechn paid by the Setting Severment of Santher.

The map hithorts referred to is replaced by a new cap. the Italian Communication to the search of Abyselian territory can though a type-graphical error.

The linking Separament shall be entitled at any time to effect the discharge of any obligation undertaken THE RESERVE THE PERSON NAMED IN COLUMN 2 IS NOT THE OWNER. of a limy sum of \$36,000 to the Covernment of his Highness the Sultan of Zenziber. The Superment of His Britamic Majesty undertakes to use its good offices in order to abtain acceptance of that sum on the part of the Government of Ris Highmons the Sultan of Sanzibar.

Article 5 (fermerly Article 6)

The Italian Government undertakes that if it shall at any time desire to abundon all or my part of the territory transferred to it as above, it shall offer the name to the British deversment upon such Squar amony be just,

he the event of my differences between the two Governments as to the terms of transfer, the question shall be referred to arbitration in accordance with the provintens laid down by the League of Nations,

Article 5 (formerly Article 7)

British subjects, other than those persons who have become British subjects by the sanguation of the Colony of Kenya, ordinarily resident, at the date of the coming into force of the present agreement, in the territory trans-Mores under article I shall, unless within wir months of the senting into feron of the present agreement they opt for linking and immedity, retain their British and immedity without being salind up to withdraw from the anid territory or to part with their property.

In the syant of their not optime for Italian nationality and of their desiring to withdraw four the transferred territory they shall be at liberty to do so within it menths from the coming into force of the present agreement. They shall be entitled to early withdraw their hovable property of every description without payment of export or import duties of any kind. They shall be entitled to retain their immovable property in the transferred territory.

Spitish protected persons and British subjects who have become such by the annexation of the Colony of Kenyal ordinarily resident in the transferred territory, will acquire italian mationality and comes to be British protected persons and British subjects respectively. Provided, however, that such persons not being Semalic, or belonging to the native recom of the man transferred, shall have the right to retain their existing nationality on condition that they withdraw from the present recommendation of the present agreement. In that event they will be entitled to every within their more than their more descriptions without payment of emport or insert duties of any kind. They will be entitled to retain their moveable property in the transferred territory.

Article ? (Tomerly Article 4)

All concessions or rights to properties in the above territories which have been recognised as valid by the farmer devenment and are hold by private persons of

serporations at the date of the transfer of those territories shall be recognised as valid by the Hallan Government, to enum shall be transferred all rights and shlightions of the former Government under the said sensessions.

It is agreed that the concessions and preperty rights shall be serviced in accordance with the general laws and regulations is force in the Italian colony of Italian Squalified, and that the Italian Squament may impose on the concessionshires and proprietors all limitations necessary for the execution of works of general utility, upon granting to such persons the same compensation or indomnity as that to shigh Italian subjects would be entitled in similar cases.

Artigle 9.

(Mete, Superceded by Article 7 nove)
Article S (previously Article 10)

All treation, conventions and agreements between the Government of His Britannic Mejecty and the Government of His Highmess the Sulten of Ennriber and the Government of His Majesty the Hing of Italy, applicable to the Italian colony of Italian Septilland, and at present in Zeroe, shall be extended to the targetsky new transferred in accordance with the present agreement.

Article F Invertously Article 111

The two deveryments of the Nighton Colony of Kenya and of the Malton Colony of Posthern Hearithand shall come sonditions of time and place for evacuation by the Saclish troops of the territory to be transferred and the entry of Italian parties treeps; they shall entile the conditions of transfer to the Italian Government of the Government buildings existing within the territory which the latter might wish to assuire from the Dritish dovernment and of the wireless telegraph 156 installation at Kisimare.

The Stalian Severment undertakes that they will endeavour to prevent any migration of Semalis or other matives of the transferred territory, into British territory either while the evacuation of British troops is taking place or in the future.

The Italian Severment binds itself to respect the rights of Soudanese pensioners remaining at Yenti, in accordance with the general laws and regulations of the Italian Colony and Southern Sombiland.

Artisle 10 (previously Article 12.)

The manner in which the present agreement shall be carried out shall be settled on the spot by British and Italian efficials appointed for the purpose by the two Governments of Kenya Golony and Italian Somaliland. Until the whole boundary shall have been demorated by an accurate ourvey, the efficials thus appointed shall be expowered to decide, previded an agreement can be reached under which Government materials of local importance situated near the proposed boundary shall come. In the event of an agreement not being found possible, the points in dispute shall be nextled by an assemble mixed in dispute shall be nextled by an assemble.

MILITING IN FURLAND

. 157

Redical Cerisor's House	Fls.	
	8,000	
Fort including Jail and Hospital Civil Stores.	20,000	
	2,000	
Customs House and quarters.	10,000	
Dispensary and buildings	8,000	
A. D. C. 's House (recently purchased).	2,400	
Wireless Station (Buildings only).	60,000	
Market.	800	
Genters for clerk	1,000	
Police Lines	3,000	
Pier and erane.	5,000	
fater supply (condenser, Tanks, and Pus	EDR.) 5.000	

COBWEN

Military Lines, corrugated iron buildings.

	2 eac	h 74.0 x	10.0			1,480
1000	1	72.0 X			٠.	720
4 4	1	68,0 x		. 7		844
	1	102.0 x		14		674.
i keep . I re		13.0 x			1	44.
Distance	10 Z	34.0 %		144		804.
41. 13.8 1.324 1.69	WAS CO.	quarters House	21.0	d ur		000
BATT TO		an wante.	34. 34.	F (4)	2.	000

	Appresiusie Falis.
	710.
Greenly Reem	1,500
3 Askari lines	2,400
1 diste without iron	500
3 Duthenses	1,200
Large Bona of barbed wire and thorns Makati Bate for about 100 men. One store building in ald bean	3,000
ATSTANDRA (Gosha) A.D.C.'s House, Office, etc.	6,000
APRADU Temperary Vattle and daub buildings	1,000.
Jania, ste.	
Trolley lime from Kismays to Hougani about 30 miles; and rolling stock consisting of two converted Ford tractors two begin tracks and one tank track.	dano.
Road from Kismaya to Subwen, 9 miles neetly in bad condition	4,500
Read from Mbuyuni (end of trellay line) to Gebwen	2,400
Read from Mbuyuni to Afmadu, 87 miles meter read, in good condition	18,990
Total Florise	180,948.