

ANNEX 1623.

C.416.1936.X.

PERMANENT COURT OF INTERNATIONAL JUSTICE.

TRANSFER OF FUTURE REGISTRARS OF THE COURT FROM THE PENSIONS SYSTEM
FOR THE MEMBERS OF THE COURT TO THE STAFF PENSIONS FUND OF
THE LEAGUE OF NATIONS.REPORT OF THE SUPERVISORY COMMISSION, SUBMITTED TO THE COUNCIL
ON OCTOBER 2ND, 1936.

In its first report to the Assembly of 1936 (document A.5.1936.X, §56, page 11), the Supervisory Commission, after proposing the creation of a fund to meet the cost of the pensions of members of the Permanent Court of International Justice, went on to say:

"At its session in September next, a report would be submitted to the Commission with regard to the action necessary to enable future Registrars, as suggested by the Consulting Actuary in his report, to join the Staff Pensions Fund of the League, rather than the Fund for the members of the Court."

After examining the report, duly submitted to it, the Commission, which agreed to the proposals made by the Consulting Actuary took the view that, in order to give effect to these proposals, it would be necessary to insert in the resolution of the Assembly of September 14th, 1929, concerning the "Regulations regarding the granting of Retiring Pensions to Members of the Permanent Court of International Justice and to the Registrar," a new Article 7 which might be drafted as follows:

"The provisions of the present Regulations regarding the granting of a retiring pension to the Registrar of the Court shall only apply so long as the present Registrar (elected on February 3rd, 1922, re-elected on August 16th, 1929) remains in office.

"The conditions for the granting of a pension to future holders of the office shall be governed by the Staff Pensions Regulations (of the League of Nations) adopted by the Assembly on October 3rd, 1930, and by any amendments which have been, or may be, introduced in those Regulations."

Under Article 6 of the said resolution. "The Assembly of the League of Nations may on the proposal of the Council, amend the present regulations"

As regards the Staff Pensions Regulations, the Commission is of opinion that these should at once be amended as follows:

"(a) Add to Article 1, paragraph 1, the following sentence:

"For the purposes of the present Regulations, Registrars of the Permanent Court, other than the first holder of the office, shall be treated as officials of the Registry of the Court."

"(b) In paragraph 3, at (c), before the words Deputy Registrar add the words the Registrar and "

Under Article 31 of the Staff Pensions Regulations these "may be amended by the Assembly"

The Commission is informed that the Administrative Board of the Pensions Fund would have no objection to future Registrars being members of the said Fund.

ANNEX 1624.

FREE CITY OF DANZIG.

DOCUMENTATION RECEIVED FROM THE HIGH COMMISSIONER OF THE LEAGUE
OF NATIONS AT DANZIG.

I.

LETTER, DATED SEPTEMBER 12TH, 1936, FROM THE HIGH COMMISSIONER TO THE
SECRETARY-GENERAL.

Danzig, September 12th, 1936.

On July 20th¹ and 22nd² and August 8th, 1936,³ I forwarded letters and documents through the Committee which, as a result of declarations made before the Council by the President of the Senate on July 4th, was given a mandate by the Council to follow events in Danzig.

¹ See page 1365.

² See page 1374.

³ See page 1378.

In view of those declarations and subsequent actions in Danzig affecting the League of Nations' guarantee of the Constitution, it might be well to recall Article 103 of the Treaty of Versailles, which reads as follows:

"A constitution for the Free City of Danzig shall be drawn up by the duly appointed representatives of the Free City in agreement with a High Commissioner to be appointed by the League of Nations. This constitution shall be placed under the guarantee of the League of Nations.

"The High Commissioner will also be entrusted with the duty of dealing in the first instance with all differences arising between Poland and the Free City of Danzig in regard to this Treaty or any arrangements or agreements made thereunder.

"The High Commissioner shall reside at Danzig."

With regard to the second paragraph of the foregoing article, a happy development in Danzig-Polish relations in 1934 enabled the two Governments to ask for the suspension of the procedure in eighteen disputes which had been submitted to the High Commissioner for decision. At the end of 1935, seventeen of these disputes remained in suspense. Other differences which have arisen in the meantime have been settled, in some cases provisionally by direct negotiations. This system of direct negotiation has had the fullest sympathy and support from the Council and from the High Commissioner, and "although I have not been called upon to take any official action, I have continued in whatever way was open to me to encourage the maintenance of good Polish-Danzig relations" (document C.28.1936, *Official Journal*, February 1936, page 202). It may be mentioned that, on April 21st, 1936, the Polish Government submitted a dispute concerning the position of dismissed railway employees for decision by the High Commissioner.

In accordance with the Treaty of Versailles, the Constitution of the Free City was, it will be recalled, drawn up in 1920 by a constituent assembly of the citizens, elected on the broadest possible basis, and the guarantee of the League of Nations, as provided for under the Treaty, subsequently came into force. (In this connection, see report of Viscount Ishii adopted by the Council on November 17th, 1920.) Freedom of development in their ideas regarding their Constitution was at the same time left to the people of Danzig by the provision that changes in the Constitution could at any time be proposed on one condition—that such proposals had the support of two-thirds of the Popular Assembly. As a matter of fact, this procedure has already been used by Danzig on more than one occasion.

The Council is aware that, under their instructions (letter of June 10th, 1925, from the Secretary-General to the High Commissioner),¹ the High Commissioner is required to report to the Council any case in which there appears to be a danger of a breach of the Constitution. The functions of the High Commissioner were further defined in the resolution of the Council on May 22nd, 1931, and reaffirmed, with the concurrence of the Senate of the Free City on May 24th, 1935 (*Official Journal*, July 1931, page 1134, and June 1935, page 636). No trouble followed the League's guarantee until about three years ago, when my predecessor, shortly after the present Government took office in 1933, felt called upon to bring certain cases affecting the Constitution to the notice of the Council. The result was that, in January 1934, the Council, in fulfilment of its duties, requested the local Government to respect the provisions of the Constitution to which they owed allegiance (*Official Journal*, February 1934, page 137). It was not until towards the end of the same year (1934) that difficulties again began to accumulate, and the following year (1935) was one of very considerable anxiety in view of the attitude of the Government and the policy of those who controlled the Government. In spite of various warnings and recommendations from the Council, the Government's policy ended in an open refusal to carry out some of the specific decisions made by the Council. This was announced in a public speech by the present head of the Government, M. Greiser, on November 27th last, and, as my efforts to find some amelioration locally failed, I was compelled at last to report to the Council that the situation had become serious. This is to be found in my annual report for 1935 (*Official Journal*, February 1936, page 202), which was considered by the Council at its session in January of this year. I had to report that neither the exhortations of the Council nor my own efforts had prevented the application of an anti-constitutional policy in a steadily increasing degree. An effort had been made earlier that year through a general election to secure the two-thirds majority needed to propose amendments to the Constitution, but the appeal to the citizens had not, so far as this point was concerned, been a success. In that election, the Government Party had secured between 57% and 58% of the votes. I referred to the position of the Press, workers' and Catholic organisations, police, etc., and it will be recalled that I also dealt with the unusual position of M. Albert Forster. I drew attention to President Greiser's speech, in which he had announced the refusal of the Government to carry out the Council's recommendations and in which he expressed the hope that in Geneva, "where political realities are taken so fully into account, the fact that the distribution of political power had been considerably changed could not be ignored." I felt further compelled to report to the Council that:

"The machinery through which the guarantee of the Constitution is effected is necessarily slow and if there is not the will on the part of the Government to apply the principles and spirit of the Constitution, the guarantee may in many ways be rendered ineffective. When

¹ See *Official Journal*, July 1925, page 950.

the arrangements were originally made, it was of course not contemplated that a situation would arise in which a Danzig Government inspired by political ideas which are antagonistic to the ideas of the Constitution would feel itself justified in continually disregarding the representations of the High Commissioner and failing to fulfil specific recommendations from the Council of the League of Nations. It was, of course, provided that changes in the Constitution could be proposed by a vote of two-thirds of the Volkstag, but the present Government has endeavoured and as yet failed to secure such a majority"

I concluded with the following:

"The methods open to the High Commissioner are not at present working satisfactorily. It seems to me that, if the Council at each session is not to be increasingly employed in dealing with Danzig constitutional questions, a situation which cannot be contemplated with satisfaction and which is in addition a very slow process, there must be a complete change in the attitude of the local Government or a change in the machinery through which the League's guarantee is made effective. It would seem to be required as a preliminary in either case that the present situation in Danzig should be restored to one more in keeping with the principles of the Constitution."

The Council will recall that, following a discussion, the Senate eventually agreed to carry out the recommendations of the Council and left to the High Commissioner "the task of advising and aiding the Danzig Government" in the execution of the measures referred to. For some months, it looked as though the hope of a new policy being initiated by the Government might be realised.

I dealt briefly with this aspect of the matter in my report to the Council at its special meeting at the end of June (document C.281.1936.VII).¹ The situation as presented in the latter document was not unfavourable to the Senate, the President of which had seemed to me to be making a genuine effort, in spite of some considerable difficulties, to prevent a recurrence of the Geneva discussions. Then came a sudden change, as was shown by the declarations made by President Greiser when he came to the table of the Council to discuss the incident of the German cruiser *Leipzig*'s visit to Danzig. These declarations will be fresh in the minds of the members of the Council. They included a demand, "not only on behalf of the Danzig population, but also on behalf of the whole German people" for a revision of the relations between the League of Nations and the Free City. The President of the Senate described his declarations as "a first step" and "a first offensive in favour of revision of the relations between the League and Danzig". He was obliged to speak, "not as the defender of theoretical documents and paragraphs which were a dead letter, but as the governor of 400,000 Germans, who did not wish their destinies to be eternally linked with the League of Nations". At the same time, he referred to Poland's free access to the sea and said that in his view the Polish people had been perfectly entitled to demand it. He also declared again that the Danzig Government "had loyally undertaken to respect all treaties". (In this connection, attention may be drawn to a later public statement to the Polish newspaper *Gazeta Polska*, with regard to Polish rights in Danzig, which is an annex to this report.)

The President of the Senate then suggested two solutions: (1) that the Council should send to Danzig a new High Commissioner and eliminate, at the same time, its present instructions regarding the Constitution, and confine the High Commissioner's duties to external affairs. In this event, all the rights enjoyed by the Polish minority in virtue of treaties and all the rights of the Polish State would be respected, or (2) that the Council should decide no longer to send a High Commissioner to Danzig, the President of the Senate to be responsible directly to the Council for the maintenance of the Constitution.

Parts of his statement which referred to myself seemed to me to be too much divorced from reality to require any comment, but they were interesting as indicating a complete reversal in the attitude which the President of the Senate had adopted in our relations during the immediately preceding months. If I was not very much surprised, it was because I had already had reason to believe that the policy under which he was working had been changed again within the previous fortnight.

I have previously drawn attention to the fact that the President of the Senate co-operated with me during the first few months of the year. To indicate that the change took place suddenly and apparently without relation to anything which had happened in Danzig, I may mention that, during the months of May and June, the President on several occasions himself asked me to co-operate with him in regard to internal affairs affecting the Constitution. The last of these occasions was as recent as June 16th.

Such relations as these might be more or less normal between the High Commissioner and the President of the Senate, and, in anything but the present extraordinary circumstances, would not even be mentioned. They constitute perhaps a commentary on the President's statement to the *Gazeta Polska*, in which he referred particularly to the High Commissioner's activities during the last six months (Appendix I).

My report of July 2nd (document C.281.1936.VII)¹ deals with the subsequent events (including the incident in connection with the German cruiser's visit) and, within a fortnight, President Greiser was announcing at the Council table his views on the relations between the League and

¹ See *Official Journal*, July 1936, page 895.

Danzig and on my own activities. His remarks on the latter point, although mainly in fact a complaint that I had carried out the Council's instructions, might have seemed even more interesting to the Council if they had had before them a letter written on June 3rd, a few weeks previously, by President Greiser following a formal visit to me.

"I beg to inform you that I have just received from the Secretary-General of the League of Nations the official news that the Council decided at its meeting on May 13th, 1936, to appoint you High Commissioner of the League of Nations in Danzig, under conditions laid down in the Council decision of October 26th, 1933, for a further period of one year as from January 15th, 1937."

"I would like, on my own behalf and on behalf of the Government of the Free City of Danzig, once more to express my hearty congratulations and my especial pleasure at the appointment. I hope that your further term of office will be under a lucky star, and that your selfless mediation will, in the future also, work out for the good of the Free City of Danzig."

This again will indicate that some sudden change took place about the middle of June in the direction of policy relating to Danzig.

The position of the President of the Senate has been one of considerable difficulty which has always been appreciated by me. He is subordinate in his party to M. Forster, and places very highly his loyalty and obedience to his party. M. Forster's policy with regard to the Constitution had fairly full play during 1935, but was held in check for some months following the January Council meeting. The situation during this interim period seemed to give President Greiser an opportunity to harmonise in some degree his other loyalties with his duties under the Constitution.

(That the problem relating to M. Forster's position is not new will be seen by reference to a note sent by my predecessor on June 26th, 1933, to the Secretary-General, document C.408.1933.I, as well as each of my annual reports for 1934 and 1935.)

The documents already sent through the Council's Committee show that the head of the local Government followed up his Geneva declarations by statements to the public Press in which he said he would, in future, completely ignore any request by the High Commissioner in connection with the Constitution. Within a fortnight, decrees had been issued, some of which seemed to me to be of a character to which immediate attention must be drawn. One of these decrees of July 16th related to the transmission to "political offices" of information of a kind which was considered to be "against the interests of the State". This, together with police activities at the door of my office, would presumably exclude responsible citizens from the possibility of exercising the right to present petitions. There have, in consequence, been no direct contacts with my office since the Council's last meeting.

At the time of the last meeting of the Council, there were published in Danzig four or five newspapers representing the Catholic Centre Party the Social Democratic Party the German Nationalist Party and others. All of these newspapers have since been suppressed for long periods ranging from five months to a year, and, during the past weeks, the only newspapers published have been two daily papers supporting the Government's policy.

The situation at the time of writing in Danzig is therefore that the President of the Senate has followed up his statements at the last Council meeting by other declarations and actions which may affect the Constitution and the League guarantee of the Constitution. Every vestige of the Opposition Press has been abolished. A series of laws has been issued and, as some of these at any rate seemed to come within the sphere of my instructions, I have forwarded them to the Council. Frequent attacks upon the High Commissioner, in relation to his duties in connection with the Constitution, continue to be made. The Senate, apparently in pursuance of their declared policy have so far refused to take note of letters asking them for their observations with regard to the constitutionality of various Government actions. Under a Council decision of May 22nd, 1931 (*Official Journal*, July 1931, page 1134), the Senate is obliged to supply information at the request of the High Commissioner with regard to "all the public affairs of the Free City". This is no longer being done.

As other means of information with regard to the affairs of the Free City have become restricted, I enclose a few quotations from the Government Party Press, as well as a note prepared a short time ago with regard to police control at the door of my office, and a list of newspapers suppressed. (Appendices II, III, IV and V.)

I shall be glad if you will be good enough to submit this report to the special committee appointed by the Council to follow affairs in Danzig.

(Signed) LESTER.

Appendix I. — President of Senate's conversation with representative of *Gazeta Polska* (Warsaw). (From *Danziger Vorposten*, August 24th, 1936.)

Appendix II. — High Commissioner's note on police control at door of office.

Appendix III. — Extract from Gauleiter Forster's speech to a National-Socialist Party meeting (*Danziger Vorposten*, September 3rd, 1936).

Appendix IV — Extract from *Völkischer Beobachter* of August 29th, 1936 New provisions relating to Danzig officials.

Appendix V — List of suppressed Danzig newspapers.

Appendix I.

CONVERSATION OF REPRESENTATIVE OF THE *Gazeta Polska* (WARSAW) WITH THE PRESIDENT OF THE SENATE.

[From the *Danziger Vorposten*, *Danziger Neueste Nachrichten* and *Dako*, of August 24th, 1936.]

Dako reports:

"The *Gazeta Polska* published, in its Sunday number, the text of a fairly lengthy conversation between its correspondent and the President of the Senate, in which the President made known his view on the Danzig problem and on Danzig's attitude, as regards the question of principle. After the correspondent had told the President that the population of Poland was afraid that Danzig intended to alter its Statute in a one-sided manner, the President stated, *inter alia*.

("It is entirely comprehensible that Polish public opinion should be extremely interested in the Danzig question. Poland has such extensive rights in Danzig that the whole Polish nation must be concerned with their maintenance. As this fact is known to the Danzig National-Socialist Party that Party will never be so unreasonable as to aspire to, or demand, anything which would conflict with Poland's comprehensible attitude.)¹

"The question whether the Free City of Danzig desired a change in the Statute of Danzig is without point. It is not a question of a change in the Statute, but of the fact that the High Commissioner has not the right to interfere in the internal affairs of Danzig which he has claimed during the last six months. We take the view that all questions—not only questions which arise from day to day but also questions of principle—must be discussed and solved direct by means of a frank exchange of opinions between Poland and Danzig. Our view is that Danzig is under an obligation to recognise and respect the rights possessed by the Polish State and the Polish minority in Danzig.

"Therefore we shall not issue any internal political decrees which might in any way restrict Polish rights in Danzig. On the contrary we shall do everything to protect the peace for which we fought and which we have gained thanks to our policy with regard to Poland. In order to achieve this object, it is necessary that those persons and circles who might render more difficult a policy of this kind shall be restricted to the extent necessary to ensure that such difficulties in their activities will disappear. Not only the relations between Danzig and Poland, but also the far more important relations between Germany and Poland might, however, be disturbed if the open enemies of the National-Socialist philosophy were to gain an influence in Danzig policy. These open enemies of National-Socialism have for long included the political groups of the Marxists, the Centre and the German Nationalists. Thanks to the support accorded by the High Commissioner of the League of Nations to these parties in their demands directed towards a disturbance of the peace, the danger that Danzig-Polish and Germano-Polish relations might be unfavourably affected was increased. We now demand that this danger be liquidated and desire at this stage to achieve peace once for all, and demand that the High Commissioner of the League of Nations be given instructions not to interfere in the internal political questions of the Free City to the same extent as hitherto. The second consideration for us is that the Senate cannot, in the long run, tolerate the existence of a second Government (*Nebenregierung*) to which every enemy of the Government authorities can make his complaint.

"In the course of further conversation, the President emphasised several times to the Polish correspondent that Danzig was only opposing the interference of the High Commissioner in its internal affairs, but that it did not intend to restrict the rights of the Polish population in any way.

"The *Gazeta Polska* comments upon the President's remarks and draws the conclusion that Danzig is only aspiring towards liquidation of the Opposition groups, which has been hindered by the High Commissioner's activities up to the present. The *Gazeta Polska* welcomes the statement that it is desired to continue to apply in all questions the system of direct negotiations as regards the relations between Danzig and Poland."

Appendix II.

NOTE BY HIGH COMMISSIONER ON POLICE CONTROL AT DOOR OF OFFICE.

Danzig, August 8th, 1936.

Shortly after my return from Geneva in July a member of the Danzig political police was stationed outside the door of my office.

¹ The paragraph in parentheses is not reproduced by the *Vorposten*.

This was done without my consent or prior knowledge and without any explanation from the Danzig Government and was additional to uniformed police.

A detective bars the door to every visitor with a request for proof of identity and the purpose of the visit.

Three *consuls de carrière* in Danzig were prevented from entering last week until they had established their identity. Other visitors were interrogated.

An American journalist coming to see me a few days ago, having produced his passport and other documents, was asked what he was coming for. He answered that he wanted to see the High Commissioner. The policeman then enquired if the journalist had already made an appointment, and he was allowed to pass when he said that he was going in to my office to do so.

During the present week, another visitor, this time a lecturer at a British University was held up at my office door. According to his statement to me a few minutes later, the detective stretched his arm across the door and asked the visitor who he was. When this had been established, the detective asked him where he was going. The visitor replied that he thought this was the League of Nations Office. The man replied that that was so, and asked what he wanted there. The reply was: "I want to see the High Commissioner and get some information about Danzig, as I lecture on international affairs." The detective then suggested that it would be better if he went to the Senate instead, but the visitor insisted that he would also like to see the League Commissioner.

The following letter was sent to me on July 24th from Gdynia, by the head of the Danzig-Polish Economic News Agency

"I take the liberty to inform you that my office-boy Ernst Czarlinski, a Polish citizen, was arrested by the police when leaving the High Commissioner's office yesterday, where he brought, as usual, the *Danzig-Polnische Wirtschafts Nachrichten*. The boy was investigated by the officials and it will be, I believe, of much interest for you to hear that he was suspected of distributing some Communist papers. After an investigation of two hours, he was finally allowed to leave the police office."

Postscript September 7th.

The detective has not been observed at the office door of the High Commissioner during recent days.

Appendix III.

EXTRACT FROM GAULEITER FORSTER'S SPEECH TO THE ORTSGRUPPE NEUER BINNENNEHRUNG OF THE NATIONAL SOCIALIST PARTY AT SCHIEWENHORST.

[*Danziger Vorposten* of September 3rd, 1936.]

"Internally the spirit of 1918 has been overcome, while, externally the Versailles *Diktat* has been shaken. We Danzigers, who cannot make great policy on our own, must always be at pains to keep pace with what is happening in the Reich. No one can take it amiss if we look to Berlin and not to Geneva. If we rely on Geneva, we are lost. The Danzig Constitution does not exist for the League of Nations, but was created for the use of the Danzig population and, if it is useless for the Danzigers, it must be improved in the interests of Danzig, for which alone it was created."

Appendix IV

NEW PROVISIONS RELATING TO DANZIG OFFICIALS.

(From an article by Herr Zarske, Editor of *Danziger Vorposten*.)

[*Völkischer Beobachter* of August 29th, 1936.]

"A decree has been published in the *Gesetzblatt* of the Free City of Danzig whereby certain legislative provisions relating to officials are changed. One paragraph of the Reich Law relating to Officials (*Reichsbeamten gesetz*) has been given the following wording in Danzig:

"An official shall enjoy freedom of political opinion and of association. The exercise of these rights is limited by the duties arising out of his office and in particular the obligation to observe loyalty, obedience and respect for the Government of the State."

"Through this provision, the relations of loyalty between the State and its officials are determined by law. In this way the possibility of Danzig officials who are opponents of National-Socialism working against the security of the State which they are pledged to serve, as a result of their political opinions, is rendered impossible.

"In the last three years, there had been cases in Danzig in which even officials in high posts of State, such as members of the Public Prosecutions Department (*Staatsanwälte*) belonged to organisations whose subversive activities could be conclusively proved. Such disaffected officials thought they could indulge in unrestricted freedom of movement by means of claims and petitions to the High Commissioner.

"In this way the Danzig Government has taken a new step forward towards the achievement of complete internal sovereignty"

Appendix V

SUPPRESSION OF DANZIG NEWSPAPERS.

Name	Party	Date of suppression	Period of suppression
<i>Volksstimme</i>	Social-Democrat	July 7th, 1936	5 months
<i>Volkszeitung</i>	Centre (Catholic)	August 5th, 1936	6 months
<i>Danziger Nationale Zeitung</i>	German National	July 8th, 1936	5 months
<i>Danziger Echo</i>	Jewish organ	July 18th, 1936	10 months
<i>Die Neue Zeit</i>	House-property owners'	May 30th, 1936	8 months, reduced to 6 months
<i>Freies Volk</i>	Social-Democrat	May 27th, 1936	6 months
<i>Roter Wähler</i>	Communist	January 7th, 1936	1 year.

2.

LETTER, DATED JULY 20TH, 1936, FROM THE HIGH COMMISSIONER TO THE SECRETARY-GENERAL.

Danzig, July 20th, 1936.

Decrees have just been issued by the Senate of the Free City of Danzig which appear to affect some of the principal constitutional rights of the citizens, and I consider it desirable immediately to bring them to the notice of the Committee set up by the Council to follow events here (Appendix I). Since my return to Danzig from Geneva, I have observed the development of the situation here, leaving a completely free field for such diplomatic discussions as were in progress.

In view of the statements at the last meeting of the Council by the President of the Senate, and of statements he has since published (of which I enclose a few (Appendix II)), I have not yet decided to approach the Senate for their observations on these decrees. The nature of the declarations made will indicate why I have hesitated. Should I decide that an approach to the Senate would serve any useful purpose, I shall of course communicate the result to you.

(Signed) Sean LESTER.

Appendix I.

[Translated from the
Gesetzblatt für die Freie
Stadt Danzig, No. 50, of
July 18th, 1936.]

LEGISLATIVE DECREE ON THE SLAUGHTERING OF ANIMALS OF JULY 16TH, 1936.

In accordance with Article 1, No. 49, and Article 2 of the Law for the Relief of the Distress of People and State of June 24th, 1933¹ (*Legal Gazette*, page 273), the following is hereby decreed with force of law.

Article 1.

In the slaughtering of warm-blooded animals, stunning shall precede bleeding.

¹ See *Official Journal*, June 1935, page 768.

The Senate shall be empowered to decide that the foregoing paragraph shall also apply to the slaughtering of other animals.

In the case of emergency slaughtering within the meaning of Article 1, paragraph 3, of the Law on the Inspection of Cattle for Slaughtering and Butcher's Meat of June 3rd, 1900 (*Legal Gazette*, page 547), if circumstances are such as to make the stunning of animals impossible, the provisions of paragraph 1 shall not apply.

Article 2.

Detailed regulations with regard to the slaughtering of the animals specified in Article 1 above shall be issued by the Senate.

Article 3.

Any person who deliberately or inadvertently contravenes the provisions of the present decree, or of any order issued under the present decree, shall be liable to a term of imprisonment not exceeding six months, or to a fine.

Article 4.

The present law shall come into force on promulgation. The Proclamation regarding the Slaughtering of Animals, of June 2nd, 1917 (*Legal Gazette*, page 471), shall cease to apply as from the same date.

Danzig, July 16th, 1936.

The Senate of the Free City of Danzig.

(Signed) GREISER.

DR. WIERCINSKI-KEISER.

RETTELSKY

LEGISLATIVE DECREE AMENDING CERTAIN ADMINISTRATIVE PROVISIONS OF JULY 16TH, 1936

In accordance with Article 1, Nos. 9, 10, 32, 33, and with Article 2 of the Law for the Relief of the Distress of People and State, of June 24th, 1933 (*Legal Gazette*, page 273), the following is hereby decreed with force of law:

Article 1.

The Legislative Decree regarding Measures to increase Public Security and Order, of June 30th, 1933 (*Legal Gazette*, page 287), as amended by the Decree of September 6th, 1933 (*Legal Gazette*, page 241), of February 28th, 1934 (*Legal Gazette*, page 67), November 30th, 1935 (*Legal Gazette*, page 1121), and February 20th, 1936 (*Legal Gazette*, page 101),¹ is hereby amended as follows:

Section 1. — Amendments to Article I (Associations Act)

i. The following sub-paragraph (d) shall be added to Section 2, paragraph 1

“(d) If the Executive Committee or any members thereof, or any members of the Association, with the foreknowledge and consent of the Executive Committee, infringe Articles 93a, 93b or 129a of the Criminal Code.”

¹ Note by the Secretary-General. — The relevant stipulations of the Legislative Decree of June 30th, 1933, are as follows:

Article 1.

The Reich Association Law of April 19th, 1908, shall be amended as follows:

Section 1.

i. All citizens of the State shall have the right to form associations and to meet peacefully and without arms for purposes not prohibited by the Criminal Law.

2. The general police regulations for the maintenance of security and order shall apply in so far as may be necessary to protect the lives and personal safety of those attending a meeting from immediate danger. Furthermore, the right enunciated in paragraph 1 shall only be subject to such limitations, in so far as the police is concerned, as are provided for in the present law.

Section 2.

i. Associations or other such organisations may be dissolved:

(a) If their purpose as defined in their Statutes or manifested in their activities is contrary to the criminal law.

(b) If with the foreknowledge of the Executive Committee, the execution of acts punishable under Sections 81 to 86, 93a, 93b, 93c, 106a, 110, 110a, 124, 125, 129a, 130 and 131 of the Criminal Code is discussed in such a way as to constitute an incitement to the commission of such criminal acts;

(c) If with the foreknowledge of the Executive Committee or individual members thereof, more than three members of the association possess or carry arms without having obtained the necessary licence.

2. A dissolution order can be contested under the procedure applicable to administrative disputes.

Section 14.

The prohibition or dissolution of a meeting can be contested under the procedure applicable to administrative disputes.

2. Section 2, paragraph 2, and Section 14 shall be deleted.

Section 2. — Amendments to Article II, Section 1 (periodicals)

1. After paragraph 2, the following clause shall be inserted as paragraph 2a:

“ Any person who, by law cannot be the subject of criminal proceedings, or can only be so proceeded against with special permission or authority may not become the responsible editor of a periodical.”

2. The following No. 8 shall be added to Section 4, paragraph 1:

“ 8. If the person appointed as responsible editor cannot be the subject of criminal proceedings or can only be so proceeded against with special permission or authority ”

3. The following paragraph 2 shall be added to Section 9:

“ 2. Any person who, after the seizure of a periodical, continues circulating it though aware that a seizure order has been issued shall be liable to the same penalty.”

Section 3. — Article III shall be amended as follows:

Section 6, sentence 2, of the Prussian Law for the Protection of Personal Liberty of February 12th, 1850,¹ shall be amended to read as follows:

“ Persons taken into preventive custody by the police may not be thus detained for more than three months, unless they were placed in custody as being a social danger owing to mental alienation. In communes having a State Police Administration, the decision concerning such custody shall lie with the Police President and, in other communes, with the *Landrat*. Persons thus kept in custody may appeal to the Senate.”

Article II.

Section 1.

Section 128 of the Law on General Administration of July 30th, 1883 (*Legal Gazette*, page 195, etc.), as amended by Article III, Section 1, No. 2, of the Legislative Decree of August 9th, 1935 (*Legal Gazette*, pages 869 *et seq.*), shall be amended to read as follows:²

“ In place of the right of complaint (*Beschwerde*) in cases under Section 127 which are not of a purely political character, a right of appeal (*Klage*) shall lie as follows:

“ Against orders of the local police authorities in rural districts or in a township forming part of a rural *Kreis*, to the *Kreis* committee;

“ Against orders of the Chief of Police in Danzig or of a *Landrat*, to the District Court (Administrative Chambers).

“ An appeal may only be lodged on the grounds that the decision complained of has caused prejudice to the rights of the complainant in that the order is contrary to the laws in force. The laws in force shall also be held to have been wrongly applied if the grounds which would have justified the police in issuing the order concerned cannot be substantiated in fact.

¹ Note by the Secretary-General. — The second sentence of Section 6 of the Law of February 12th, 1850, reads:

“ Nevertheless, not later than the day following, persons interned by the police shall be released, or the necessary steps shall have been taken to hand them over to the competent authorities.”

Note by the Secretary-General. — Under the Legislative Decree of August 9th, 1935, Sections 127 and 128 read as follows:

(1) Section 127 shall be amended to read as follows:

“ Save in so far as otherwise provided by the present law, complaint shall lie against orders of local or divisional (*Kreis*) police authorities, and against orders of the Chief of Police in Danzig in national police matters within his jurisdiction, as follows:

“ (a) In the case of orders of local police in rural districts or in urban areas in rural divisions, to the *Landrat*, and, as against the decision of the *Landrat*, to the Senate;

“ (b) In the case of orders of the Chief of Police in Danzig, or orders of *Landräte*, to the Senate.

“ The decision of the Senate shall be final, without regard to rights or claims of any kind under private law.”

(2) Section 128 shall be amended to read as follows:

“ In all cases to which Section 127 relates, an appeal shall lie, in lieu of the complaint, as follows:

“ In the case of orders of local police in rural districts or in urban areas in rural divisions, to the Divisional (*Kreis*) Committee;

“ In the case of orders of the Chief of Police in Danzig, or orders of *Landräte*, to the *Landgericht* (Administrative Chambers).

“ The sole ground on which appeals may be based shall be a plea that the decision appealed against affects the rights of the appellant, inasmuch as the order is contrary to current law. It shall be deemed to be an improper application of current law if the facts on which the police authority would have been entitled to issue the order are not stated.”

"The term 'cases of a purely political character' shall be held to include police orders in matters relating to the right of association and meeting, the right to possess and carry arms, the rights of the Press and matters concerning preventive custody. The Senate can decide that other matters also are to be regarded as being of a purely political nature."

Section 2.

If, on the coming into force of the present decree, an appeal is pending under the procedure applicable to administrative matters in cases of a purely political character (Section 1) without a judicial decision having as yet been given, the appeal shall be treated as a complaint. Should a judicial decision have already been delivered, it shall have the same force as the decision of an appeal authority

Article III.

The present decree shall enter into force on promulgation.

Danzig, July 16th, 1936.

The Senate of the Free City of Danzig.

(Signed) GREISER.

HUTH.

Dr. WIERCINSKI-KEISER.

DECREE REGARDING THE PAYMENT OF ENFORCEABLE CLAIMS AGAINST THE STATE AND THE MUNICIPALITY OF DANZIG, JULY 16TH, 1936.

In accordance with Article 1, Nos. 5, 10, 11 and 25, and with Article 2 of the Law for the Relief of the Distress of People and State, of June 24th, 1933 (*Legal Gazette*, page 273), the following is decreed with force of law.

Article I.

Before the payment of any enforceable claim against the Free City of Danzig or the Danzig municipality the Financial Council shall be consulted and shall decide in what manner and in particular in what instalments and on what dates payment is to be made.

The Financial Council shall take such decisions on their own independent authority. Their decisions shall be binding upon the parties.

Article II

The provisions of Sections 33 (1), 35, and of Sections 153 and 242 (Annex) of the General Fundamental Law concerning the Courts of Law shall be abrogated accordingly.

Article III

The present decree shall enter into force on promulgation.

Danzig, July 16th, 1936.

The Senate of the Free City of Danzig.

(Signed) GREISER.

Dr. WIERCINSKI-KEISER.

Dr. HOPPENRATH.

DECREE FOR THE AMENDMENT OF THE FUNDAMENTAL LABOUR CODE OF JULY 16TH, 1936.

In accordance with Article 1, No. 23, and Article 2 of the Law for the Relief of the Distress of People and State, of June 24th, 1933 (*Legal Gazette*, page 273), the following is decreed with force of law.

Article I.

To Section 56 of the Fundamental Labour Code as amended November 27th, 1935 (*Legal Gazette*, page 1125), shall be added the following new paragraph 3

"Other claims arising out of notice of dismissal must be lodged within two months after service of the notice."

Article II.

The present decree shall enter into force on promulgation.

Danzig, July 16th, 1936.

The Senate of the Free City of Danzig:

(Signed) GREISER.

Dr. WIERCINSKI-KEISER.

Dr. HOPPENRATH.

LEGISLATIVE DECREE AMENDING THE LEGISLATIVE DECREE CONCERNING ARMS AND THE REICH ASSOCIATIONS ACT, OF JULY 16TH, 1936.

In pursuance of Article 1, Nos. 9 and 33, of the Law for the Relief of the Distress of People and State of June 24th, 1933 (*Legal Gazette*, page 273), the following is decreed with force of law.

Article I.

The Legislative Decree concerning Arms, of June 30th, 1931 (*Legal Gazette*, page 608), shall be amended to read as follows:

Section 1.

1. For the purposes of the present decree, the term "fire-arms" shall be deemed to mean arms from which bullets or buck-shot are propelled through a barrel by means of the expansion of explosive gases or air pressure.

2. For the purposes of the present decree, the term "ammunition" shall be deemed to mean ammunition ready for use in fire-arms, together with gunpowder of all kinds.

3. Finished or previously worked essential parts of fire-arms or ammunition shall be assimilated to fire-arms and ammunition.

4. The term "stocks of arms" shall be deemed to mean collections of more than five fire-arms of the same kind, and the term "stocks of ammunition" shall be deemed to mean collections of more than one hundred cartridges. In the case of sporting arms, the term "stocks of arms" shall be deemed to mean collections of more than ten such arms, and the term "stocks of ammunition" shall be deemed to mean collections of more than one thousand sporting cartridges.

5. "Cutting or thrusting arms" shall be deemed to mean arms designed for the purpose of inflicting wounds through cutting, thrusting or piercing. Articles belonging to the equipment of an organisation in possession of a permit for the wearing of uniforms shall not be held to include cutting or thrusting arms.

Section 2.

No person shall professionally manufacture, treat or repair fire-arms or ammunition without a permit from the Senate. The term "manufacture of ammunition" shall be deemed to include the recharging of cartridges.

Section 3.

For the erection of powder factories or other plant for the manufacture of ammunition, the permit required under § 16 of the Fundamental Law on Industrial Conditions shall continue to be necessary in addition.

Section 4.

Where a permit has been refused or withdrawn, application may not again be made for such a permit until the expiry of a period of not less than one year from the refusal or withdrawal.

Section 5.

No person shall acquire or offer for sale fire-arms or ammunition, or dispose of the same to others, or act as a professional agent for the acquisition or disposal thereof, or offer professionally to acquire or dispose thereof, without a permit. Decisions in regard to permits shall lie with the Police President in communes possessing a State police administration, and in other communes with the *Landrat*.

Section 6.

Permits under Section 5 shall not be issued to the following:

- (1) Dealers in second-hand goods;
- (2) The persons specified in Section 15, paragraph 1, sub-paragraph (2).

Derogations from the present provision shall be permissible within the limits of Section 15, paragraph 2.

Section 7.

1. It is prohibited to deal in fire-arms or ammunition.
 - (1) Elsewhere than on fixed premises;
 - (2) At shooting-festivals and fairs other than sample fairs.
2. The prohibition in paragraph 1, sub-paragraph (2), shall not apply to the sale or disposal of the ammunition required on rifle-ranges.

Section 8.

The acceptance of fire-arms and ammunition as pledges shall be prohibited to pawnbroking establishments, whether public or private.

Section 9.

1. Fire-arms or ammunition, with the exception of smooth-bore air-guns, may not be disposed of or acquired, save on production of a licence for the acquisition of arms or ammunition. Licences shall be issued by the authorities specified in Section 5.
2. Licences for the acquisition of arms or ammunition shall be valid for the period of one year from the date of issue of the licence unless endorsed for a shorter period.
3. Paragraph 1 above shall not apply to the following:
 - (1) Issue of fire-arms or ammunition on a rifle-range authorised by the police, to be used exclusively on the said range,
 - (2) Consignment of fire-arms or ammunition direct to foreign countries.
 - (3) Conveyance of fire-arms or ammunition by persons professionally engaged in the consignment of goods; such as forwarding agents, carriers, maritime freight agents, the post or the railway

Section 10.

Arms and ammunition licences shall not be required by the following:

- (1) State authorities;
- (2) Dealers of the kind specified in Section 5 who establish their *bona fides* through an official certificate.

Section 11.

Licences for the acquisition of arms shall not be required by holders of arms licences for purposes falling within the limits therein laid down.

Section 12.

Licences for the acquisition of ammunition shall not be required by holders of licences for the acquisition of arms or arms licences, for the purpose of procuring ammunition for the arms concerned.

Section 13.

Persons acquiring fire-arms or ammunition *morts causa* shall notify the local police authority accordingly stating particulars of the number and type of such fire-arms or ammunition and, in the case of gunpowder, of the weight thereof, within six weeks from the day on which they become aware of the said acquisition.

Section 14.

1. Persons carrying fire-arms outside their dwellings, business premises or enclosed properties must at the same time carry a permit (arms licence) issued by the authorities specified in Section 5. The use of fire-arms on rifle-ranges authorised by the police shall not be deemed to be the carrying of fire-arms.
2. Arms licences shall be valid for the whole territory of the Free City of Danzig, unless specifically endorsed for a smaller area. The licence may limit the carrying of arms to particular specifically indicated occasions or localities.
3. Arms licences shall be valid, subject always to revocation, for a period of one year from the date of issue, unless endorsed for a shorter period.
4. Persons in possession of fire-arms within their dwellings, business premises or enclosed properties must obtain a permit (licence to possess arms) from the authorities specified in Section 5. Such permits shall be valid for an unlimited period subject always to revocation. The present provisions shall not apply to smooth-bore air-guns.

Section 15.

1. Licences for the acquisition of arms or ammunition, arms licences and licences to possess arms may be issued only to persons of unexceptionable trustworthiness. Arms licences shall be issued only on proof of necessity therefor. Licences shall not be issued to the following:

- (1) Persons under 20 years of age;
- (2) Persons declared legally incapable or mentally deficient persons;
- (3) Gypsies or persons tramping the country after the manner of gypsies;

(4) Persons who, for offences against Section 17 to 20 of the Legislative Decree concerning Measures to increase Public Security and Order, of June 30th, 1933 (*Legal Gazette*, page 287), or against Sections 81, 83 to 90, 93a to 93c, 105, 106, 107, 110 to 120, 122, 123 (paragraph 2), 124 to 131, 181a, 211 to 216, 223 to 228, 240, 241, 243, 244, 249 to 255, 292 to 294, 296, 340, 361 (sub-paragraphs 3, 4, 5 and 10) and 324a of the Criminal Code, or against Section 148 of the Customs Law of the Customs Union of July 1st, 1869 (*Federal Legal Gazette*, page 317), or against the Law to prohibit the Use of Explosives with Criminal Intent or to the Public Danger, of June 9th, 1884 (*Legal Gazette*, page 61), or against the provisions of the present decree, have been sentenced to a penalty involving deprivation of liberty of the person for more than one fortnight, the said sentence having become legally effective—until the expiry of five years from the service of the sentence or lapse of the same under the Statute of Limitations or remission thereof; where remission of the sentence is conditional on the completion of a period of probation, the said period of five years shall run from the beginning of the period of probation,

(5) Persons declared liable to police supervision or deprived of civic rights—for the period of such liability to police supervision or loss of civic rights.

2. Derogations from paragraph 1, sub-paragraphs (1), (3) and (4), may be allowed by the Senate on application.

Section 16.

1. Persons not entitled to possess fire-arms or ammunition must hand over all fire-arms or ammunition in their possession immediately to the custody of the local police authority against an acknowledgment of receipt. Where such persons are legally incapable, the obligation is incumbent on their legal representatives. Should such persons or their legal representatives fail within a period of six months to make provision for the disposal of the fire-arms or ammunition to a party entitled under the provisions of the present decree to possess the same, by the assignment to such party of their claim to the restoration thereof, the local police authority shall be entitled to require the transfer of such fire-arms and ammunition to itself on payment of the common value thereof. The transfer shall take effect with the service of the notice in regard thereto. Protest against the assessment of the common value shall be permissible only by process of administrative appeal lodged within two weeks and not by judicial proceedings.

2. The authority specified in Section 5 may allow persons under obligation to deliver fire-arms and ammunition to retain possession of the same, subject to revocation of the permission at any time, in exceptional particular cases where there is reason to apprehend that no unlawful use will be made of the permission.

Section 17

1. Licences for the acquisition of arms or ammunition, arms licences and licences to possess arms shall be revoked and withdrawn by the authorities specified in Section 5, where the conditions required for the issue of the licences were not, or are no longer, fulfilled.

2. In the event of revocation of a licence, the authority specified in the foregoing paragraph 1 shall be entitled to require the immediate handing over of the arms or ammunition in question. The provisions of Section 16, paragraph 2, shall apply *mutatis mutandis*.

Section 18.

1. Licences for the acquisition of arms or ammunition, arms licences, and licences to possess arms shall not be required by the following in respect of the fire-arms and ammunition officially issued to them.

- (1) Police officials, frontier police and Customs detectives;
- (2) Officials, employees and persons allowed by the Senate or by law to carry fire-arms on specifically indicated occasions. The place of the arms licence or licence to possess arms shall be taken in their case by a corresponding certificate issued by the Senate.

2. Where fire-arms or ammunition are not officially issued to the persons indicated in paragraph 1, or the carrying of fire-arms other than those officially issued is indicated, the Senate

shall be entitled to issue certificates to the said persons conveying the right to acquire fire-arms and ammunition or to carry fire-arms.

Section 19.

1. Annual game-shooting licences shall entitle the holder to acquire sporting-arms and pistols in any part of the territory of the Free City of Danzig, throughout the duration of the licence, to the extent indicated in the licence, and to acquire ammunition therefor.

2. Game-shooting licences shall entitle the holder to carry sporting-arms in the pursuit of game, in the protection of game or in practice shooting, and on the way thereto and therefrom, in any part of the territory of the Free City of Danzig, during the duration of the licence. Game-shooting licences shall further entitle the holder to carry pistols.

Section 20.

1. The importation of fire-arms or ammunition shall be permissible only under a licence for the acquisition of arms or ammunition (Section 9), an arms licence (Section 14) or a game-shooting licence (Section 19) to the extent to which such licences entitle the holder to acquire fire-arms and ammunition.

2. The present provision shall not apply to imports by the authorities and dealers specified in Section 10.

Section 21.

The possession of stocks of arms or ammunition (Section 1), not being the property of a dealer's store approved under the present decree (Sections 2 and 5) and not being in the possession of an authority of the kind indicated in Section 10, sub-paragraphs (1) and (2), shall require a permit from the authority specified in Section 5. Permits may be issued only to persons of exceptional trustworthiness. The provisions of Section 15, paragraph 1, sub-paragraph (2), and paragraph 2, shall apply to the grant of such permits, and the provisions of Section 17 shall apply to the revocation of such permits, *mutatis mutandis*.

Section 22.

1. The manufacture of, trade in, import, carrying and possession of fire-arms specially fitted for more rapid taking to pieces than is usual for shooting or sporting purposes, and fire-arms concealed in sticks, umbrellas, tubes or otherwise, commonly known as poaching-guns, is prohibited.

2. The manufacture of, trade in, import, carrying or possession of fire-arms fitted with apparatus to silence the noise of the shot or with luminous sights is prohibited. The said prohibition shall apply equally to the fittings above indicated without the fire-arms.

Section 23.

It is prohibited to carry cutting or thrusting arms outside dwellings, business premises or enclosed properties.

Section 24.

Section 23 above shall not apply to

(1) Persons entitled to carry cutting or thrusting arms in virtue of their holding of public office within the limits to which such office entitles them,

(2) Persons accustomed to carry cutting or thrusting arms professionally in respect of the use of such cutting or thrusting arms in the exercise of their profession or on the way thereto or therefrom,

(3) Persons empowered by the authorities to carry cutting or thrusting arms; the official authorisation for the purpose shall be issued by the authority specified in Section 5 with effect for the whole of the territory of the Free City of Danzig or parts thereof, generally or for specifically indicated occasions;

(4) Holders of game-shooting licences in the pursuit or protection of game or on the way thereto or therefrom.

Section 25.

Decisions by the Chief of Police or by *Landräte* under the present decree shall be subject to the right of the parties affected to appeal to the Senate within two weeks from the service of the decision.

Section 26.

Members of political organisations, when wearing the whole or part of the uniform of their organisations, shall not carry a fire-arm or cutting or thrusting arm, even when they are in possession of an arms licence or annual game-shooting licence, save in exceptional cases where, on special grounds, permission has been obtained from the Senate.

Section 27

I. Persons deliberately or inadvertently offending against the provisions of the present decree shall be liable to a penalty not exceeding three years' imprisonment and a fine, or to one or other of such penalties—viz.

- (1) If they manufacture, treat, repair, advance money on, acquire, offer for sale, dispose of to others, act as agents for the acquisition or disposal of, offer to acquire or dispose of, import or possess fire-arms, ammunition or the fittings specified in Section 22, paragraph 2;
- (2) If they bear arms;
- (3) If they fail to make the declaration required under Section 13, or fail to make it in time.

2. In addition to the above-mentioned penalties, the arms, ammunition or fittings in respect of which the offence has been committed may be impounded, irrespective of whether they belong to the offender or not. Where the prosecution or conviction of a particular person is impracticable, the impounding of the arms, ammunition or fittings may be ordered independently

Section 28.

Persons who deliberately or inadvertently fail to prevent persons under 20 years of age, belonging to their household or subject to their supervision or instruction, from manufacturing, treating, repairing, advancing money on, acquiring, offering for sale, disposing of to others, acting as an agent for the acquisition or disposal of, offering to acquire or dispose of, importing or possessing fire-arms, ammunition or the fittings specified in Section 22, paragraph 2, or from carrying fire-arms, contrary to the provisions of the present decree, shall be liable to the penalties provided in Section 27 of the present decree.

Section 29.

Persons carrying fire-arms or cutting or thrusting arms without being qualified so to do who commit or threaten to commit acts of violence therewith upon others shall be liable to not less than six months' imprisonment, unless the offence is liable under other laws or regulations to a severer sentence. A fine not exceeding 3,000 gulden may be imposed in addition.

Section 30.

The provisions of the Fundamental Law on Industrial Conditions shall be applicable to the business transactions to which Sections 2 and 5 relate, save in so far as otherwise specially provided in the present decree.

Section 31.

The present decree shall not affect the provisions of the Law concerning the Production, Sale, Storage and Transport of War Material, of May 17th, 1922 (*Legal Gazette*, page 246).

Section 32.

The Executive Decree of November 10th, 1931 (*Legal Gazette*, page 789), and the Decree concerning Arms Licences, of August 3rd, 1933 (*Legal Gazette*, page 368), shall be held, until otherwise provided, to govern the application of the present legislative decree *mutatis mutandis*.

Article II.

In Article 11 of the Reich Associations Law as amended by the Legislative Decree of June 30th, 1933 (*Legal Gazette*, page 287), paragraph 2 shall be omitted.

Article III.

The present legislative decree shall enter into force on promulgation.

Danzig, July 16th, 1936.

The Senate of the Free City of Danzig:

(Signed) GREISER.

HUTH.

Dr. WIERCINSKI-KEISER.

Appendix II.

SOME OF THE STATEMENTS MADE TO THE PUBLIC PRESS BY THE PRESIDENT OF THE SENATE OF THE FREE CITY SINCE HIS RETURN FROM THE COUNCIL MEETING IN GENEVA ON JULY 4TH, 1936.

Interviewer's Question. — Will Danzig take part in future in discussions in the League of Nations and will it send a representative to Geneva if invited to do so when the agenda includes the examination of questions relating to Danzig's internal politics?

President's Answer — If, in future, political questions of a purely internal character come up again before the League, the Free City of Danzig will refuse to take part in a discussion of this kind. As regards all other questions affecting the Free City the latter will seize every opportunity of stating its views.

[*Völkischer Beobachter* July 6th, 1936.]

A number of other interviews were given by President Greiser to correspondents during the following week. In one of these he said:

"Danzig has finished with the League so far as internal affairs are concerned" (*Daily Express*, July 8th, 1936),

and in another interview:

"Danzig's severance from the League of Nations, as far as her internal affairs are concerned, is complete. Never again will I participate in a League meeting to discuss Danzig's internal problem" (*News Chronicle*, July 7th, 1936).

3.

LETTER, DATED JULY 22ND, 1936, FROM THE HIGH COMMISSIONER TO THE SECRETARY-GENERAL.

Danzig, July 22nd, 1936.

I have the honour to refer to my letter of the 20th instant,¹ forwarding decrees recently made by the Senate of the Free City. On considering the matter further, I decided to address a note to the Senate, asking for their observations as to the compatibility of the decrees with the Constitution, and I enclose a copy (Appendix I).

On Sunday the 19th instant, a National-Socialist meeting was held in a village outside the City. Speeches were made by M. Albert Forster, leader of the Party in Danzig, and by the President of the Senate and substitute leader of the Party M. Greiser.

The following are extracts from M. Forster's speech, but I enclose (Appendix II) the full text as reported in the National-Socialist newspaper, the *Vorposten*, for reference.

"The State is for us National Socialists—and this we have always emphasised during our struggle—the administrative organ which a people creates for itself where the will of the people, which in Danzig is incorporated in the National-Socialist Party does not coincide with the State, the danger must exist that the people will burst its shell. I can state with satisfaction and pride that we can accept responsibility for everything that we are doing here openly before the whole world. I myself, as Gauleiter, am responsible to no one but the Führer. We know also that the recent measures correspond both to the will of the people and its desire to bring about a change in respect of the High Commissioner."

The Gauleiter spoke of the rôle of High Commissioner Lester in Danzig, who had strengthened those who would not realise the assistance and the greatness of the German people and were the conscious disturbers of the peace in their disgraceful activities. He was primarily responsible for the attempts of certain people to sow the seeds of disturbance and dissension amongst the population, and he would be quite capable of making Danzig a centre of permanent intrigue and Bolshevism.

"We shall therefore carry through the necessary measures for achieving political peace at home without Mr. Lester. The League of Nations Commissioner does nothing to

¹ See page 1365.

mitigate the troubles of the population of Danzig. He has so far done nothing to help ensure the unity of the population which we have at heart. The day will come when we shall deal with the mischief-makers and agitators and finally establish peace which is desired by the whole population. The three lives sacrificed by the National Socialists need not have been made if the High Commissioner of the League of Nations had not supported the elements which are constantly endeavouring to fan the flames here. The National-Socialist President of the Senate spoke for the German population of Danzig when he told this man what he had to be told sooner or later "The High Commissioner has no further duties here in Danzig."

It may be well that the Council Committee should also be informed regarding another aspect of affairs in Danzig, and I enclose (Appendix III) herewith a pastoral letter from the Bishop of Danzig, Monsignor Count O'Rourke, which was read in all the Catholic churches on Sunday 19th instant. I enclose (Appendix IV) a newspaper report of the speech by Senator Boeck, which is apparently referred to by the Bishop. The pastoral letter was published in the *Danziger Volkszeitung* of July 21st. This newspaper is the bi-weekly organ of the Centre Party and is the only Opposition paper continuing to make a spasmodic appearance (having published a declaration that it would refrain from commenting on current political affairs). The issue containing the Bishop's pastoral letter has, I am informed, been seized by the police, but I do not know the official grounds for this seizure.

It will be recalled that the question of the wearing of uniform by the Catholic youth organisations was considered by the Council in May 1935 on a petition from fifty Catholic parish priests of Danzig. Following a decision by the Council in September 1935 (document C.372.1935-VII), the Senate amended the text of the law relating to uniforms and gave authority to the Police President to authorise or forbid the wearing of uniforms by special organisations. Since December last, negotiations have been in progress between the ecclesiastical authorities and the Senate, and, some months ago, I was assured that a reasonable arrangement would be made.

The speech made by Senator Boeck and the comments of the Bishop appear to suggest that this problem has entered on a new phase.

(Signed) Sean LESTER.

Appendix I.

LETTER FROM THE HIGH COMMISSIONER TO THE PRESIDENT OF THE SENATE.

Danzig, July 22nd, 1936.

I have the honour to refer to the series of decree-laws made by the Senate on July 16th, Nos. 112 to 116, and published in the *Gesetzblatt* on July 18th, 1936.

As it is probable that these laws will be laid before the Council of the League of Nations in pursuance of the League guarantee of the Constitution of the Free City I beg to inform you that I am prepared, in such case, to forward to the Council any observations the Senate may wish to make. The object of such observations would be to show that the laws in question are in conformity with the Constitution.

(Signed) Sean LESTER.

Appendix II.

[Translation from the German.]

EXTRACT FROM THE *Danziger Vorposten*, No. 167 OF MONDAY JULY 20TH, 1936.

"The National-Socialist Party can govern and preserve Order without Lester"
says Regional-Leader Forster

Danzig, July 20th.

At the Party Conference of the Höhe Division (for full report of which, see page 5), Regional-Leader Albert Forster spoke as follows to the divisional leaders, who had assembled in force in the public hall of Bahlinger's Inn in Sopot:

"Since the last Party Conference of the Höhe Division, a year of vigorous work and struggle has gone by and I want here and now to thank all those who have taken part in the movement for the pains and sacrifices which all of us this year have had to face. All those who have taken a part in the movement, each in his own place, have contributed to consolidate and strengthen the German cause in Danzig; and we can say with satisfaction, when we look back, that we have this year once more made a good step forward. When we

think of the position as it was a year ago, we are entitled to say that much has changed for the better, and that we may look to-day to the future with greater confidence and hope. The position of the Party in Danzig has indeed improved, as it has improved in Germany, from day to day.

"Internally the Party in spite of the difficulties and incidents of the past year, has become firmer and stronger from day to day. In these difficult months, most of us have been put to the test of whether we are genuine National-Socialists or not. But the Party as a whole, like each member of it, has passed through these difficult months, and the efforts we have made to push and intensify our educational discipline have not been in vain.

"Externally also, the Party has expanded. We have been able to enrol in our ranks some 12,000 members, who had already proved their worth by their activities in the most varied organisations. We know that it was this community of spirit and energy on the part of the Führer and his colleagues which enabled them to save Germany from remaining for ever in the abyss into which the German people had sunk. Few indeed are those who are in a position to appreciate the grandeur of this achievement to its full measure: but we know we are living in an age in which, not only our people, but the whole world is being guided along new paths, for we can already feel throughout the world the vivifying breath of a new spirit. We think in this connection of the Olympic Games, with their superb organisation such as the world has not yet known, they should do something to tear up the network of lies that has been spread abroad with regard to the German people. The outside world will be enabled to realise, as we do, that, in our camps of youth and castles of the orders, a generation is growing up equipped to face all storms.

"In this same spirit, we in Danzig are also engaged in a struggle in which the National-Socialist Party as the embodiment of the people's will, is the driving force in all that passes, and determines the line of march in all matters in accordance with the Party spirit. The State is for us National Socialists—and thus we have always emphasised during our struggle—the administrative organ which a people creates for itself where the will of the people, which in Danzig is incorporated in the National-Socialist Party does not coincide with the State, the danger must exist that the people must burst its shell. I can state with satisfaction and pride that we can accept responsibility for everything that we are doing here openly before the whole world. I myself, as Gauleiter, am responsible to no one but the Führer.

"That is why every Danziger sees that it is the National-Socialist Party which determines the course of events, and provides the driving force in all matters—the National-Socialist Party which has never lost a battle yet and will be equally victorious in future conflicts. This is the Party which makes for progress at every point, because it is always in touch with the people of Danzig and gives effect to the will of the majority of the people in everything it does. We know that the most recent measures are likewise in accordance with the will of the people and its desire that a change be brought about in regard to the High Commissioner.

"The National-Socialist Party in its administration of the State is the expression of the will of the majority of the Germans of Danzig; and it has always known how to provide by discipline and energy the necessary impulse to every forward movement. Since the Party in any case is made responsible for everything that happens, it is entitled as the embodiment of the people's will to make its influence felt decisively in every direction. There is no danger of the Party ever becoming a bureaucratic organisation. It will always be compelled to remain a fighting body. The last few weeks have shown with exceptional clearness how necessary the existence of the National-Socialist Party is in Danzig. The difficult period behind us could never have been overcome had not the Party been there to put all its strength into the struggle, the fanatical struggle for the defence of the German cause in Danzig."

The Regional-Leader then gave an account of the improvements achieved—e.g., in connection with the provision of employment and the measures taken for the relief of the peasants. He added.

"Here in the Höhe Division, as elsewhere, the German flag has been hoisted higher. The Höhe Division has proved that it is just as German as the Werder and the Niederung."

The Regional-Leader then proceeded to refer to the position of the High Commissioner, Mr. Lester, who (he said) had given encouragement in their low machinations to persons who wished to know nothing of the aid or greatness of the German people and devoted their energies instead to deliberate disturbance of the peace. Mr. Lester was primarily responsible for the existence here in Danzig of certain people who seek to promote disorder and disunion amongst the population, and he would ultimately succeed in making Danzig into a centre of permanent discord and a focus of Bolshevism. He continued.

"From now onwards, therefore, we propose to take the necessary measures to preserve internal political peace without reference to Mr. Lester. We National Socialists are not prepared to allow peace in Eastern Europe, and in particular our good relations with our neighbour Poland, to be disturbed by the agitation of the Opposition which Mr. Lester supports. The High Commissioner of the League of Nations, who does nothing to relieve

the distress of the Danzig population, has also up to the present done nothing for the maintenance of that unity of the population for which we contend. The time will come when we shall deal with these cross-purpose agitators under lock and key so as to establish at long last the peace for which the whole population craves. We need peace and order here in Danzig in order to be able to play our part as the bridge between the new Germany and Eastern Europe. The three dead National Socialists would never have died, had not the High Commissioner of the League of Nations lent his support to those elements which are always endeavouring to throw oil on the flames here in Danzig. The National-Socialist President of the Senate told this man on behalf of the German population of Danzig what it was high time for him to be told. If the National-Socialist Party in Danzig is made responsible for peace and order, it will also be its duty to enforce peace and order in the case of those who seek to trouble it in Danzig. The High Commissioner, Mr. Lester, has no further functions to exercise in Danzig; and we do not see why he should pocket hundreds of thousands of gulden in salaries, merely in order to enable him to fish and go bathing in Danzig.

"We of the National-Socialist movement in Danzig shall continue our struggle and our work in the accustomed manner, which the events have justified. We shall continue to do our duty and to ensure that this Danzig, which has been German until now, shall continue for all time to be German—German and loyal to the Führer."

Appendix III.

[*Translation from the German.*]

EXTRACT FROM THE *Danziger Volkszeitung* OF JULY 21ST, 1936.

Pastoral Letter of the Bishop of Danzig on the Rights of the Catholic Church.

Dearly Beloved !

For months past our Catholic youth associations have been contending for their rights under the Constitution. Since December of last year, oral and written negotiations have proceeded continuously in this matter between the authorities of the Church and those of the State. Unhappily they have not up to now led to any result. An occurrence of the last few days compels me to give public expression to my attitude in the matter. At the school sports of the Danzig youth on July 3rd last, the responsible chief of all the schools of the Danzig State gave utterance in a public address to expressions which I cannot leave unanswered.

The Senator described my Catholic youth associations as youth organisations of the Centre Party I declare publicly that this assertion is not in accordance with the facts. All Catholic associations of our diocese are wholly unpolitical organisations. The attention of the State authorities has frequently been drawn to the fact by me and by the clergy on my instructions.

The Senator saw fit to make a special attack on the sports section of my Catholic youth, the Deutsche Jugendkraft. He forbade all school-children to belong to it, and threatened them in case of disobedience with corporal punishment and consignment to reformatories. Even the parents of such children were threatened with penalties.

In reply to these threats, I extend my protection as Bishop of the diocese over the Catholic youth, and claim publicly our constitutional rights.

I feel it my duty further to explain why I am on this occasion causing my protest to be published from the pulpit. The negotiations in regard to our youth associations have been dragging on for months. Decision has hitherto been postponed. At this stage, while the negotiations are still proceeding, a threat of action has been made, contrary to all expectations, which renders all past discussions on the subject irrelevant and useless. This public hostility to my youth associations compels me publicly to assert the Church's rights in respect of these associations. At the beginning of the negotiations, the President of the Senate told me he wanted to arrive at a 100% agreement with the Catholic Church. Such public attacks as that of July 3rd, taken in conjunction with the innumerable calumnies and insults to which the Catholic youth is exposed, make it, I regret to say impossible for me to believe in the fulfilment of the President's intentions.

Catholic parents ! I know you are looking to me for clear directions as to whether you should, or should not, leave your children in our Catholic youth associations, or cause them to join these associations.

By Divine commission, the Church has the right and the duty to fulfil the teaching office entrusted to it by Christ in relation to all persons in all ages. In his Encyclical on Education, our Holy Father Pius XI instructs us that the Church, as in its origin, so also in the exercise of its teaching office, is independent of any and every earthly power, not only in respect of the substance of that office, but also in respect of the necessary and appropriate means to its fulfilment. "Wherefore, Christian education embraces the whole field of human life, material and immaterial, spiritual and moral, the life of the individual, and the life of the family and the community not so as to restrict it in any way but so as to exalt, to order and to perfect it after the example and teaching of Christ." Such are the words of the Holy Father. The object of all work on behalf of youth is the formation of men living lives in accordance with the dictates of religion

and the teaching of the Apostles, men who are qualified and prepared, in concert with the regular priesthood of the Church, to collaborate in the realisation of the Kingdom of God.

Our Catholic youth associations have done good work in the past in this direction. They are needed even more in the future to form the nucleus groups from which men are to come who, by living model lives and manfully doing their duty will constitute the lay apostles of our Saviour. The struggle for and against Christ has always existed in the 2,000 years of the history of Christendom. Sometimes it has been more, sometimes less, conspicuous. We all know that our generation and the generation after us must expect a conflict of exceptional bitterness between Christianity and the new Paganism which is arising in our midst. We have to train and strengthen our youth more than ever for the coming conflict. For that we need a youthful community life in which all human powers—physical, intellectual and spiritual—are enabled to unfold, and this community life it is which our youth associations have afforded in the past, and are affording in the present, with excellent results.

Therefore I address to you, Catholic parents, and to you, Catholic boys and girls, my pastoral instruction to remain true to your Catholic youth associations, and to further them and make them better and stronger than before.

At the same time, on behalf of the Catholic population, I express my expectation that the State will fully recognise the Catholic youth associations, based as they are on the law of the Church and the Constitution of Danzig.

Given at Danzig-Oliva this sixteenth day of July 1936.

† EDUARD,
Bishop of Danzig.

Appendix IV

[*Translation from the German.*]

EXTRACT FROM THE *Danziger Volkszeitung* OF JULY 6TH, 1936.

Senator Boeck at the School Sports.

After a short description of the school sports-day the report continues:

"Then followed the speech of the Senator in charge of Education and Public Worship, Senator Boeck, which came as a surprise to those present in more ways than one. The Senator said that the Social-Democratic Workers' Sport Associations used sport as a pretext for political aims, and were run by Communists, Marxists and Jewish individuals. I forbid he said, children attending the Danzig public schools to belong to these associations. They should be banned by teachers and scholars alike.

"Another group, he said, was of a similar type—namely the Confessional Youth Associations. He mentioned in particular the Christus-Jugend and the Deutsche Jugendkraft, the well-known sport organisation of the Catholic associations. These associations, he said, could only be regarded as parts of the Centre Party. The Senate had nothing against the confessional associations but they must confine themselves to religious worship and not include sport in the scope of their activities. Sport was not a matter for the Church. sport and gymnastics were matters for the State. He repeated that membership of the confessional associations was also to be forbidden and it was not only the school-children and the teachers to whom his prohibition was addressed—the parents were to obey his instructions to the letter! As senator in charge of public education, he proposed to take very rigorous action against any parents sending their children to the associations in question against his orders. Those who disobeyed would have a sore seat ('bekommt den Hosenboden vollgehauen'—would be beaten up) and the children would be kept at school until the age of 18, and then go to a reformatory.

"The Senator concluded his speech by saying that all parties with the exception of the National-Socialist Party had been abolished in Germany and he was confident they would be abolished in Danzig as well. The leaders of the parties who led their German fellow-citizens astray would soon have their business settled for them."

Danzig, August 8th, 1936.

I have the honour to enclose herewith a copy of a note I have to-day sent to the Senate of the Free City of Danzig. You will see that I am still without any indication that the Senate desires to present observations on matters relating to the Constitution (Appendix I).

With regard to the decision of the Press Court in the case of the *Danziger Nationale Zeitung*, I attach a copy of the court's judgment (Appendix II).

You will, no doubt, wish to communicate these documents also for the information of the Committee appointed by the Council to follow events in Danzig.

(Signed) Sean LESTER.

Appendix I.

NOTE FROM THE HIGH COMMISSIONER TO THE SENATE OF THE FREE CITY, DATED AUGUST 8TH, 1936.

On July 22nd, 1936, the High Commissioner of the League of Nations had the honour to enquire if the Senate of the Free City desired to present its observations as to the compatibility of the decrees issued on July 16th with the Constitution. The High Commissioner has since received no indication that the Senate wishes to take advantage of this opportunity.

The Senate is aware that the Constitution is guaranteed by the League of Nations; that the High Commissioner is obliged by instruction to inform the Council of any danger of infraction of the Constitution, and that the Council of the League of Nations is empowered to decide whether any contravention of the Constitution has in fact taken place.

In this connection, the High Commissioner begs to remind the Senate of the report adopted by the Council (dated May 24th, 1935 — document C.234.1935.VII), of which two extracts are attached.

It has been observed that all newspapers representing the parties in opposition to the Government have been suppressed. In one case, that of the *Danziger Nationale Zeitung* (organ of the German Nationalist Party), an appeal was made to the Press court and the latter gave its decision on July 30th. The High Commissioner would be glad to receive, for his information and use, any observations the Senate would be prepared to make as to the compatibility of this judgment with Article 79 of the Constitution.

EXTRACT FROM THE REPORT BY THE UNITED KINGDOM REPRESENTATIVE, ADOPTED BY THE COUNCIL ON MAY 24TH, 1935 (document C.234.1935.VII).

On many occasions, the Council has pronounced very clearly on the functions of the League of Nations and the competence of the High Commissioner at Danzig and it does not seem necessary to undertake here an analysis of these pronouncements, more particularly as the Senate in its reply to Mr. Lester's memorandum in no way challenges the competence of the High Commissioner as defined by the Council. I would recall only the decision of the Council of May 22nd, 1931, which defines in particular the competence of the High Commissioner.¹ This decision runs as follows:

"The High Commissioner is the representative of the League of Nations in Danzig within the limits laid down in the treaties and resolutions of the Council."

"The High Commissioner, as representative of the League, is responsible to the League, as stipulated in the resolution adopted by the Council on February 13th, 1920, when the first High Commissioner was appointed. On this occasion, the Council also decided that the duties of the High Commissioner would include that of reporting to the Council of the League of Nations through the Secretary-General on all matters within his jurisdiction as High Commissioner. No mention of this is made in the Treaty of Peace, but it will clearly be necessary for the Council to be kept fully informed. For the purpose of discharging this duty of reporting to the Council, the High Commissioner can address himself at any moment to the Government of the Free City which will furnish him official information on all public affairs of the Free City."

The right of petition of the population of Danzig and the procedure to be followed in this matter by the High Commissioner have been defined by the letter of June 5th, 1925,² addressed to the High Commissioner by the Secretary-General of the League of Nations and approved by the Council. In this letter the following passage occurs:

"They (the Council) think that because of the position of the High Commissioner as representative of the League of Nations in Danzig, the citizens of the Free City could address petitions to him which he could deal with upon their merits as sources of information on the situation in Danzig. The Constitution of the Free City being placed under the guarantee of the League, it would seem natural that the High Commissioner, in cases where he learnt, through petitions or otherwise, that there was a danger of infraction of the stipulations of

¹ Sixty-third session of the Council, *Official Journal*, July 1931, page 1134.
Thirty-fourth session of the Council, *Official Journal*, July 1925, page 950.

the Constitution, should bring such questions to the notice of the Council. This would seem to apply also to the stipulation of Article 4, second paragraph, of the Constitution to which the petitioners refer in the present case."

The competence of the High Commissioner, the functions of the League of Nations and its duties as guarantor of the Constitution of the Free City are thus clearly defined.

The Council will be glad to note that the President of the Senate for his part shares this feeling of confidence in the High Commissioner. Indeed, in the Senate's memorandum, Herr Greiser states that he is conscious of having in the person of the High Commissioner the strongest support of a strict observance of the Constitution of Danzig and that he believes himself to be fully in agreement with the High Commissioner regarding the latter's position in Danzig as defined and established by the Council of the League. At the same time, the Senate trusts that the High Commissioner will be satisfied that the President's observations in his speech in no way constituted a personal attack on the High Commissioner, with whom the Government of the Free City desires to collaborate in complete harmony.

Appendix II.

[*Translation from the German.*] 6 E.R.^b III.31/36.

In the name of the Free City of Danzig'

DECISION.

In the appeal brought by the publisher of the newspaper entitled *Danziger Nationale Zeitung*, Deputy Rudolf Gamm, Danzig, Brotbänkengasse No. 29, represented by M. Friedrich, Advocate, of Danzig, against the Danzig Chief of Police in regard to the suspension of the *Danziger Nationale Zeitung*, the Danzig Press Court, at its session of July 30th, 1936, at which the following were present:

- (1) Dr. Rumpf, Director of the Regional Court, president;
- (2) M. Prohl, Counsellor to the Regional Court, and
- (3) M. Olchewsky Government Counsellor, assessor.

has decided that:

The appeal of Deputy Rudolf Gamm against the decision of the Chief of Police—Tgb. Nr. III AI 399/36—of July 8th, 1936, is rejected.

Reasons.

By Order of July 8th, 1936, the Chief of Police prohibited the publication and circulation of the *Danziger Nationale Zeitung*, with immediate effect, for a period of five months, in virtue of paragraph 4 of Article II, Section I, of the Decree-Law regarding Measures to strengthen Public Security and Order, dated June 30th, 1936 (*G.Bl.*, page 287), as amended by the Decree-Law of February 20th, 1936 (*G.Bl.*, page 101).

The reason adduced by the Chief of Police for the suspension is that the *Danziger Nationale Zeitung*, during the short period of its existence, has already been seized many times and was once suspended for five months, because various passages in its articles were calculated to disturb public security and order. These articles, he alleges, considerably exceeded the limit permissible for criticism of measures taken by the German Reich or the Senate of the Free City of Danzig, and constantly showed that the newspaper's intention was to stir up unrest among the population.

The reasoned appeal of Deputy Rudolf Gamm, lodged in due course and in proper form, against the order of the Chief of Police could not be allowed.

Indeed, in the decision of the Press Court of the same date regarding the seizure of No. 20 of the *Danziger Nationale Zeitung*, of July 7th, 1936 (6 E.R.^b III.32/36), it is stated that the sentence. "We know from fifteen years' experience, that the League of Nations has been and is the essential guarantor of the maintenance of Danzig as a German city" would in itself have sufficed to justify the seizure of that number. But the Press Court is further of opinion that this sentence also justifies the suspension of the journal for some months. The sentence is contrary to the views held by the large majority of the population of Danzig, even those of supporters of the parties which are opposing the National-Socialist Government of Danzig. The sentence proves, too, that the sole aim of the *Danziger Nationale Zeitung* is to spread discontent among the Danzig population. It does not scruple to proclaim the League of Nations the guarantor of the maintenance of the German spirit—the same League of Nations that has always refused the German people all equality of rights and all justice. Even in matters in which the Danzig Government has the whole population behind it, it delivers treacherous attacks upon the Government, solely for the sake of criticising and anxious to make difficulties for the National-Socialist Government wherever possible. Such methods of controversy in which the interest of the State is wholly ignored, must be stigmatised as reprehensible and un-German.

But the reasons that led to the seizure of the other numbers of the *Danziger Nationale Zeitung* also show that that newspaper is busily stirring up and arousing certain classes of the population.

and certain circles against others. It believes that to provoke and perpetuate disorder is the only means of attaining its end—namely the overthrow of the National-Socialist Government of Danzig. It does not stop at any means. At a time of political tension, it does not help to allay unrest but tries to inflame passions and intensify the animosity of its political opponents. Even in questions of foreign policy which have nothing to do with party politics, it disregards the interest of the State and breaks the united front of all Germans. The *Danziger Nationale Zeitung* constantly affirms that it is one of the foremost defenders of the German spirit in Danzig, but the contents and tone of its articles prove the contrary. It is incompatible with the German spirit and interest to criticise and vilify every measure taken by the German Government, simply because it is a National-Socialist Government. It shows a misconception of the idea of Germanism when it constantly insults the Führer of the German Reich and people and holds up to ridicule other leading personages of the Reich. To sow hatred against all that is National-Socialist is the *leitmotiv* of the *Danziger Nationale Zeitung*. No State valuing order and security could continue indefinitely to allow a newspaper to employ methods such as those of the *Danziger Nationale Zeitung* without jeopardising the security of the State.

All these circumstances justified the Chief of Police in ordering the renewal of the suspension of the newspaper for five months, since the seizures of individual numbers and suspension for five months were not enough to induce it to modify its tactics.

(Signed) Dr. RUMPE.
PROHL.
E. OLSCHEWSKY.

Certified true copy

Danzig, August 1st, 1936.

(Signed) THIERLING,
Clerk of the Court.

[L.S.]

ANNEX 1625.

Series of Publications 1936.XI.19.

Official No. C.368.M.242.1936.XI.

GENEVA OPIUM CONVENTION OF FEBRUARY 19TH, 1925 CONVENTION FOR LIMITING THE MANUFACTURE AND REGULATING THE DISTRIBUTION OF NARCOTIC DRUGS OF JULY 13TH, 1931.

WORK OF THE PERMANENT CENTRAL OPIUM BOARD DURING ITS TWENTY-SIXTH, TWENTY-SEVENTH AND TWENTY-EIGHTH SESSIONS.

REPORT¹ OF THE BOARD, SUBMITTED TO THE COUNCIL ON OCTOBER 10TH, 1936.

In its report for the year 1934, submitted to the Council of the League of Nations at its session in September 1935, the Permanent Central Opium Board gave an account of its work up to the end of its twenty-fifth session held in August 1935. In the second portion of its report for the year 1934, submitted to the Council at its session in May 1936, the Board commented on the statistics for the year 1934 which it had been unable to include in the first portion of the report. The Board now presents the following report on its work since its twenty-fifth session, together with the statistics relating to the manufacture of the principal drugs. The Board has again been unable to prepare a complete report on the statistics for last year at its August session, and sees no hope of being able to do so in the future, especially as Governments do not all forward their annual returns within the dates fixed by the Geneva Convention. The Board hopes to be able to present, before the end of the current year, all the statistics for the year 1935.

During the past twelve months, the Board has held three sessions instead of the customary four, on account of the transfer of the League Secretariat to the new building. The twenty-sixth session was held from March 24th to 31st, the twenty-seventh from June 23rd to 27th, and the twenty-eighth from August 21st to September 1st.

At its eighty-ninth session in September 1935, the Council of the League appointed M. KUSAMA to fill one of the two vacancies on the Board.

¹ For the annexes to this report, see document C.368.M.242.1936.XI (ser. L.O.N. P. 1936.XI.19).

² See *Official Journal*, June 1936, pages 701 and 716.