

MILITARY OVERFLIGHTS

Exchange of notes at Ottawa May 21, June 2, and July 12 and 20, 1934, extending and amending agreement of September 15 and 16, 1932, as extended

*Entered into force July 20, 1934; operative from July 1, 1934
Expired June 30, 1940*

Canada Treaty Series, 1934, No. 9

The American Minister to the Secretary of State for External Affairs

OTTAWA, CANADA

May 21, 1934

No. 239

SIR:

I have the honor to inform you that I have been authorized by my Government to extend for a period of one year beginning July 1, 1934, the agreement concluded by our two Governments in September, 1932,¹ whereby permission was granted, under certain conditions, for military aircraft of either government to fly over specified portions of the territory of the other.

I should therefore appreciate being informed whether the Canadian Government will be disposed to agree to the extension of this agreement for the period specified and, if so, whether this note will be considered by the Canadian Government as sufficient confirmation of the extension of the agreement by the Government of the United States.

I avail myself of the occasion to renew to you, Sir, the assurances of my highest consideration.

WARREN D. ROBBINS

The Right Honorable

THE SECRETARY OF STATE
FOR EXTERNAL AFFAIRS,
Ottawa.

¹ Exchange of notes at Ottawa Sept. 15 and 16, 1932, *ante*, p. 51.

The Secretary of State for External Affairs to the American Minister

DEPARTMENT OF
EXTERNAL AFFAIRS
CANADA

No. 54

OTTAWA, *June 2, 1934*

SIR,

In reply to your despatch No. 239 of May 21st, 1934, inquiring whether this Government is disposed to agree to the extension for a period of one year beginning July 1st, 1934, of the agreement concluded between our two governments in September, 1932, whereby permission was granted, under certain conditions, for military aircraft of either government to fly over specified portions of the territory of the other, I have the honour to bring to your attention that stipulation (c) of the above Convention embodies instructions to pilots in the event of forced landings, as follows:—

“In case of forced landings made outside their own territory, pilots shall, with as little delay as possible, report to the local police, Customs and Immigration authorities and notify by telegram the appropriate Departments of their respective Governments.”

As the agreement stands at present there is no guarantee to the interested parties that pilots have observed its terms. Furthermore, if pilots do report to the local police it is quite possible that such police will be unacquainted with these terms. I have the honour, therefore, to suggest that the agreement be extended for a period of one year beginning July 1st, 1934, on condition that the particular paragraph referred to above be changed to read as follows:

“In case of forced landings outside their own territory, pilots shall, with as little delay as possible, report to the Provincial Police or State Police, as applicable, and to the Customs and Immigration authorities, also notifying by telegram the appropriate Departments of both Governments.”

In this connection the appropriate Department in Canada would be the Department of National Defence. It is hoped that this change would ensure that the terms of the agreement were being observed.

Accept, Sir, the renewed assurances of my highest consideration.

O. D. SKELTON
for
*Secretary of State
for External Affairs*

THE UNITED STATES MINISTER TO CANADA,
Ottawa.

The American Minister to the Secretary of State for External Affairs

OTTAWA, CANADA

July 12, 1934

No. 283

SIR:

I have the honor to refer to Dr. Skelton's note No. 54 of June 2, 1934, in reply to my note No. 239 of May 21, 1934, stating that the Canadian Government is willing to extend for a period of one year, beginning July 1st, 1934, the agreement reached in 1932 governing certain flights by military aircraft, provided that stipulation (c) of the agreement be changed to read as follows:

"In case of forced landings outside their own territory, pilots shall, with as little delay as possible, report to the Provincial Police or State Police, as applicable, and to the Customs and Immigration authorities, also notifying by telegram the appropriate Departments of both Governments."

The Government of the United States has no objection to the proposed change and the agreement, as amended, is therefore considered to be in effect as of July 1st, 1934. I should appreciate receiving your confirmation of this understanding.

I avail myself of the occasion to renew to you, Sir, the assurances of my highest consideration.

WARREN D. ROBBINS

The Right Honorable

THE SECRETARY OF STATE FOR EXTERNAL AFFAIRS

*Ottawa, Canada**The Secretary of State for External Affairs to the American Minister*

DEPARTMENT OF
EXTERNAL AFFAIRS
CANADA

No. 91

OTTAWA, July 20, 1934

SIR,

With reference to your despatch No. 283 of July 12th concerning the agreement between our two governments reached in 1932 whereby military aircraft of either country are permitted to fly over specified portions of the territory of the other, I have the honour to state that this Government is willing to extend the above agreement for one year, beginning July 1st, 1934, provided that stipulation (c) of the agreement be changed to read as follows:

“In case of forced landings outside their own territory, pilots shall, with as little delay as possible, report to the Provincial Police or State Police, as applicable, and to the Customs and Immigration authorities, also notifying by telegram the appropriate Departments of both Governments.”

Accept, Sir, the renewed assurances of my highest consideration.

O. D. SKELTON
for
*Secretary of State
for External Affairs*

THE UNITED STATES MINISTER TO CANADA
Ottawa