25th, 1927, to the Council by the Senate of Danzig is not in conformity with the procedure laid down in the Polish-Danzig Treaty· that the Council — supposing the matter to have been regularly submitted to it — could only take a fresh decision on a site for the transit of Polish war material if the Council had before it a new question arising out of a new state of affairs — a matter on which the Committee cannot give an opinion, and that, while not laying down here in regard to the revision of international decisions a rule which cannot be affirmed in the present position of international law, it is desirable to point out that, in any case, the request of the Senate of Danzig cannot be complied with without a modification in Treaty stipulations and that such modification cannot take place without the consent of the contracting parties. "

The PRESIDENT proposed the adoption of the following draft resolution.

" The Council,
" After having taken note of the report of the Committee of Jurists,
" Decides that no action should be taken on the request contained in the note of the President of the Free City of Danzig submitted to the President of the Council on July 25th, 1927 concerning the depot on the Westerplatte

The draft resolution was adopted.

2016. **Free City of Danzig. Transport of Polish Munitions and War Material in transit through Danzig: Utilisation of the Westerplatte.**

On the proposal of Dr. STRESEMANN, *the Council decided to postpone the discussion of this question to a meeting of the new Council session in September*

2017. **Free City of Danzig. Jurisdiction of Danzig Courts in Actions brought by Danzig Railway Officials against the Polish Railway Administration.**

The PRESIDENT, acting as Rapporteur, said that new documents concerning the question of the competence of Danzig courts had just reached the Secretariat from both parties. In those circumstances, he thought it might perhaps be difficult for the members of the Council to express an immediate opinion on this question. He proposed therefore that it should be postponed for a few days.

The Council adopted the President's proposal.

(The Council went into private session.)

2018. **Fees of the Trustees for the Estonian and Free City of Danzig Loans.**

Dr. Sahm, President of the Senate of the Free City of Danzig, and Dr. Akel, representative of Estonia, came to the Council table.

M. VANDERVELDE read the following report [1]·

" On December 10th, 1926 [2] the Council appointed M. Albert Janssen Trustee for the Estonian Loan.
" In May the then President of the Council, acting under the powers given him in March, appointed M. ter Meulen Trustee for the Loan of the Free City of Danzig.
" The contract for the Estonian Loan contains a clause to the effect that the fees of the Trustee shall be fixed by the Estonian Government in agreement with the Council. In the contract for the Danzig Loan it is provided that the Council shall fix the fees of the Trustee.
" Accordingly, I suggest that a decision should be taken in this matter. In all previous cases, viz., the Austrian and Hungarian Loans, and the Danzig Municipal Loan of 1925, the fees of the Trustees have always been fixed at one hundred guineas. I therefore recommend that the fees of the Trustee for the Danzig Loan be fixed at this amount, and that the Estonian Government be advised to fix the fees of the Trustee for the Estonian Loan at the same figure.
" I take this opportunity to make another suggestion. In the case of the Danzig Municipal Loan of 1925, the Council asked the Trustee to submit an annual report. I consider this a wise measure. It is only right that the League should receive information from time to time regarding

[1] Document C. 481. 1927. II.
[2] See *Official Journal*, February 1927, page 159.

HeinOnline -- 8 League of Nations O.J. 1127 1927

the loans which were issued under its auspices, and I suggest that the Trustees for the Estonian and Danzig Loans be requested to send a report to the Council every year. I am making this suggestion in agreement with the Financial Committee, and I have reason to believe that the Estonian Government and the Senate of Danzig would see no objection to it.

Sir Austen CHAMBERLAIN said that he entirely agreed with the report which had just been tead but asked whether the Rapporteur would be prepared to include in the report a suggestion that the report to be submitted to the Council by the Trustees every year should be sent automatically to the Financial Committee, which would make any observations to the Council which it considered necessary The Financial Committee usually met just before the Council, and often concluded its work during the first days of the Council session. If this procedure were not adopted, a delay of three months might be involved before the Council could consider the matter. It would therefore save time if the report were referred directly to the Financial Committee.

M. VANDERVELDE accepted the suggestion.

The conclusions of the report were adopted, together with Sir Austen Chamberlain's suggestion.

SEVENTH MEETING (PUBLIC)

Held at Geneva on Thursday September 15th, 1927 at 3.15 p.m.

President: M. VILLEGAS.

Present: All the representatives of the Members of the Council, and the Deputy Secretary-General.

2019. Interpretation of Articles 190 and 192 of the Treaty of Versailles Cruiser "Salamis" Request submitted by the Greek Government.

M. Politis, representative of Greece, came to the Council table.

M. URRUTIA, Rapporteur, read the following report [1]:

By its letter to the Secretary-General of June 24th, 1927 (Annex 991), communicated to the Council, the Greek Government has applied to the Council for the purpose of obtaining by any means at the Council's disposal, such as a request to the Permanent Court of International Justice for an advisory opinion, an official interpretation of Articles 190 and 192 of the Treaty of Versailles.

The facts in connection with which the Greek Government has made its application are stated in the above-quoted letter and in the supplementary communication, with annexes, presented by the Greek Government on August 25th, 1927 (Annex 991*b*), and placed before the Council, as well as in a memorandum from the German Government dated August 15th, 1927 (Annex 991*a*), placed before the Council. The Greek Government's application arises out of proceedings which are pending before the Greco-German Mixed Arbitral Tribunal, presided over by M. Asser at Paris, to which the Greek Government has applied for a decision annulling contracts entered into in August 1914 between the Greek Government and the Vulcan Company at Stettin for the construction of a cruiser known as the *Salamis*, and ordering repayment to the Greek Government of the instalments paid in respect of the cruiser, with interest.

In its memorandum of August 25th, 1927 the German Government concludes as follows

> The Arbitral Tribunal will now have to decide the question whether the provisions of the Treaty of Versailles, appealed to in this case, justify the claims of the Greek Government or whether the decision given in the interlocutory award of August 12th, 1925, is to be maintained.
>
> 'The German Government cannot find, either in the facts stated above or in the contents of the letter from the Greek Chargé d'Affaires at Berne, any reason why the Council of the League should take up this case.

The President of the Council has done me the honour to ask me to act as Rapporteur for the present question. Before, however, I venture to make any suggestions in the capacity of Rapporteur, I think it would be desirable to hear any additional observations which the representative of the Greek Government may wish to present to the Council, together with the observations of the representative of Germany and possibly also of my other colleagues."

M. POLITIS spoke as follows:

I should like to make a few brief remarks in support of the request which the Greek Government has the honour to submit for your consideration.

In form, the matter before you is a question between two Governments, and I should at once express, in the name of my Government, its great regret that its first contact with the German Government before the Council should be a contact of discussion and not one of co-operation.

[1] Document C.458.1927.V

HeinOnline -- 8 League of Nations O.J. 1128 1927