

19

TREATIES WITH FOREIGN STATES

COMMERCIAL

Wires Paper

Mr. B.  
Kenya  
London

Submit Observati  
on former Treaty  
France Govt have ratif  
ce sent to Paris, short  
intention and necessit

Sir H. Head  
Mr. Bottomley.

You spoke  
expressed the opin  
gained by sending  
the better natur  
of the relation  
give no groun

on.  
F. consider  
me to find out whe  
the Kenya rate (incl  
ainland dominions) as raised to 10%. I ha  
ascertained from Mr. Gritten that the Foreign Office  
cannot

In my service communicated  
in this office - please quote

No. A 3432/1921/Co.

and address.

not in any person by name,

but to

"The Under-Secretary of State,"  
Foreign Office,  
London, S.W.1.

1921 APR 21  
1921 APR 21  
1921 APR 21

Sir:-

I am directed by Earl Curzon of Kedleston to state that His Lordship has had under consideration your letter of the 5th instant No. 3432/1921 enclosing copy of a Memorandum relating to the commercial provisions in the Zanzibar Treaties with foreign States.

2. Lord Curzon is of opinion that it may well be maintained that pre-existent treaties are by implication dissolved upon the coming into force of a subsequent convention inconsistent therewith and that, although the St-Germain Convention is in some respects ~~more~~ <sup>more</sup> favourable to the Zanzibar treaties and does not refer to them at all parties thereto may be presumed to have intended they should be regarded for the extent of their difficulty however arising from the fact that the question was raised in 1900, His Majesty's Government used language to the French Government implying that the treaties were still in force, notwithstanding the existence of the Berlin and Brussels Acts.

3. In these circumstances it is evident that arguments may be adduced on both sides of the question, though the wording of the St-Germain Convention is more favourable to the view expressed in your letter than that of the earlier Conventions, and the position of His Majesty's Government will therefore be strengthened as soon as the Convention has come into force. At the same time, while

The Under Secretary of State,

Colonial Office.

21 APRIL 1917

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Curzon is ready to give his assurance that he will support the English Government in the event of difficulties being raised. His Lordship cannot guarantee that the French Government will accept the view in question, or that it would be upheld if the question were referred to arbitration.

2. On the other hand the necessity of raising import duties in Africa being admitted, Lord Curzon believes that if the French Government were suitably approached upon this question they might waive any possible objections, although they would do so if the question were raised without their being consulted in advance.

3. In these circumstances I am to suggest for the consideration of Mr. Churchill that the best course to pursue in this matter would be, as soon as the French Government have ratified the St. Germain Convention, to inform them of the views of His Majesty's Government and to say that His Majesty's Government have no doubt that the French Government will accept the views, but that in face of the diplomatic discussion of the question which has taken place in the past, His Majesty's Government think it courteous to give them notice beforehand of their intention. It might be advisable to accompany such a declaration with an offer, supposing such a course to be acceptable to the French Government, to send a delegate to Paris to explain more fully the position of His Majesty's Government. Since Lord Curzon believes that a question of this sort might be more easily disposed of verbally

than/

than by diplomatic correspondence.

I am,

Sir,

Your most obedient,  
humble Servant,

R. Sperling

DODDING STRETEY

20 MAY, 1921

DRAFT

1921, REPARATIONS

the French Govt. before leaving the  
duties, or to offer to send a delegate  
to Paris to explain the position of  
S.M.G. in this matter. Mr. Churchill  
recognises the difficulty caused by  
the language used by S.M.G., & the  
French Govt. are like us too, as  
they discussed in 1900, and it  
was for this reason that he sought  
Lord Curzon's views on the memorandum  
enclosed in G.O. letter of the 8th  
April.

also 24757

... to negotiate with Germany that a  
... by year between the 1919  
... Conventions,  
... to be definitely  
... governments to  
... the Berlin  
... not so definite,  
... action in increasing  
... <sup>accordingly</sup>  
... can be based  
... on the express terms  
... If the action of H.M.G.  
... French Govt. by  
... resistance,  
... active  
... printing  
... coordinating  
... on in 1930 and  
... view of  
... Churchill  
... focus to  
... , but he  
... not to do  
... the point.

I would be glad if  
Lord Curzon would be good enough to consider  
this proposal and to wish favour him with  
his observations on it at an early opportunity.

I am etc.

(Signed) H. J. READ

4 I am to obtain  
of you to consider  
same. In view of  
you not breaking  
to keep a set of con-  
tracts (which of course  
is healthiest)  
and agreed to any ad-  
ditional you may have  
a time limit to do  
and will suggest to  
you to consider  
any changes  
as far as possible