

Zealand. My thanks are also due to them for the interesting itineraries prepared by the Tourist Departments, which enabled me to visit all places of interest in the greatest comfort, and for all the facilities afforded me to inspect the various irrigation-works, Government farms, industries, and manufacturies.

Although on my departure from Australia and New Zealand I took the opportunity of writing to thank my distinguished hosts individually for all their hospitality to me and my party, I would request, should you see no objection, that a further expression of my gratitude and appreciation of their kindness may be conveyed in a less informal manner through the Government of India to the Governments of Australia and New Zealand.

I remain, &c.,

BHAWANI SINGH,

Maharaj Rana of Jhalawar.

To the Hon. Lieutenant-Colonel S. B. A. Patterson, C.I.E., I.A.,
Agent to the Governor-General in Rajputana.

No. 9.

New Zealand, Dominions No. 18.

SIR,—

Downing Street, 13th January, 1926.

I have the honour to transmit to Your Excellency, for the information of your Ministers, copies of a parliamentary paper (Cmd. 2564) containing a despatch to His Majesty's representatives abroad notifying the denunciation by His Majesty's Government of the convention (No. VI) signed at The Hague on the 18th October, 1907, relative to the status of enemy merchant ships at the outbreak of hostilities.

I have, &c.,

L. S. AMERY.

Governor-General His Excellency General Sir C. Fergusson, Bart.,
LL.D., G.C.M.G., K.C.B., D.S.O., M.V.O., &c.

Enclosure.

DESPATCH TO HIS MAJESTY'S REPRESENTATIVES ABROAD NOTIFYING THE DENUNCIATION BY HIS MAJESTY'S GOVERNMENT OF THE CONVENTION (NO. VI) SIGNED AT THE HAGUE ON THE 18TH OCTOBER, 1907, RELATIVE TO THE STATUS OF ENEMY MERCHANT-SHIPS AT THE OUTBREAK OF HOSTILITIES.

London, 18th December, 1925.

SIR,—

Foreign Office, 18th December, 1925.

I have to inform you that on the 14th ultimo His Majesty's Government gave notice of denunciation of the convention (No. VI) signed at The Hague on the 18th October, 1907, relative to the status of enemy merchant ships at the outbreak of hostilities.

2. This convention, which resulted from the deliberations of the Second Peace Conference at The Hague, was admittedly in the nature of a compromise between the views of the various Powers assembled, but the aspiration of those who framed the convention was not only to introduce uniformity of practice into the treatment by belligerent States of enemy merchant ships found in their ports, or which might fall into their hands at the outbreak of hostilities, but also to ensure an amelioration of the lot which befel enemy ships in such circumstances.

3. This purpose appears wholly to have failed of achievement. This is largely due to the form which the convention ultimately took. It did not provide definitely that enemy merchant ships which were at the commencement of hostilities in an enemy port should be allowed to depart within a certain period, but merely provided that it was desirable that this should be done, and it contains certain provisions dealing with the disposal of enemy merchant ships which had been unable or had not been allowed to leave the enemy port. The result of this was that, during the recent war, days of grace were in some cases granted, but in most not; a considerable number of ships were, in fact, allowed to depart in accordance with the terms of the convention, but it is true to say that in most foreign countries which were parties to the convention enemy merchant ships which were in their ports at the moment when belligerency commenced were appropriated by the Government concerned, either with or without Prize Court proceedings.

4. To His Majesty's Government this practice is difficult to reconcile with the attitude of the Powers assembled at The Hague in 1907, and with the provisions of the convention. They are themselves debarred from adopting a similar practice for the following reason: It has been held by the Judicial Committee of the Privy Council in the case of the "Blonde" ([1922] 1 A.C., 313) that, under the terms of the convention, enemy vessels which were in port at the outbreak of war or which entered port unaware of the outbreak of hostilities were, if not allowed to depart freely, subject to detention only and not to condemnation. Consequently, if circumstances should again arise in which the convention would be applicable, the interpretation which His Majesty's Government would be