

"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. Sahn 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 Feuerzöietät" 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.

In taking note of the present resolution, the Polish Government, in order to prevent any complications in the relations between Poland and Danzig in the future, reserved the right to appeal to the competent authorities in order to obtain a statement of their attitude on the question, as well as the right to submit the question once more to the Council if the attitude of those authorities were to create a new situation.

Poland accepted the resolution proposed by the Rapporteur.

*The Council adopted the above resolution.*

**1466. Free City of Danzig. Application of the Polish Customs Law of July 31st, 1924, to Danzig Territory**

M. QUIÑONES DE LEÓN read his report (Annex 752), which concluded as follows:

“ The decision of the High Commissioner may therefore be confirmed by the Council without its being necessary to deliver any formal ruling on the interpretation of various clauses of the Agreement of Warsaw which deal with the question of previous consultation. In order, however, to facilitate the close co-operation which should exist between Poland and Danzig and their respective trades, it would be advisable in future, when it is proposed to modify existing export duties or to impose new duties of this kind, that the Polish Government should give Danzig the opportunity of submitting its observations before the new regulations are applied to the territory of the Free City

“ I beg to submit the following draft resolution to the Council:

“ The Council adopts the report of the Spanish representative dated March 13th, 1925, regarding the application of the Polish Law of July 31st, 1924, in the territory of Danzig, and confirms the High Commissioner's decision of November 6th, 1924, on this subject. ”

He explained that, after he had drawn up his report, he had received a note from the Danzig delegation dated March 11th, 1925, which raised a point of interpretation in regard to the decision of the High Commissioner. In view of the short time at his disposal for examining this question, he had hesitated to take a decision. He thought that the question would be solved when the negotiations took place, as provided for in paragraph (b) of the decision of the High Commissioner. He did not think it necessary to postpone the confirmation of the decision of the High Commissioner because of this question of interpretation.

M. SAHM said that the Government of Danzig regretted that the report of the Rapporteur did not deal with the main point which Danzig had made. The question of export duties was considered in any country in relation to the special nature and needs of that country. The economic means of Danzig and those of Poland were very different, although those States were united by numerous economic links. Danzig was an exporting country and a country of transit, while Poland was above all an agricultural country

Nevertheless, an important amendment had been introduced in the report, to the effect that Danzig produce was free from all export duty and that the transit through Danzig was guaranteed. Furthermore, no change would be introduced into the Customs provisions unless the Danzig representatives were consulted on the question. Danzig hoped that account would be taken of these provisions, for, up to the present, the measures attempted according to the directions laid down in the decision of the High Commissioner had too often resulted in new divergencies of interpretation and consequent economic injury to Danzig.

He had submitted to the Council a note on this subject and it was unfortunate that there was a risk that the decision of the High Commissioner might lead to a new appeal to the Council on the interpretation of the decision. To prevent all discussion, he hoped that the Council would clearly state that its decision meant complete freedom of duty for all Danzig produce.

M. QUIÑONES DE LEÓN said that the note had only arrived the day before. He therefore proposed that the report should be adopted and that account should be taken of the suggestion of the President of the Senate of the Free City

Mr. MACDONNELL said that, if he had understood President Sahn rightly the Free City of Danzig already appeared to see the necessity of applying to the Council for an interpretation of his decision. M. Sahn apparently said that, if the present resolution were maintained, it would lead immediately to a new request to the High Commissioner for a decision. This seemed to him to prove the point which he had already emphasised — that the Council should find some other method of dealing with these technical matters.

M. QUIÑONES DE LEÓN agreed with the High Commissioner.

*The resolution proposed by the Rapporteur was adopted.*

**1467 Free City of Danzig Appointment of the President of the Harbour Board.**

M. QUIÑONES DE LEÓN read his report, which was approved (Annex 753). He was glad to learn that Colonel de Reynier could remain at his post until the new President had taken up his duties.

He hoped that the Council would thank Colonel de Reynier for the work he had done.