

formed a link between the Polish authorities, the industries and traders of the Free City. It was for this reason that Poland desired to leave the direction of the railway at Danzig. The Polish towns in Pomerelia had asked on several occasions that the railway direction should be transferred from Danzig, and had, indeed, offered all sorts of facilities to bring it about. Poland, however, had refused to accede to this request.

Economic and administrative reasons compelled her to leave the railway direction in Danzig, where it was better placed and where it had important work to do. It dealt not only with traffic between Poland and foreign countries but with communications between Eastern Prussia and Germany. The work of this railway direction was entirely satisfactory not only for the Free City but also for foreign countries and for Germany.

The railway direction of Königsberg had said that, as far as transit communications were concerned, Eastern Prussia was not a country cut off, since the railway acted as a bridge across the corridor. It had also said that for more than a year the transit movements had been carried on without any difficulties, and the journey as far as railway passengers were concerned, was exactly the same as if the German trains were working on Polish transit lines. Such was the work done by this direction.

Poland desired in no way to raise any difficulty and was ready to enter into negotiations with Danzig in order to leave the direction of the railways in the hands of the Free City provided that the conditions imposed upon Poland were not too difficult. From an administrative point of view it would harm both Poland and the Free City to transfer the direction of the railways from Danzig to Poland.

M. SAHM said he desired specially to thank the distinguished legal experts who had been appointed by the Council for their excellent work. Danzig was very satisfied to see that the legal position which it had maintained for five years had been recognised by these experts. He hoped that the decision would define for the whole world the position taken up by Danzig in any disputes which it might have with Poland.

The decision which had been taken more than two years previously by the High Commissioner was reaffirmed. This decision had been to the effect that Poland had not the right to establish in Danzig a railway direction which was concerned with railway lines outside the territory of the Free City. Further, as a result of this decision, it appeared that a railway direction over the Polish part of the railways in Danzig could only come into existence as the result of an amicable agreement between the two States.

He was not in a position to say whether the Danzig Government was ready to enter into negotiations with Poland in regard to this question. He thought, nevertheless, that his Government would not be opposed to this course now that the legal point had been settled and provided that Poland would submit proposals which could be accepted.

Mr. MACDONNELL said that when his predecessor had given a decision he had foreseen the desirability and also the possibility of an agreement being reached. Mr. MacDonnell thought it would be disastrous for the Free City if the Polish Government felt obliged to take its railway direction away from Danzig. He was quite convinced that Danzig obtained every possible advantage from these railways, and if the Polish Government found it necessary to take the direction away the first people to suffer would be the people of Danzig.

After all the work that had been done, an agreement between the two parties should not be very difficult to obtain, and he hoped that such an agreement would not be established on too nice an interpretation of the purely legal point, but that it would render it possible for the direction of the railways to remain in Danzig. He suggested that the negotiations should be opened immediately since experts were present at Geneva and negotiations conducted at Geneva generally succeeded rather better than they did at Danzig.

M. QUIÑONES DE LEÓN asked the Council to thank the jurists for their excellent work. Both the Rapporteur and the Secretariat would be entirely at the disposal of the two parties to help with the negotiations.

The PRESIDENT thanked the Rapporteur for his offer to assist in the negotiations for any settlement advantageous both to the Free City and to Poland.

*The report and resolution were adopted.*

#### 1463. Free City of Danzig Transfer of Certain Property of the Former Prussian Administration of the Vistula.

Colonel de Reynier, President of the Harbour Board, came to the Council table.

M. QUIÑONES DE LEÓN read his report (Annex 749) and the following resolution:

"I. The Council is of opinion that the allocation of the property of the former Prussian Vistula Administration to the Harbour Board, made by the letter of the Allocation Commission of March 9th, 1922, was not final. A further distribution shall take place by agreement between the parties, with a view to allocating to Poland and the Harbour Board the proportion of this property corresponding to that part of the administration which is attributed to them. This distribution may take place without awaiting the results of the negotiations provided for in Article 20, paragraph 3, of the Treaty of November 9th, 1920.

"2. Should the two parties not be able to agree, they shall appoint, or have appointed by the High Commissioner of the League of Nations, an arbitrator whose decision shall be final.

"3. The parties shall enter into a mutual loan contract with a view to obviating, as far as possible, the necessity for the Harbour Board to replace such material as might be allocated to Poland. Should the parties not come to an agreement, the terms of this contract shall be fixed by the procedure provided for in paragraph 2 of the present resolution.

"4. The decision of the High Commissioner of the League of Nations at Danzig of November 9th, 1924, is replaced by the present resolution."

*The resolution was adopted.*

On the proposal of M. QUIÑONES DE LEÓN, the Council thanked Colonel de Reynier, M. Matsuda and M. van Hamel for the valuable help they had given the Rapporteur in his work.

#### 1464. Free City of Danzig. Harbour Board Police of the Free City

M. QUIÑONES DE LEÓN read his report (Annex 750), which concluded as follows:

"I venture to appeal to the good-will of both parties to put Colonel de Reynier's plan (Annex 750 a) into practice at once. The reservations made in the Agreement of September 1st, 1923, which stipulate that, at the end of the two-years period, each party shall have the right to review its attitude towards the question of the Harbour Police, remain in force. The two years should be reckoned from the date on which Colonel de Reynier's plan begins to operate. In case of doubt, the Chairman of the Harbour Board will state what that date was.

"I beg to propose the following resolution:

"The Council approves the conclusions contained in the Spanish representative's report.

"The High Commissioner's decision of November 10th, 1924, is replaced by the arrangement contained in Colonel de Reynier's proposal, which is approved by the Council."

M. STRASBURGER fully agreed with the opinion expressed by the Rapporteur. He thanked Colonel de Reynier for the proposals which he had made. Poland was ready to accept them all the more willingly in view of the fact that they supplied a practical solution for a question which had been in suspense for a long time.

M. SAHM said that the Government of the Free City of Danzig had entertained serious doubt in regard to the opinion expressed by the President of the Harbour Board, and it had given its views in a letter addressed to the Council of the League.

The Free City would have been glad if the Council had seen fit to invite the opinion of experts on police matters. M. Sahm could not but have serious doubts on the question, as the proposed manner of regulating the police appeared to him to involve grave dangers for the public safety of the Free City.

Mr. MACDONNELL thought that the proposal of the President of the Harbour Board contained a satisfactory and practical solution of the problem. It was the duty of the Danzig police to overcome the difficulties which might present themselves in practice. The proposal was only a compromise and would only be in force for two years; the results would be seen at the end of that period.

M. QUIÑONES DE LEÓN thanked the representative of Poland for having accepted the proposal of Colonel de Reynier. He also thanked Colonel de Reynier for his interesting report. He hoped that, with the good-will of the Senate of the Free City the proposal would succeed.

*The resolution proposed by M. Quiñones de León was adopted.*

Colonel de Reynier withdrew.

#### 1465. Free City of Danzig Transformation of Public Corporations.

M. QUIÑONES DE LEÓN read his report (Annex 751), which contained the following resolution:

"The Council of the League of Nations confirms the decision given by the High Commissioner of the League of Nations in Danzig on November 15th, 1924, with regard to the transformation of public corporations (the case of 'Die Danzig')."

M. STRASBURGER said that the Polish Government fully understood the doubts of the Council in regard to the question of the competence of the organisations of the League concerning the transformation of the "Westpreussische Feuersozietät" into a private company named "Die Danzig" which had been carried out while Danzig had been under the sovereignty of the Allied Powers. The Council would obviously desire not to interfere with the authority belonging to these Powers under Article 100 of the Treaty of Versailles.