

M. SAHM said that the mere submission of his demands *ad referendum* to the Polish Government would not be sufficient. He asked that the Council should pass a recommendation in accordance with his request, to be attached to his statement.

M. STRASBURGER pointed out that the question was already settled by Article 197 of the Warsaw Agreement. Before adopting a resolution on the question it would therefore be necessary to examine that article very carefully in all its details, as well as the various interpretations which might be put upon it.

It would therefore be better, he thought, to adjourn the examination of this question, which could be considered together with the others still remaining to be settled.

Mr. MACDONNELL (High Commissioner) said that, if the undertaking given by the Polish representative was carried out, there was no objection to allowing the case to be adjourned, but it was of some importance for the commerce of Danzig that the decision on the legal point should be known as soon as possible. The interests of Danzig were sufficiently protected by this undertaking from the Polish Government if it were entered in the Minutes and were considered as binding on the Polish Government.

With regard to the question of ratifications, this was really a dispute between the Polish Government and the High Commissioner, and he did not think it mattered how long it was adjourned. He did not think it mattered if it were never settled at all, except that until it was settled there was always the tendency of difficulty and friction between Danzig and Poland. The case on its merits was not worth considering, but it was essential that, as a likely cause of friction between the two countries, it should be settled. If it was going to be adjourned now, he would ask the Council to give some expression of opinion that this particular point should not be brought up as a matter of dispute if any agreements or accords were to be made in the meanwhile. The only importance of the case was to get it out of the way as a cause of friction, and, therefore, as it could not be settled for three months, he would ask the Council to express the wish that it should not be used as a pretext for having other disputes and troubles. If that were included in some form in the resolution, it would assist him in getting such cases settled on their merits and not on purely political grounds, which was the whole trouble in this particular case. The point at issue in itself was not worth discussing.

M. QUIÑONES DE LEON proposed to insert in the Minutes the interesting observation which had just been made.

The Council adopted this proposal.

The Council further decided to postpone the consideration of the three questions until the next session.

1418. Free City of Danzig Observations of the High Commissioner on the question of Procedure in Cases of Appeals against his Decisions.

Mr. MACDONNELL (High Commissioner) said that, in addition to the cases settled since he came from Danzig, there had been nine cases before the Council, of which six still remained to be settled at the next session. There were two or three decisions waiting to be given by him when he went back to Danzig, and he could not say how many more he would be asked to give before the next session. The work which had been done that day had simply succeeded in removing 33 per cent of the cases from the list.

It was clear that the Council felt that the practice of appealing against practically every decision of the High Commissioner was one which could not continue. Article 39 of the Treaty of Paris was designed not to facilitate access to the Council on every little twopenny-halfpenny question about a steam ferry or whether a policeman was to sit in the water or on the land, but it was meant to restrict that access to cases of great importance, of which very few arose. The Customs question and the railway question which were before the Council, and which had had to be adjourned, were the only ones which were really of grave importance.

The main lines of Polish-Danzig relations had now been laid down. All the dominant points of interest and difficulty between the two countries had been more or less settled by the Council or by the decision of the High Commissioner, and the majority of cases that came before the High Commissioner were really secondary. Fifty per cent of them ought not to come before the High Commissioner, still less before the Council. That it was perfectly possible to come to an agreement was shown by the fact that in June there were no Danzig questions on the agenda. The position was the same at the September session, except for one question which had been left over for the jurists' decision. In effect, agreement had been reached on a very large number of disputes, and for the first time the Council had had nine clear months free of Danzig questions, and he thought it was pleased to have it so. Appeals were made to the Council on every question by one side or the other, not only on their merits but as a matter of tactics. One side appealed, and the other side said "Shall I appeal? If I do not, the other side may get all the advantage. I had better appeal, too, and I may get something." So they both appealed. It was obvious from the remarks and feelings of the Council that these methods must be stopped.

He would propose that the Council should authorise him to submit proposals at the next session as to how this practice could be stopped, as it undoubtedly could be. If he had the authority of the Council, he would spend the next two months working out a scheme which would reduce the Danzig items on the agenda for the following sessions.

M. STRASBURGER said that the suggestions of the High Commissioner were entirely in accordance with the views of the Polish Government, which was endeavouring to reduce as far as possible the number of such questions. The appeals made by the Polish Government were far less in number than the appeals made by Danzig.

The Polish Government was very desirous of co-operating with the High Commissioner in endeavouring to reduce the number of appeals submitted to the Council on questions of secondary importance.

M. SAHM said that the Danzig Government also earnestly endeavoured to reduce the number of disputes and to settle them by agreement. Nevertheless, if the substance of the various questions brought before the Council were examined, it would be seen that the Free City of Danzig was nearly always in fact placed in the position of having to defend itself. It was the right and the duty of Governments to defend the rights granted to them by treaties.

M. STRASBURGER pointed out that Poland had accepted a whole series of decisions of the High Commissioner which had been in favour of Danzig rather than in favour of Poland. It had thus shown its intention of not always making an appeal to the Council on questions of secondary importance.

M. QUIÑONES DE LEÓN said that the Council would examine the proposal which had just been made to it by the High Commissioner. It was only natural that the representatives of Danzig and Poland should wish to defend their rights, but appeals on questions of secondary importance should not be multiplied. In view of the good-will which had always been shown both by Danzig and by Poland, a satisfactory *modus videndi* should certainly be found.

M. HYMANS warmly supported the proposal which had just been made to the Council. In the interests of the administration of Danzig itself and of its relations with Poland, it was to be hoped that the disputes would not be multiplied, and that the Council would only have to deal with questions of importance.

The High Commissioner could submit practical proposals which the Council would be quite disposed to adopt.

The Council took note of the observations of the High Commissioner

1419. Free City of Danzig Question of a House for the High Commissioner

Mr. MACDONNELL said that he would like to bring before the Council the question of a house for the High Commissioner of Danzig. He was at present accommodated in a very big house which was very badly arranged and very expensive to keep up. The position of the High Commissioner being fixed in the Treaty of Versailles, he thought that it should be supposed that he would be at Danzig as long as that instrument lasted. Therefore he thought that the League of Nations really ought to construct or buy a house for itself which was more in keeping with the salary it paid its representative. He thought that the Council would find it difficult to get a man as his successor to take the post if he had to live in the present house. He suggested that the League should buy its own house, and one more in keeping with the amount they paid the gentleman who had to occupy it.

M. QUIÑONES DE LEON warmly supported the proposal of the High Commissioner.

The PRESIDENT said that the Council would examine the question and would take a decision at its session in March or at a subsequent session.

The High Commissioner for Danzig, the representative of Poland and the President of the Danzig Senate withdrew.

1420. Appointment of a Member of the Mixed Greco-Turkish Arbitral Tribunal.

M. CARAPANOS, representative of Greece, and Suad Bey representative of Turkey, came to the Council table.

M. GUANI read his report (Annex 726).

M. CARAPANOS, representative of Greece, said he was entirely in agreement with the conclusions of the report.

SUAD Bey representative of Turkey informed the Council that the Turkish Government appointed Djemil Bey member of the Mixed Greco-Turkish Arbitral Tribunal.

M. GUANI proposed that the Council should take note of the statement made by the representative of Turkey

M. CARAPANOS supported that proposal.

The Council took note of the statement made by the representative of Turkey.

[The Council then went into private session.]