

**ÉTATS-UNIS D'AMÉRIQUE
ET CANADA**

**Echanges de notes comportant un accord relatif
aux communications radiotélégraphiques
entre l'Alaska et la Colombie britannique.
Washington, les 9 juin, 11 et 18 juillet,
22 août, 27 septembre, 4 octobre, 16 novem-
bre et 20 décembre 1938.**

*Texte officiel anglais communiqué par l'envoyé extraordinaire et ministre
plénipotentiaire des Etats-Unis d'Amérique à Berne. L'enregistrement a
eu lieu le 3 juin 1939.*

**UNITED STATES OF AMERICA
AND CANADA**

**Exchanges of Notes constituting an Agreement
concerning Radio Communications between
Alaska and British Columbia. Washington,
June 9th, July 11th and 18th, August 22nd,
September 27th, October 4th, November
16th and December 20th, 1938.**

*English official text communicated by the Envoy Extraordinary and Minister
Plenipotentiary of the United States of America at Berne. The registration
took place June 3rd, 1939.*

No. 4580. — EXCHANGES OF NOTES BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF CANADA CONSTITUTING AN AGREEMENT CONCERNING RADIO COMMUNICATIONS BETWEEN ALASKA AND BRITISH COLUMBIA. WASHINGTON, JUNE 9TH, JULY 11TH AND 18TH, AUGUST 22ND, SEPTEMBER 27TH, OCTOBER 4TH, NOVEMBER 16TH AND DECEMBER 20TH, 1938.

I.

DEPARTMENT OF STATE.

SIR,

WASHINGTON, *June 9th, 1938.*

I have the honor to inform you of the desire of the Polaris-Taku Mining Company, Limited, to establish radio communication between its privately-owned radio station in the Province of British Columbia, Canada, and the station of the Alaska Communication System at Juneau, Alaska, for the exchange of traffic pertaining to weather and flying conditions and emergency medical assistance. In view of the nature of the messages sought to be exchanged the War Department of the United States approves the establishment of the proposed circuit.

I accordingly inquire whether the Government of Canada is prepared to authorize the suggested radio connection, omitting ordinary commercial traffic, between stations of the Alaska Communication System and radio stations located in Canada. If such approval is given by your Government it is suggested that provision be made for the modification of the details of arrangements with respect to the class of traffic handled, subject to the approval of the Secretary of War of the United States and a designated official of the Government of Canada.

It is also proposed that the arrangement provide for the operation and administration of the affected radio channels subject to the following conditions which are understood to be in accordance with the procedure and practice applicable to similar channels now in operation :

(a) Radio traffic will be exchanged in accordance with the regular operating procedure of the Alaska Communication System and of the radio stations in the Dominion of Canada, provided that in cases where the operating procedure applicable to one station is in conflict with the operating procedure of the station with which radio traffic is exchanged, the differences will be administratively adjusted by cooperation between the chief operators of the stations involved.

(b) The establishment of operating schedules between any two stations authorized to exchange radio traffic will be such as may be agreed upon between the Officer in Charge, Alaska Communication System, Seattle, Washington, and the administrative official in charge of the operation of the radio station with which such radio schedules are established.

(c) The charges made by the Alaska Communication System on local traffic between the local radio station of the Alaska Communication System and any radio station in the Dominion of Canada with which arrangements are made for the exchange of traffic will be in accordance with duly established tariffs applicable to such service.

(d) The division of tolls between the participating radio stations will be made on the basis of the tolls accruing to each in accordance with applicable tariffs, and settle-

ment of accounts will be made by the Auditor for the Alaska Communication System, Seattle, Washington, at such intervals as may be agreed upon and in the same manner as settlement is made under similar conditions for commercial radio traffic between stations of the Alaska Communication System and other radio stations.

(e) Arrangements for the exchange of radio traffic between stations of the Alaska Communication System and radio stations located in the Dominion of Canada shall not be extended to provide for the forwarding of drafts or money orders.

It should be observed that it is not intended that this proposed arrangement shall in any way contravene the provisions of the United States-Canadian regional arrangement governing the use of radio for aeronautical services, which was negotiated at a conference in Washington in January 1938 and which is now before your Government for study.

It is suggested that the contemplated service be authorized to commence at any time after the conclusion of this understanding by exchange of notes and that either Party may withdraw from the arrangement by giving six months' notice in writing to the other Party, at which time the arrangement shall be deemed to have terminated. In this connection, however, it should be borne in mind that the terms of this arrangement shall be within the scope of the existing International Telecommunication Convention and the annexed Regulations to which both Parties hereto may have adhered.

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

Cordell HULL.

The Honorable

Sir Herbert Marler, P.C., K.C.M.G., Minister of Canada.

CANADIAN LEGATION.

II.

No. 160.

SIR,

WASHINGTON, July 11th, 1938.

I have the honour to refer to your note of June 9th, 1938, concerning the desire of the Polaris-Taku Mining Company Limited to established radio communication between its privately-owned radio station in the Province of British Columbia and the station of the Alaska Communications System at Juneau, Alaska, for the exchange of traffic pertaining to weather and flying conditions and emergency medical assistance.

It appears that the Polaris-Taku Mining Company Limited is at present licensed to operate a radio station at its mine seven miles northwest of Tulsequah, British Columbia, call sign CY31, for radio-telephone communication on the frequencies 2060 and 5720 kilocycles with the Department of Public Works, Telegraph Service, radio stations at Telegraph Creek, British Columbia, and Hazelton, British Columbia, only.

On the condition that the proposed radio communication between Tulsequah, British Columbia, and Juneau, Alaska, will be strictly limited to the exchange of traffic pertaining to weather and flying conditions and emergency medical assistance only, and in view of the fact that the proposed circuit has been approved by the War Department of the United States, the Canadian Government through the Department of Transport will be prepared to authorize the Polaris-Taku Mining Co. Ltd. radio station to communicate with the Juneau, Alaska, station subject to the conditions (a) (b) (c) (d) (e) outlined in your note of June 9th and subject also to the further conditions set forth in the last two paragraphs of the same communication.

I have the honour to be with the highest consideration, Sir, your most obedient humble servant,

Herbert M. MARLER.

The Hon. Cordell Hull,

Secretary of State of the United States, Washington, D. C.

III.

DEPARTMENT OF STATE.

SIR,

WASHINGTON, *July 18th, 1938.*

I have the honour to acknowledge the receipt of your note No. 160 of July 11th, 1938, concerning the desire of the Polaris-Taku Mining Company, Limited, to establish radio communication between its privately-owned radio station in the Province of British Columbia, Canada, and the station of the Alaska Communication System at Juneau, Alaska, for the exchange of traffic pertaining to weather and flying conditions and emergency medical assistance. I am happy to note that your Government will be prepared to authorize the Polaris-Taku Mining Company, Limited, radio station to communicate with the Juneau, Alaska, station subject to conditions (a), (b), (c), (d), and (e) outlined in my note of June 9th and subject also to the further conditions set forth in the last two paragraphs of the same communication.

In transmitting a copy of your note under acknowledgment to the War Department, the Department stated that it was suggesting to your Government that the Agreement in question come into force on August 1st, 1938. I shall appreciate it, therefore, if you will be good enough to inform me whether the date of August 1st, 1938, is agreeable to your Government.

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

For the Secretary of State :
R. Walton MOORE.

The Honorable
Sir Herbert Marler, P.C., K.C.M.G.,
Minister of Canada.

IV.

CANADIAN LEGATION.

No. 195.

SIR,

WASHINGTON, *August 22nd, 1938.*

I have the honour to refer to your note of July 18th, 1938, and previous correspondence concerning the proposed Agreement under which the Polaris-Taku Mining Company, Limited, would establish radio communication between its privately-owned station in the Province of British Columbia and the station of the Alaska Communications System at Juneau, Alaska, for the exchange of traffic pertaining to weather and flying conditions and emergency medical assistance. You enquired whether the date of August 1st, 1938, would be agreeable to the Canadian Government as the date on which the Agreement in question should come into force.

I am instructed to inform you that the Agreement is satisfactory to the competent authorities of Canada and it is understood that it is in force as of August 1st, 1938, according to the terms set out in previous correspondence.

I have the honour to be with the highest consideration, Sir, your most obedient humble servant,

Herbert M. MARLER.

The Honourable Cordell Hull,
Secretary of State of the United States,
Washington, D. C.

V.

CANADIAN LEGATION.

No. 232.

SIR,

WASHINGTON, *September 27th*, 1938.

I have the honour to refer to my despatch No. 195 of August 22nd and to previous correspondence concerning the Agreement under which the Polaris-Taku Mining Company Limited established radio communications between its privately-owned station in the Province of British Columbia and the station of the Alaska Communications System at Juneau, Alaska, for the exchange of traffic pertaining to weather and flying conditions and emergency and medical assistance.

I am now instructed to call to your attention that the Department of Transport state that while the Polaris-Taku Mining Company have clearly specified the classes of message they desire to exchange between their station at Tulsequah, British Columbia, and the Juneau station of the Alaska Communications System, representations received by the Department from the legal agents of the Company state that messages following the normal routing of commercial traffic between these stations are subject to serious delay and they now request authority to handle any class of local message between Tulsequah and Juneau direct.

In view of this request the Department of Transport approached the Government Telegraph Service of the Department of Public Works with a view to eliminating the difficulties experienced in the service between Tulsequah and Juneau, and the following proposals have now been submitted in this connection by the Government Telegraph Service. These proposals—it is understood—have been approved by the legal agents of the Polaris-Taku Mining Company at Vancouver.

(1) All commercial traffic between Juneau and Tulsequah should be routed in future via Atlin instead of via Telegraph Creek, Wrangell, Seattle and Juneau, which is the present route for such traffic. The Canadian Government station at Atlin is much more powerful than the Telegraph Creek station and it is considered to be better located to work with Juneau and Tulsequah than is Telegraph Creek. It is proposed that this Tulsequah-Atlin-Juneau schedule should be worked every two hours during the day.

It is understood that it would be necessary to obtain permission from the Chief Signal Officer, United States Army, to establish this proposed communication between the station of the Alaska Communications System at Juneau and the station of the Government Telegraph Service at Atlin in order to handle Tulsequah business with Juneau.

(2) The Government Telegraph Service state that they are prepared in connection with the Sunday and holiday service to accede to the wishes of the Polaris-Taku Mining Company that the Tulsequah station should communicate direct with Juneau as is the present practice in the handling of weather reports and emergency medical assistance.

The Department of Transport state that they have no objection to the extension of this service between Tulsequah and Juneau on the basis of the proposals of the Government Telegraph Service as outlined above.

I should be glad to be informed whether this proposed arrangement would meet with the approval of the interested authorities of the United States Government.

I have the honour to be with the highest consideration, Sir, your most obedient humble servant,

W. A. RIDDELL,
For the Minister.

The Hon. Cordell Hull,
Secretary of State of the United States,
Washington, D. C.

VI.

DEPARTMENT OF STATE.

SIR,

WASHINGTON, *October 4th*, 1938.

I have the honor to acknowledge the receipt of a note from your Legation, No. 232 of September 27th, 1938, in regard to the amplification of the former Agreement concerning the transmission of meteorological and other emergency radio messages between the station of the Polaris-Taku Mining Company, Limited, and the station of the Alaska Communications System at Juneau.

It is understood that the proposed amplification comprehends the following :

1. That all commercial traffic between Juneau and Tulsequah, the station of the Polaris-Taku Mining Company, shall be routed in the future via Atlin instead of via Telegraph Creek, Wrangell, Seattle, and Juneau, the present route for such traffic.
2. In connection with Sunday and holiday service, direct communication between the Tulsequah station and Juneau following the present practice in the handling of weather reports and messages regarding emergency medical assistance.

The suggestion in the note under acknowledgment is being brought to the attention of the appropriate authorities of this Government for their consideration and such comments as they may find it desirable to submit. I shall communicate with you further as soon as a statement of their views has been received.

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

For the Secretary of State :
G. S. MESSERSMITH.

The Honorable
Sir Herbert Marler, P.C., K.C.M.G., Minister of Canada.

VII.

DEPARTMENT OF STATE.

SIR,

WASHINGTON, *November 16th*, 1938.

I have the honor to refer to your Legation's note No. 232 of September 27th, 1938, and my reply of October 4th, 1938, outlining an amplification of the arrangement for the transmission of meteorological and other emergency radio messages between the station of the Polaris-Taku Mining Company, Limited, and the station of the Alaska Communication System at Juneau.

Upon the recommendation of the appropriate authorities of this Government I have the honor to inform you of its acceptance of the suggestions contained in your note of September 27th, 1938.

It has been further suggested that the arrangement provide for the direct handling of commercial traffic between Tulsequah and Juneau at all times when the radio station at Atlin is closed or otherwise inoperative so as to permit the handling of urgent commercial traffic when the Atlin station is closed at the end of the business day as well as on Sundays and holidays.

It has also been recommended that this circuit be made available for the handling of other radio traffic between the Alaska Communication System and radio stations under the control of the Government Telegraph Service of the Canadian Department of Public Works in accordance with practices applicable to the exchange of traffic between stations of the Alaska Communication System at Fairbanks, Wrangell, and Ketchikan and stations of the Canadian Government at Dawson, Telegraph Creek, and Digby Island, respectively.

I shall be glad to be informed of the views of your Government with respect to these additional recommendations in order that, if it concurs in them, they may be made effective by this exchange of notes.

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

For the Secretary of State :
G. S. MESSERSMITH.

The Honorable
Sir Herbert Marler, P.C., K.C.M.G., Minister of Canada.

VIII.

CANADIAN LEGATION.

No 302.

SIR,

WASHINGTON, *December 20th*, 1938.

I have the honour to refer to your note of November 16th outlining certain additional recommendations with regard to the proposed amplification of the arrangement for the transmission of meteorological and other emergency radio messages between the station of the Polaris-Taku Mining Company Limited and the station of the Alaska Communications System at Juneau.

I have now the honour to inform you that the Canadian Government, after consultation with the appropriate authorities, have decided upon the acceptance of the recommendations outlined in your note of November 16th.

The Polaris-Taku Mining Company Limited have now therefore been informed that the Department of Transport have no objection to the suggested arrangement to provide for the direct handling of commercial traffic between Tulsequah and Juneau at all times when the radio station at Atlin is closed or otherwise inoperative so as to permit the handling of urgent commercial traffic when the Atlin station is closed at the end of the business day as well as on Sundays and holidays.

With regard to the further suggestion of your Government that the Atlin-Juneau channel should be used as a transfer medium for traffic between the Alaska Communications System and the stations in Northern British Columbia and the Yukon Territory operated by the Department of Transport, it is agreed that the proposed direct transfer at Juneau would be more satisfactory than the present arrangement over the White Pass and Yukon land lines, and the Government Telegraph Service, Department of Public Works, have been requested to proceed to make suitable arrangements with officials of the Alaska Communications System for putting this recommendation into practice.

I have the honour to be with the highest consideration, Sir, your most obedient humble servant,

W. A. RIDDELL,
For the Minister.

The Hon. Sumner Welles,
Acting Secretary of State of the United States,
Washington, D. C.

Certified to be a true and complete textual copy of the original Agreement in the sole language in which it was signed.

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

Edward Yardley,
Director of Personnel.