

N° 4765.

---

ÉTATS-UNIS D'AMÉRIQUE  
ET CANADA

Echange de notes constituant un arrangement en vue de donner effet à l'article III de l'Arrangement relatif aux services de transports aériens du 18 août 1939. Washington, les 29 novembre et 2 décembre 1940.

*Texte officiel anglais communiqué par l'envoyé extraordinaire et ministre plénipotentiaire des Etats-Unis d'Amérique à Berne. L'enregistrement a eu lieu le 12 mars 1941.*

---

UNITED STATES OF AMERICA  
AND CANADA

Exchange of Notes constituting an Arrangement giving Effect to Article III of the Air Transport Arrangement of August 18th, 1939. Signed at Washington, November 29th and December 2nd, 1940.

*English official text communicated by the Envoy Extraordinary and Minister Plenipotentiary of the United States of America at Berne. The registration took place March 12th, 1941.*

No. 4765. — EXCHANGE OF NOTES BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF CANADA CONSTITUTING AN ARRANGEMENT GIVING EFFECT TO ARTICLE III OF THE AIR TRANSPORT ARRANGEMENT OF AUGUST 18TH, 1939. WASHINGTON, NOVEMBER 29TH AND DECEMBER 2ND, 1940.

## I.

DEPARTMENT OF STATE.

SIR,

WASHINGTON, *November 29th*, 1940.

I refer to a meeting of representatives of the competent aeronautical authorities of the Government of the United States of America and of the Government of Canada, respectively, held at Ottawa, Canada, on September 9th and 10th, 1940, for the purpose of making recommendations to give effect to Article III of the Air Transport Arrangement entered into between the two Governments on August 18th, 1939<sup>1</sup>, by reference to existing and prospective international air transport services between the United States and Canada.

The competent aeronautical authorities of the two Governments have made the following recommendations :

(1) That Article III of the Air Transport Arrangement entered into between the two Governments on August 18th, 1939<sup>1</sup>, should be given effect in accordance with the enumerations attached hereto, and made a part hereof.

(2) That the recommendations shall, if accepted by the two Governments, have effect until December 31st, 1942.

(3) That at least six months prior to December 31st, 1942, a further conference of representatives of the competent aeronautical authorities of the two Governments shall be called for the purpose of considering any revision or modification of their recommendations and any new problems pertaining to air transport services which may have arisen in the interim.

The recommendations of the competent aeronautical authorities of the two Governments, as herein referred to, are acceptable to the Government of the United States. I shall appreciate it if you will inform me whether these recommendations are also acceptable to your Government. If so, it is suggested that the present note and your reply thereto constitute an arrangement between the Government of the United States of America and the Government of Canada to become effective on December 3rd, 1940, and to remain in effect thereafter until December 31st, 1942.

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

Cordell HULL.

Attachment :

Enumerations of air transport routes.

Mr. Merchant Mahoney, C.B.E.,  
Chargé d'Affaires ad interim of Canada.

<sup>1</sup> Vol. CXCIX, page 367, of this Series.

(Attachment.)

RECOMMENDATIONS OF THE COMPETENT AERONAUTICAL AUTHORITIES OF THE GOVERNMENTS OF THE UNITED STATES OF AMERICA AND CANADA FOR GIVING EFFECT TO ARTICLE III OF THE AIR TRANSPORT ARRANGEMENT BETWEEN THE TWO GOVERNMENTS, ENTERED INTO ON AUGUST 18th, 1939.

(Enumerations referred to in Exchange of Notes between the Two Governments accepting These Recommendations.)

International air transport services actually in operation between the two countries, for which certificates and permits have been issued by the respective Governments, to be confirmed. Services with respect to which applications for formal certificates or permits are now pending, other than those services specifically listed below, shall be subject to disposition at the sole discretion of the appropriate agency of the Government before which such applications are pending.

With respect to new services :

Each Government to take the appropriate steps to permit the operation by air carrier enterprises of the other, holding proper authorization from their own Governments, respectively, during the period ending December 31st, 1942, in accordance with the following specification of the routes and of the nationalities of the air carriers by which service over each route will be operated between :

Bangor, Maine – Moncton, New Brunswick	United States
New York, New York – Toronto, Ontario	Canada
Buffalo, New York – Toronto, Ontario	United States
Windsor, Ontario – Any point or points in the United States	United States
Detroit, Michigan – Any point or points in Canada	Canada
Great Falls, Montana – Lethbridge, Alberta	United States

The Canadian Government to co-operate in, or to permit or undertake the establishment on behalf of a United States air carrier, subject to Canadian law, of the necessary aids to air navigation, along the coast of British Columbia.

Further decisions with respect to routes and services to Alaska to be reserved for future consideration.

## II.

CANADIAN LEGATION.

No. 379.

SIR,

WASHINGTON, *December 2nd*, 1940.

I have the honour to acknowledge the receipt of your note of November 29th, 1940, in which you refer to a meeting of representatives of the competent aeronautical authorities of the Government of Canada and of the Government of the United States of America respectively, held at Ottawa, Canada, on September 9th and 10th, 1940, for the purpose of making recommendations to give effect to Article III of the air transport arrangement entered into between the two Governments on August 18th, 1939, by reference to existing and prospective international air transport services between the United States and Canada.

The competent aeronautical authorities of the two Governments have made the following recommendations :

(1) That Article III of the air transport arrangement entered into between the two Governments on August 18th, 1939, should be given effect in accordance with the enumerations attached hereto, and made a part hereof.

(2) That the recommendations shall, if accepted by the two Governments, have effect until December 31st, 1942.

(3) That at least six months prior to December 31st, 1942, a further conference of representatives of the competent aeronautical authorities of the two Governments shall be called for the purpose of considering any revision or modification of their recommendations and any new problems pertaining to air transport services which may have arisen in the interim.

You ask to be informed whether the recommendations of the competent aeronautical authorities of the two Governments, as herein referred to, are acceptable to the Government of Canada. In reply, I have the honour to say that these recommendations are acceptable to my Government, which agrees to your suggestion that your note of November 29th, 1940, and the present reply shall constitute an arrangement between the Government of Canada and the Government of the United States of America. My Government also agrees to your suggestion that the arrangement become effective on December 3rd, 1940, and remain in effect thereafter until December 31st, 1942.

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

Merchant MAHONEY,  
*Chargé d'Affaires ad interim.*

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

(Attachment.)

*(As in Note No. I.)*

Certified to be a true and complete textual copy of the original arrangement 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.*

---