

DOMESTIC

EAST AFR. PROT
UGANDA
PORT. E. AFRICA
36219

36219
4 NOV 09

note 180
faintly

Whole question of the
measures to be taken
for the protection of the
frontier

L. Lane etc

or Individual
Foreign
1909
No.
Previous Paper
no.

Postal Agreement with Portug. E. Africa

Submit claims. Difficult to say how the approval
and confirmation by the respective ports can best be
effected. Use of the word "ratification" in Art. 15 is
misleading, ratification being an attribute of the Sovereign &
only applicable to instruments bearing the Royal Sign Manual.

General Dept

H. J. S.
4/21

Mr Ridley
Mr Beard

I should have thought it quite
sufficient for the Commissioners of the respective
Protectorates to have signed the agreement. If
the Portuguese Govt objects, the difficulty might
be got over as was done in the case of New
Zealand (1047/02 General).

J. M. G.
10/11

copy comes for 11. 25. Nov 37 1909

subsequent Paper
37891

Mr. ...
Mr. ...

What about the new Art. 15? I presume that
it is intended to make this the subject of a

Further Agreement supplementary to that of 30 March 1908 and substituting it for the original Art V in that Agreement?

Of so, two courses appear to be open

1/ That the Sops sh^d approve & confirm the Agreement of 30 March 1908 forthwith (in the form on 1047/02); and sh^d similarly approve & confirm the supplementary agreement when made.

2/ Wait till the latter is made and then approve & confirm both Agreements together.

In other words, I share the difficulty felt by F.O. in para 2 of their letter. The original agreement of 30 March 08 having been signed, I do not see how you can alter Art V by the instrument approving & confirming it, and I think this alteration must be effected by a further agreement. This being so, I advocate alteration 2 supra [No 1 would apparently create a false position].

? Suggest to F.O. that Art V having been revised by the Govts concerned, the new Art sh^d be made the subject of an agreement supplementary to that of 30 March 08, and that when this has been done both agreements sh^d be approved & confirmed by an instrument modelled on that which they replace on 1047/02 (N2).

J.S.R. 9/11
I agree.

H. J. R.

10/11

Atmore
HBC
10/11

In any further communication on this subject, please quote

No. 38847/09.

and address—

The Under-Secretary of State,
Foreign Office,
London.

35219
890
REC'D
NOV 4 1909
FOREIGN OFFICE

November 3 1909.

Sir:-

Agreement

I am directed by Secretary Sir Edward Grey to acknowledge the receipt of your letter of the 20th ultimo, 33663, enclosing the Draft of an Agreement between the Post Office of the East African and Uganda Protectorates and the Post Office of the Portuguese Province of Mozambique.

Under Secy

I am to observe that, although this instrument is referred to in your letter as a draft Agreement, it purports to have been actually signed at Mombasa in March 1908; and if this be so, it is not clear to the Secretary of State in what manner it is contemplated to effect the amendments proposed.

Sir Edward Grey accordingly feels some difficulty in expressing an opinion as to how the approval and confirmation by the respective Governments of the Agreement can best be effected.

I

Under Secretary of State,
Colonial Office.

In any further communication on this subject, please quote

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*Quoted
NA*

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Sir Edward Grey accordingly feels some difficulty in expressing an opinion as to how the approval and confirmation by the respective Governments of the Agreement can best be effected.

I

Under Secretary of State,
Colonial Office.

(38847/09).

70/12/2007
 I am at the same time to draw attention to the fact that the use of the word "ratification" in Article 15 is incorrect, and to refer to the last paragraph of the letter from this Department of December 7th, 1907, (38269), in which it was explained that "ratification" is strictly an attribute of the Sovereign, and is only applicable to instruments bearing the Royal Sign Manual.

14/12/07
 The Draft Agreement is returned herewith as requested.

I am,

Sir,

Your most obedient,

humble Servant,

F. Campbell

To Mr. 36219 Lyenda 392

S.C.

13 Nov 09

13

Sir,

I am etc to ack. the

receipt of your letter

no 38847/09 of the 3rd inst.

forwarding the obs^{rs}. of Sect^s

1/ Sir E. Gray with regard to

the agreement between the

P.O. of the E. A. & Lyenda

Protectorates & the P.O. of

the Portuguese Province

of Mozambique.

I with regard to the

Amendments proposed, I

am to explain that article

1 of the Agreement has been

DRAFT.

The 1884
to

MINUTE.

Mr. 1884

Mr. Butler 12 f. 3.

Mr. Fiddes.

Mr. Just.

Mr. Cox.

Sir C. Lucas.

Sir F. Hopwood.

Col. Seely.

Lord Crewe.

Quas. 37881

Copy for 711.

70
37881

Proposed by the postal
 Conference & a new
 has been
 Article framed upon,
 which it is desired to
 embody in the agreement
 in the place of the
 original article 2.

I In these circumstances
 I would suggest subject
 to Mr. E. J. J. concurrence,
 that the new article should
 be made the subject of
 an agreement supplementary
 to that of 30th March
 1908. And that, when
 this has been done,

the agreement should
 be approved & confirmed
 by an instrument notified
 in that which was
 employed in the case
 of certain postal agreements
 known No. 2. & Kansas
 in accordance
 foreign states. See
 with the suggestion made in
 Empire Office letter of
 18th March 1902. &
~~concerns correspondence~~

20/10/02 NZ

J. V. F.

(Signed) G. V. FIDDES.