

N° 3594.

ÉTATS-UNIS D'AMÉRIQUE
ET POLOGNE

Echange de notes comportant un accord relatif à la reconnaissance réciproque des certificats de jaugeage. Washington, les 17 janvier, 14 mars, 22 avril 1930 et 5 octobre 1934.

UNITED STATES OF AMERICA
AND POLAND

Exchange of Notes constituting an Agreement regarding the Reciprocal Recognition of Tonnage Measurement Certificates. Washington, January 17th, March 14th, April 22nd, 1930, and October 5th, 1934.

No. 3594. — EXCHANGE OF NOTES¹ BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE POLISH GOVERNMENT CONSTITUTING AN AGREEMENT REGARDING THE RECIPROCAL RECOGNITION OF TONNAGE MEASUREMENT CERTIFICATES. WASHINGTON, JANUARY 17TH, MARCH 14TH, APRIL 22ND, 1930, AND OCTOBER 5TH, 1934.

English and Polish official texts communicated by the Envoy Extraordinary and Minister Plenipotentiary of the United States of America at Berne. The registration of this Exchange of Notes took place January 29th, 1935.

I.

THE POLISH AMBASSADOR (FILIPOWICZ) TO THE SECRETARY OF STATE (STIMSON).

No. 1635/29.

January 17th, 1930.

SIR,

I have been instructed by my Government, desirous of negotiating with the Government of the United States an agreement relative to the tonnage measurement of ships, to present for your consideration translations of the following documents² :

Decree of the President of the Republic of Poland of May 17th, 1927, relating to the tonnage measurement of ships ;

Decree of the Minister of Industry and Commerce of November 24th, 1927 ;

Regulations as to the tonnage measurement of ships, as well as copies of Polish certificates of tonnage.

In doing so, I have the honor to ask you, Mr. Secretary, to take cognizance of the attached documents and to inform me subsequently if it be your pleasure to have representatives of the Department of State enter into negotiations with representatives of this Legation with a view to negotiating, on the basis of the attached documents, an agreement which would assure that certificates of tonnage of vessels of either High Contracting Party be reciprocally accepted as establishing the ships' tonnage in respect to levying of harbor duties and taxes.

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

T. FILIPOWICZ.

Enclosures :

Translations of documents referred to above.

The Honorable

Henry L. Stimson,
Secretary of State.

¹ In force as from April 22nd, 1930.

² Not printed.

¹ TRADUCTION. — TRANSLATION.

N^o 3594. — ÉCHANGE DE NOTES² ENTRE LE GOUVERNEMENT DES ÉTATS-UNIS D'AMÉRIQUE ET LE GOUVERNEMENT POLONAIS, COMPORTANT UN ACCORD RELATIF A LA RECONNAISSANCE RÉCIPROQUE DES CERTIFICATS DE JAUGEAGE. WASHINGTON, LES 17 JANVIER, 14 MARS, 22 AVRIL 1930 ET 5 OCTOBRE 1934.

Textes officiels anglais et polonais communiqués par l'envoyé extraordinaire et ministre plénipotentiaire des Etats-Unis d'Amérique à Berne. L'enregistrement de cet échange de notes a eu lieu le 29 janvier 1935.

I.

M. FILIPOWICZ, AMBASSADEUR DE POLOGNE, A M. STIMSON, SECRÉTAIRE D'ÉTAT.

N^o 1635/29.

Le 17 janvier 1930.

MONSIEUR LE SECRÉTAIRE D'ÉTAT,

Mon Gouvernement, animé du désir de négocier avec le Gouvernement des Etats-Unis un accord relatif au jaugeage des navires, m'a chargé de soumettre à votre examen les traductions des documents suivants³ :

Décret du président de la République de Pologne du 17 mai 1927 concernant le jaugeage des navires ;

Décret du ministre de l'Industrie et du Commerce, en date du 24 novembre 1927 ;

Règlement concernant le jaugeage des navires, et copies de certificats polonais de jauge.

Ce faisant, j'ai l'honneur de vous prier de bien vouloir prendre connaissance des documents ci-annexés et de m'informer ultérieurement si vous désirez que des représentants du Département d'Etat entrent en négociations avec des représentants de l'ambassade polonaise afin de conclure, sur la base des documents ci-annexés, un accord aux termes duquel les certificats de jauge des navires de chacune des Hautes Parties contractantes seraient admis par l'autre Partie comme déterminant le tonnage des navires aux fins de perception des droits et taxes de port.

Je saisis cette occasion, etc.

T. FILIPOWICZ.

Pièces jointes :

Traduction des documents précités.

L'honorable

Henry L. Stimson,
Secrétaire d'Etat.

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.

² En vigueur à partir du 22 avril 1930.

³ Non reproduits.

II.

THE ACTING SECRETARY OF STATE (COTTON) TO THE POLISH AMBASSADOR (FILIPOWICZ).

DEPARTMENT OF STATE.

WASHINGTON, *March 14th*, 1930.

EXCELLENCY,

I have the honor to refer to Your Excellency's note No. 1635/29 of January 17th, 1930, enclosing copies of documents relating to the tonnage measurement of ships. The regulations of Poland on this subject have been found to be substantially the same as those of the United States.

Accordingly, I have the honor to inform you that, in consideration of a like courtesy being extended to vessels of the United States in Polish ports, the appropriate agency of this Government will recognize the tonnage noted in the certificates of registry or other national papers carried by Polish vessels, determined pursuant to the decrees and regulations transmitted with your note of January 17th, 1930, as fulfilling the requirements in regard to measurement under the laws and regulations of the United States, and that it will not be necessary for vessels of Poland to be remeasured at any port of the United States.

I shall be glad to be informed when appropriate steps under Polish laws or regulations have been taken to give effect to a reciprocal exemption in favor of vessels of the United States.

This Government considers that the existence of the arrangement between the two countries on this subject may appropriately be evidenced by this note and Your Excellency's reply thereto.

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

J. P. COTTON,
Acting Secretary of State.

His Excellency
Mr. Tytus Filipowicz,
Ambassador of Poland.

III.

THE POLISH AMBASSADOR (FILIPOWICZ) TO THE ACTING SECRETARY OF STATE (COTTON).

No. 1030/30.

April 22nd, 1930.

SIR,

I have the honor to refer to your note of March 14th, 1930, with which you confirm the receipt of my note of January 17th, 1930, and inform me that Poland's regulations on the subject of tonnage measurements of vessels having been found to be substantially the same as those of the United States, the appropriate agency of the United States Government, in consideration of a like courtesy being extended to vessels of the United States in Polish ports, will recognize the tonnage noted in the certificates of registry or other national papers carried by Polish vessels issued in accordance with the regulations transmitted with my note of January 17th, 1930, as fulfilling the requirements in regard to measurement under the laws and regulations of the United States, and that it will not be necessary for vessels of Poland to be remeasured at any port of the United States.

Simultaneously, I am informing my Government that, by transmitting to you this note, the agreement on the above subject between the United States and Poland has been definitely closed,

in order to enable them to publish the above in the "Monitor Polski", official daily of the Polish Government, and in order that the Minister of Industry and Commerce may issue proper instructions to the Polish harbor authorities.

In accordance with the wish expressed in your above-mentioned note, I will inform you when appropriate steps have been taken to effect the reciprocal exemption in favor of vessels of the United States.

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

T. FILIPOWICZ.

The Honorable
Joseph P. Cotton,
Acting Secretary of State.

IV.

THE POLISH AMBASSADOR (PATEK) TO THE SECRETARY OF STATE (HULL).

AMBASSADE DE POLOGNE.

99/SZ-3.

October 5th, 1934.

SIR,

Referring to the exchange of notes which took place in 1930 between the Polish Government and the Government of the United States relative to the mutual recognition of the tonnage measurement of ships, I have the honor to enclose herewith a copy, with a certified translation, of the Proclamation, dated July 10th, 1930, issued by the Minister of Industry and Commerce of the Republic of Poland.

The said Proclamation, which is published in the official "Monitor Polski" of July 22nd, 1930, No. 167, pos. 254, states that the Polish merchant marine authorities recognize the tonnage measurement certificates of the sea-going merchant vessels of the United States of North America equally with Polish certificates.

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

S. PATEK.

encl.

The Honorable
Cordell Hull,
Secretary of State.

ENCLOSURE

« *Monitor Polski* » Nr. 167 z dnia 22 lipca 1930 r. poz. 254.
The Polish Monitor No. 167 of July 22nd, 1930, pos. 254.

TEXTE POLONAIS. — POLISH TEXT.

¹ TRADUCTION. — TRANSLATION.

OBWIESZCZENIE

PROCLAMATION

MINISTRA PRZEMYSŁU I HANDLU Z DNIA 10 LIPCA 1930 R. W SPRAWIE UZNAWANIA PRZEZ POLSKIE WŁADZE MARYNARKI HANDLOWEJ ŚWIADCTW POMIAROWYCH STATKÓW HANDLOWYCH STANÓW ZJEDNOCZONYCH AMERYKI PÓŁNOCNEJ.

OF THE MINISTER OF INDUSTRY AND COMMERCE OF JULY 10TH, 1930, IN THE MATTER OF RECOGNIZING BY POLISH MERCHANT MARINE AUTHORITIES OF TONNAGE MEASUREMENT CERTIFICATES OF MERCHANT VESSELS OF THE UNITED STATES OF NORTH AMERICA.

Podaje się do wiadomości, że, zgodnie z porozumieniem, zawartem pomiędzy Rządem Polskim a Rządem Stanów Zjednoczonych Ameryki Północnej drogą wymiany not, a mianowicie noty Rządu Polskiego z dnia 17 stycznia 1930 r. i noty Rządu Stanów Zjednoczonych Ameryki Północnej z dnia 4 [14] marca 1930 r. — polskie władze marynarki handlowej uznają świadectwa pomiarowe morskich statków handlowych Stanów Zjednoczonych Ameryki Północnej narówni ze świadectwami polskimi.

Be it known that, in accordance with the Agreement, concluded between the Polish Government and the Government of the United States of North America by way of an exchange of notes, to wit the note of the Polish Government dated January 17th, 1930, and the note of the Government of the United States dated March 4th [14], 1930, — the Polish merchant marine authorities recognize the tonnage measurement certificates of the seagoing merchant vessels of the United States of North America equally with Polish certificates.

Minister Przemysłu i Handlu :
Minister of Industry and Commerce :

(—) E. KWIATKOWSKI.

I herewith certify that the original and the translation are substantially in agreement.

WASHINGTON, D. C., *October 5th*, 1934.

Z. KLIMPEL,
Secretary of Embassy.

Certified to be a true and complete textual copy of the original notes exchanged in all the languages in which they were signed.

For the Secretary of State
of the United States of America :

C. E. MacEachran,
Chief Clerk and Administrative Assistant.

¹ Traduction du Gouvernement des Etats-Unis d'Amérique.

¹ Translation of the Government of the United States of America.